KeyCite Citing References

KeyCite Canada® is the industry’s most complete, accurate, and up-to-date citation service. You can use it to instantly verify whether a case, statute, regulation or rule is still good law, and to find citing references to support your legal argument.

KeyCite Canada is the citation research service adapted from The Canadian Abridgment's suite of citator products (Canadian Case Citations, Canadian Statute Citations, Rules Judicially Considered, Regulations Judicially Considered) for WestlawNext Canada.

Subscribers of both WestlawNext Canada and Practical Law Canada will now have access to enhanced Secondary Sources functionality when using KeyCite Canada.

Accessing KeyCite

There are several ways to access KeyCite information:

- While viewing a document with a KeyCite flag, select the flag.
- While viewing any document, select one of the following tabs at the top of the page:

Tip: Select the Powered by KeyCite Canada logo at the top of any case or legislative provision to view general information about KeyCite Canada.

Find and KeyCite (Note up) by Name or Citation

To find and/or KeyCite a case, statute, regulation or rule by name or citation

1. Select the Find button located next to the search box at the top of the screen.
2. Enter your information into the appropriate fields, and then select the Search button.
You can use KeyCite Canada to note up Cases and Legislation

KeyCite Flags alert you to history and citing references that may impact the validity of that document.

**Flags/Icons**

- A red flag (KeyCite negative history or citing references) warns that the case may not be good law, indicating that the decision has been reversed, overruled, or has not been followed within the same jurisdiction or by the Supreme Court of Canada.

- A yellow flag (KeyCite cautionary citing references) warns that the decision has some negative history or treatment, but has not been reversed or overruled. A yellow flag is also displayed if a treatment has been recently added, and has not yet been editorially analyzed.

- A blue H (KeyCite History) indicates that the decision has some appellate history and/or some related proceedings (e.g. motions, applications).

- A green C (KeyCite references) indicates that the decision has no history, but there are treating cases or other citing references to the decision.

- For legislation, a green C indicates that the legislative provision has treating cases or other citing references.

**Note:** The most negative treatment is displayed next to the flag at the top of the case, and includes a link to the underlying document, if available.
History

Select the History tab to view the direct history of a case. Direct history is also displayed in graphical view.

Citing References

Select the Citing References tab to view a list of cases and secondary sources where the case or legislative provision has been cited. The number indicated on the tab specifies the number of documents citing this case.

On the Citing References tab, documents from Practical Law Canada are now included.
Documents from Practical Law Canada which reference the case at hand are listed in order of the Depth of Treatment. The Depth of Treatment provides a visual representation of how extensive the discussion regarding the cited case is. Choosing the name of a Practical Law Canada document will open a new tab, and direct you to the Practical Law Canada website.

Good Faith and Rights of First Refusal: Northrock Resources v. ExxonMobil

This Legal Update looks at Northrock Resources v. ExxonMobil Canada Energy, 2017 CaswellSask 393 (Sask. C.A.), a recent decision of the Saskatchewan Court of Appeal that examined the interaction between rights of first refusal and the duty of good faith in contractual performance.

In Northrock Resources v. ExxonMobil Canada Energy, 2017 CaswellSask 393 (Sask. C.A.), the Saskatchewan Court of Appeal considered the duty of good faith in the context of a right of first refusal. This decision provides a helpful summary of key legal principles and a framework for examining issues of this kind.

To narrow the list of citing references:

1. Enter terms into the Search within results text box on the left side.
2. Select a document type on the left side, for example, Practical Law documents.
3. Use the filters located in the Narrow section on the left side, for example, Publication Name.
When viewing Practical Law Canada secondary sources, the Publication Name will filter each resulting document by appropriate document type – Legal Updates, Practice Notes, Practice Note Overviews, Standard Clauses, or Standard Documents. Selecting one of these types will narrow your results list.

Additional available tabs on KeyCite are for Legal Memo and Court Documents content on WestlawNext Canada.