Job-Hunting Research: Looking for Opinions by Specific Judges

When doing job hunting research, you can use some of the same advanced tools as doing regular legal research.

Say you have an interview with Judge David Smith of the Third Circuit. You are going to want to read his opinions to prepare for that interview. If you just search for David Smith in all Third Circuit opinions, you’re going to get over one thousand results, most of them not relevant to your search. For instance

If you search for David /2 Smith, in other words, find the instances where the names David and Smith appear within two words of each other, you will get both irrelevant results and miss a lot of cases where only the judge’s last name appears in the full text.

So what do we do? In this case, you’re going to want to use the Advanced Search functionality of Westlaw. Once you have navigated to Third Circuit cases, click “Advanced” next to the search bar.

Here you can see that there is a specialized search field for “Judge.” In addition to appearing in the opinion, the judge’s name is kept in a specialized database field in Westlaw. So instead of searching full text (which would include the names of parties and attorneys), using this field means you will only get results where Judge Smith was on the opinion.

While 946 cases are still a lot to take in (and people who have been judges for a long time will end up writing a lot of opinions, or over time the same circuit might get more than one Judge Smith), remember you can continue to filter for more important cases. For instance, Judge Smith has penned 650 unreported cases, which would not be as meaningful for you to review if you wanted a sense of his major jurisprudential thinking. So if you filter by reported status, you can cut the total number of cases by about two thirds. If you want to start with his most recent cases, you can sort by date. If you want to start with his most-cited cases, you can sort that way (the “most used” option is the aggregate customer use of that opinion as determined by Westlaw). You can also filter by topic if that is helpful to you.

Note that regardless of whether or not you enter a judge’s first name, Westlaw will give you the same results including all opinions by all judges named Smith, so you will also want to visit the court’s website to determine if there are more than one with that last name in that jurisdiction at the same time. In this case, there are no other Judge Smiths currently on the court, though there was a judge William Smith on the Third Circuit in the 60’s.