Don Cruse
LAW OFFICE OF DON CRUSE
(512) 853-9100 | don@doncruse.com
Blog: http://www.scotxblog.com

Electronic Resources for Texas Supreme Court Practice
"Practicing Before the Supreme Court" April 15, 2011

This "cheat sheet" includes the web addresses and basic techniques from my talk.

Highlights of the Court's Website
http://www.supreme.courts.state.tx.us

Menu items from the sidebar on the right of the Court's homepage:

"**Court Calendar.**" The Court lists internal conference dates, so you can better understand and explain to your clients what might be happening with petitions.

"**Electronic Briefs.**" As you know, the Court has been requiring advocates to submit an electronic version of essentially all substantive briefs since early last year. This link collects them, sorted by docket number.

"**Oral Argument Audio.**" The hidden gem here is that you can also access transcripts of the Court's arguments, which are posted a few weeks after each sitting. The downside is that the transcripts are often just scanned versions of printouts (made by Westlaw), which makes them harder to read and much harder to search.

"**Oral Argument Video.**" This link takes you directly to the St. Mary's School of Law site, where the Court's live video streams appear and historical argument videos are archived. You might not have seen the "Case Summaries" tab on that site, which includes Osler McCarthy's issue summaries, organized by argument date.

Hacking Your Own Tools: Searching Recent Electronic Briefs Online
Google search parameter: site://supreme.courts.state.tx.us/ebriefs

This part of my talk discussed how to put together your own search tool for the Court's improving archive of electronic briefs. The two insights you need are (1) how the Court has arranged these briefs on its website and (2) how to use advanced search parameters in a search engine such as Google.

How the Court's data is arranged. To put together your own search tool, you need to know a little about how a search engine sees the Court's site. Each webpage and PDF file on the Court's site has its own URL, which you can usually see in your browser's

address bar. (These addresses are coded into the hyperlinks for each brief, so you could also see them by viewing the raw source of the webpage, if you were so inclined.)

As it turns out, the Court has organized its electronic brief archive in a way that is very helpful to us. Each PDF file is assigned an address in a consistent format:

`http://www.supreme.courts.state.tx.us`<mark>`/ebriefs/10/`</mark>`10023511.pdf`

Each URL begins with an "/ebriefs" subdirectory and, from there, goes on to specify the docket year ("/10") and a filename that includes the docket number (here, 10-0235).

How to fine-tune a search engine. My talk focused on an advanced search parameter provided by Google — the "site:" parameter. When Google encounters the "site:" parameter, it limits the search results to just the domain (URL) patterns that match.

Google has a [help page](#) with basic information about it, as well as some other tips about building a good query to narrow down your results.

For us, the key point is that you can also include directory names as part of your "site:" parameter. So, if you search for "site:domain.com/directory", the results will be limited to files that begin "/directory."

Putting it together. Because the Court has arranged its electronic-brief archive into its "/ebriefs" directory, you can use a site: parameter to turn Google into a brief bank. Just include the following as one of your search terms:

`site://supreme.courts.state.tx.us/ebriefs`

The example I used was "Sabine Pilot" (the name of a case that is also the shorthand used to refer to a particular wrongful-termination tort in Texas). You can search for electronic briefs that refer to "Sabine Pilot" this way:

`site://supreme.courts.state.tx.us/ebriefs "Sabine Pilot"`

You can add other search terms as you see fit. (Notice that the quotation marks ask Google to search for the exact phrase rather than the two words separately.)

Limiting by time. These results go back as far as the electronic brief archive itself. To find pending cases raising an issue, you will want to focus on the most recent briefs.

Google has an option (under "more search tools") to limit results just to hits in the "Past year." Unfortunately, Google seems to have a hard time determining the right date to assign to an electronic brief. The results you get using that menu option are unpredictable an seem to omit many relevant results.

This is where your knowledge about the real world can help. As an appellate lawyer, you know that the Court assigns a docket number to each case, and that knowing a brief's docket number is a big clue about how recently it was filed. If you can focus on briefs arranged by docket number, you can go a long way toward limiting your results by date.

As it turns out, the Court's web addresses for briefs are exactly what you need. After the "/ebriefs" part of the address, the Court has put a two-digit number corresponding to the first part of the docket number.

So, to limit your results just to briefs in a certain docket year, you can use a search that looks like this:

site://supreme.courts.state.tx.us/ebriefs/10 "Sabine Pilot"

Caveats. This technique can help find related petitions that are pending today. It is not well-suited to doing historical research (because the underlying brief bank was not as complete before January 2010) or for making broad assertions trying to prove some negative proposition ("there has never been…").

If you have an unusual search that demands more precision searching older petitions or more certainty that the brief bank is complete, you should consider using a commercial vendor you can credit or blame.

Advanced Tools: Building on the Work of Others

Court Feeds

General information, including orders lists:
    Feed: http://www.supreme.courts.state.tx.us/scnews.xml

Oral argument audio (as a podcast):
    Feed: http://www.supreme.courts.state.tx.us/podcasts.xml

Issue and opinion summaries from Osler:
    email him at: osler.mccarthy@courts.state.tx.us

Westlaw Resources

In recent years, West has worked with the Court to create transcripts of current arguments, as well as the Court's archive of oral-argument tapes. Those transcripts have been posted on the Court's website, although in a format that does not readily lend itself to searching.

West makes these transcripts available on its TX-ORALARG database, which is linked to the video of recent oral arguments.

West also has a searchable archive of Supreme Court briefs that, for historical research, is more complete than the web version because it has paid for older, scanned briefs to be converted to a searchable form.

DocketDB Public Feeds and Resources
These first three feeds are available from the front page of DocketDB.com, without any registration. Each has an "RSS Feed" link that lets you subscribe to be updated.

New petition filings. Look for the red Acrobat icon to see which have already been linked to the corresponding PDF.
http://docketdb.com/recent/pfr

New briefing on the merits requests.
http://docketdb.com/recent/bom

Relevant news articles and blog posts.
http://docketdb.com/news

Other DocketDB Public Resources

Recent opinions, showing the vote breakdown of Justices.
http://docketdb.com/opinions

Issues/Granted. A list of keywords related to petitions for which the Court has granted review or has heard oral argument.
http://docketdb.com/issues/granted

A Few Other Tools from DocketDB
The other items that I demonstrated live are all available to registered users at the Community Level or higher, although paid users have more historical data (such as voting affinity analysis back to 2006).

Stages. A breakdown of pending petition by stage, so you can see how your petition fits into the Court's overall docket or spot long-pending petitions that might be candidates for per curiam disposition.
http://docketdb.com/stages

Voting Affinity. A chart showing how each pair of Justices has voted this term. You can drill down to see exactly which cases caused them to disagree.
http://docketdb.com/stats/voting

A breakdown of opinions from the current term, broken out by author.
http://docketdb.com/stats/opinions