

GUIDE TO LOCATING FLORIDA CASE LAW: current decisions

Florida State Cases

At the state level, virtually no trial court decisions, which include state circuit courts and county courts, are published. To obtain copies of these lower court decisions contact the court clerk with the case name or docket number. These unpublished decisions will not be found in the Law Library.

The Florida District Court of Appeals and Florida Supreme Court cases are published in Southern Reporter. To locate them, use the list of sources that follows. To obtain an unpublished case or papers filed for the court's review, contact the appropriate court clerk. The *Florida Bar Journal Directory*, published in September each year, has a complete listing of addresses and phone numbers for court clerks.

Florida Supreme Court Records and Briefs.

<http://www.law.fsu.edu/library/flsupct/>

This file contains opinions issued in Florida Supreme Court cases decided since November 1988 and the briefs filed in those cases. Briefs for cases decided without an opinion are not included.

Federal Cases Originating in Florida

In the federal courts, only about one tenth of the trial level or district court cases will be published. There are three District Courts in Florida. The **published** federal district court opinions are printed in the *Federal Supplement* (upper level) and indexed in *West's Federal Digest* system, Table of Cases.

Federal appellate level of Circuit Court opinions that are published are printed in the *Federal Reporter* and are also indexed in *West's Federal Digest*. The Circuit Court covering Florida is the 11th Circuit Court of Appeals. *West's Federal Appendix* covers opinions and decisions from 2001 to date issued by the United States Courts of Appeals that are not selected for publication in the *Federal Reporter*. Opinions are included from all circuits except for the 5th and 11th, which do not provide their "unpublished" opinions to any publisher.

Availability of cases

Expect publication of court decisions to lag behind news reports of cases. Some court opinions, discussed by the media, never are published. Remember that reported cases are only the decisions of the judges and not transcripts of the trial. To obtain papers that the U.S. Supreme Court and Florida Supreme Court have considered in rendering their decision (briefs) consult library personnel. We have recently begun receiving briefs for the 11th Circuit Court of Appeals as well.

The most current sources of Florida decisions follow. Even more current than print sources of court decisions are computerized legal databases like LEXIS and WESTLAW. Opinions appear on LEXIS and WESTLAW 24-72 hours after being decided. LEXIS and WESTLAW are reliable sources for locating current decisions. Access can be through docket number, date, case name, judge,

counsel, etc. At the Legal Information Center only UF Law Students and College of Law personnel have access to LEXIS and WESTLAW.

Florida Court Hierarchy (top to bottom) Supreme Court, District Courts of Appeal, Circuit Courts (and county courts).

Federal Court Hierarchy (top to bottom) Supreme Court. Circuit Courts of Appeal, District Courts.

Florida Law Weekly

Coverage Florida Supreme Court and District Courts of Appeal

Location Reserve Desk for current issues

Currency One to three weeks after decision is rendered

Frequency Forty-eight times a year

Indexing Table of names, subject access, statutes, hearings & review. Cumulated quarterly.

Southern Reporter

Coverage Florida Supreme Court and District Courts of Appeal

Currency Opinion published in advance sheets 1-2 months after decision rendered.

Frequency Weekly advance sheets - 5-7 days after cover date; 1-2 bound volumes per month.

Indexing Florida Digest (Southern Digest ceased publication in 1988) Note . . Florida Cases (Florida subset of Southern Reporter)

Florida Supplement (ceased publication - replaced by *Florida Law Weekly Supplemental*)

Coverage Florida Circuit Courts' appellate jurisdiction and selected Florida Administrative agency decisions - published by Lawyer's Co-op

Currency Opinions printed 3-12 months after decision rendered

Frequency Receive one volume every 3-4 months

Index . . Has own digest

September, 1990; 1992, 1997, 2006 Special thanks to the University of New Mexico Law Library (PW)