

GOOGLE SCHOLAR:
THE BEST KEPT SECRET ON THE INTERNET (NOT ANY MORE)

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How many times does someone give you a tip which has immediate practical use and can save you a lot of money? I had that experience recently when I signed up for a seminar on the Florida Rules of Evidence. The speaker began, not by discussing hearsay or any hearsay exceptions, but by telling his audience about Google Scholar. I am passing along this valuable information... not just out of altruism, but out of a desire to see Google Scholar succeed so that it will continue to exist and benefit all of us.

Google Scholar is a beta (test) version of Google, the internet search engine. On the "About Google Scholar" page, it is described as follows: "Google Scholar provides a simple way to broadly search for scholarly literature. From one place, you can search across many disciplines and sources: articles, theses, books, abstracts and court opinions, from academic publishers, professional societies, online repositories, universities and other web sites. Google Scholar helps you find relevant work across the world of scholarly research."

Google Scholar can be accessed by typing the words "google scholar" in the regular Google search field. (Once accessed, you can add Google Scholar to your favorites bar to eliminate that step.) You will now see a new Google Scholar screen which looks a lot like regular Google, but which includes the motto: "Stand on the shoulders of giants." Wow. You will find this to be a fitting motto.

Immediately underneath the search field on Google Scholar, which works just like Google -- meaning you type in the search terms you want -- you will have two options: (1) Articles (which can include or exclude patents) and (2) legal opinions and journals. Legal opinions and journals will include a database of reported cases from seemingly all state and federal jurisdictions. Most importantly, there is an "advanced search" capability which allows you to:

- Search by an exact phrase
- Limit search to exclude certain words
- Limit articles by author, date, or subject
- Limit search to specific federal or state courts

Here's an example of how it works: I want to find cases on undue influence (I am an estate litigator) in Florida. At the Google Scholar page, I click on Advanced Scholar Search. In the box "with the exact phrase" I type in "undue influence". I then go down

to the box “Legal opinions and journals” and I click “Search opinions of _____ courts”. I click on Florida to fill in the blank.

The first ranked case in my search results is the most frequently cited case on undue influence in Florida: Estate of Carpenter, 253 So. 2d 697 (Fla. Sup. Ct. 1971). Underneath the case cite are two hyperlinks: one says “cited by 148”, and provides a list of all reported cases which cite the Carpenter decision; the other says “related articles” and appears to pull cases on the same topic in the same jurisdiction including cases which do not cite Carpenter. Immediately to the right of the Carpenter cite is a hyperlink “How Cited” – clicking on that link provides a sampling of quotations from cases referencing Carpenter, with hyperlinks to each of the cases. The right hand side of the screen shows additional cases citing Carpenter and “related articles” which, again, includes additional cases on point.

All of this search capability is absolutely, 100%, no fine print, FREE!

Can Google Scholar replace all of our existing paid legal research services? Probably not. But it is an excellent starting point for research which is outside of your paid subscription, perfect for finding that one case for black letter law or checking a citation without having to deal with logging in or out of your service, and invaluable for accessing case law when you are in court or somewhere else where your subscription service is not available. I have even accessed Google Scholar from my iPhone, in Court, to provide the Judge with an exact citation to a case which was referenced by another party. (Made me look pretty smart.)

For fun, I searched my own name in Google Scholar and came up with my published Law Review article from 1991, my most recent Florida appeals court decision, and case decisions on cases that I had long since forgotten from my days practicing First Amendment law in New York. It was fun taking the trip down memory lane. It is also interesting to search patents – a client trying Google Scholar discovered, to his astonishment, that his mother had patented a ballet slipper in 1974.

Give it a try. Since Google Scholar is only a beta version, we need to use it or we may lose it.