

Tip Sheet for Searching Court Records

Below are a series of tips that should be kept in mind as you perform your record searching at the courts.

1. Learn the Index & Record Systems

Most civil courts index records by both plaintiffs and defendants, but some only index by the defendant name. A plaintiff search is useful, for example, to determine if someone is especially litigious.

2. Understand the Search Requirements

There is a strong tendency for courts to overstate their search requirements. For civil cases, the usual reasonable requirement is a defendant (or plaintiff) name – full name if it is a common name – and the time frame to search – e.g., 1993-2002. For criminal cases, the court may require more identification, such as date of birth (DOB), to ascertain the correct individual.

3. Be Aware of Restricted Records

Courts have types of case records, such as juvenile and adoptions, which are not released without a court order. Records may also be sealed from view or expunged. The presiding judge often makes a determination of whether a particular record type is available to the public. Some criminal court records include the arresting officer's report. In some locations this information is regarded as public record, while in other locations the police report may be sealed.

4. Watch for Multiple Courts at Same Location

When the general jurisdiction and limited jurisdiction courts are in the same building and use the same support staff, chances are the record databases are combined as well. But that does not necessarily mean you will receive a search of both databases and pay for one search unless you ask for it. Do not assume.

5. Watch for Overlapping Jurisdictions

In some states, the general jurisdiction court and the limited jurisdiction court have overlapping dollar amounts for civil cases. That means a case could be filed in either court. Check both courts; never assume.

6. Online Searching is Generally Limited to Docket Sheets

Most courts that offer online access limit the search to the docket sheet data. But checking a courthouse's computer online docket index is the quickest way to find if case records exist online. Just be sure to check all name variations and spelling variations.

Case document images are not generally available online because courts are still experimenting and developing electronic filing and imaging. Generally, copies of case documents are only on-site.

6. The Less You Pay for Online Searching the Less Useful the Data Is

Look closely for a disclaimer. As you will read in the book, there are certain states or counties that provide free record searching on the web. Look closely for a disclaimer. Is this the official record? Are you doing the search for employment or litigation purposes and need the official record? Does the site provide any personal identifiers beyond the name? This can be a problem when researching a common name.