7 | USING AUTHORITY CHECK

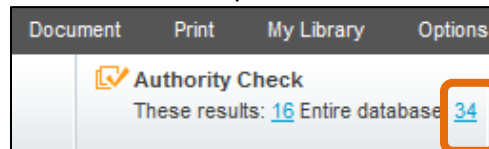**Overview**

Authority Check is Fastcase's integrated citation analysis tool. You can use Authority Check in many ways, including:

- To generate a list of later citing cases to find related authority on your topic.

- To prioritize your research by identifying the most frequently cited cases within your list of results.

Generate a List of Later Citing Cases

- Start by pulling up the case you are interested in. Make sure you are on the page with the full text of the case.

- The hyperlinked "Entire database" number under the Authority Check heading (top left side) corresponds to the number of times the case has been cited in the Fastcase database.

- Click on the hyperlinked "Entire database" number to generate the Authority Check Report with a list of later citing cases. The report will load in a new tab or window within your browser.

Scroll down to "Citing Cases" for a list of hyperlinked later citing cases.

Use the jurisdiction filter to focus on later citing cases from your jurisdiction.

Authority Check is not a citator; it does NOT include editorial information telling you whether a case is still good law and it does NOT check for subsequent cases overruling your case.

We recommend that you use an editorial citator such as Shepard's (via Lexis-Nexis) or KeyCite (via Westlaw) that indicates whether a case is still good law.

Identify Frequently Cited Cases

- On the results page, the number to the right of each case under the Authority Check heading corresponds to the number of times the case has been subsequently cited in other cases.

- Sort the most frequently cited cases overall to the top of the list by clicking on the heading, "Entire Database."

- Sort the cases most frequently cited by other cases in your search results to the top of the list by clicking on the heading, "These Results."

Identify Negative Citation History

The *Bluebook* requires that courts indicate negative history of cases cited within opinions. The Fastcase "Bad Law Bot" takes advantage of this data by using algorithms to find these negative citation histories, then flags those cases and provides links to those cases.

Here, we looked up *Ohio v. Roberts*, 448 U.S. 56. Note the red flag next to the case name, indicating negative citation history for the case.

Once you click through to *Roberts*, you'll also notice that there's a red flag in the Authority Check area.

To see the cases that indicate negative citation history for *Roberts*, simply click on the Negative Treatment Indicated link and the Authority Check report will open in a new tab.

Here's what the Authority Check report looks like for *Roberts*.

Bad Law Bot finds negative citation history by taking all the cases that have cited *Roberts* and examining how they've cited to *Roberts*. If a court has negatively cited to *Roberts*, Bad Law Bot will link you to that case. Keep in mind that Bad Law Bot determines negative case history by using algorithms, and that it is not intended to be a complete replacement for a full editorial citator or for reading all later-citing cases. A red flag means that there's likely negative treatment, since a court has said as much by their use of a negative citation, but no red flag does not necessarily mean that a case is still good law. If a case has been overturned but no court opinion has cited to it yet, Bad Law Bot won't be able to find any citation signal information.