Jerry E. Smith was appointed by President Reagan to the U.S. Fifth Circuit Court of Appeals in 1987. Judge Smith grew up in Lubbock, Texas, and graduated from Yale College in 1969 and Yale Law School in 1972. He was a district court law clerk, 1972–73, and practiced with Fulbright & Jaworski in Houston, Texas, from 1973–84 (partner, 1981–84), and was Chair of the City of Houston Civil Service Commission 1982–84. Judge Smith was the City Attorney of the City of Houston 1984–87. While a Circuit Judge, he served as Chair of the Advisory Committee on the Federal Rules of Evidence.

Judge Smith's former law clerks include a U.S. Senator, three U.S. Circuit Judges, a Judge on the U.S. Tax Court, a Judge on the U.S. Court of Federal Claims, a Commissioner of the Federal Election Commission, a state Supreme Court Justice, a state Appeals Court Justice, two former state Solicitors General, the former General Counsel of the Federal Communications Commission, the former Chief of Staff to the Secretary of State, and at least a dozen law professors.

Judge Smith married Mary Jane Blackburn Smith in 1977. They live in Houston and have four children and several grandchildren.