Wikipedia as a Basis for Judicial Method?

Justice Cardozo, a preeminent scholar on judicial method, would have never predicted it in a million years. It flies in the face of reason, tosses stare decisis to the wind, and causes traditional judiciary ethics to quake in their proverbial boots. What is it?

Wikipedia. It is now being cited in American judicial opinions. Lee F. Peoples, Associate Professor of Law Library Science and Director of International Programs at Oklahoma City University School of Law, is working on a paper exploring the use of Wikipedia by the judiciary.

Peoples finds that Wikipedia was cited almost 300 times in judicial opinions as of September 2008. A majority of the purposes for which courts cite Wikipedia are relatively non-threatening. There are references to widely-known facts, for example. However, Peoples does find some instances that are more disturbing. Probing an Eighth Circuit case, Peoples finds the court remanded a case because the district court upheld factual findings based on information from Wikipedia. Other disturbing instances involved courts using Wikipedia as a basis for reasoning or as support for a conclusion.

The significance of this occurrence cannot be overstated. Wikipedia is a type of collaborative Web site where volunteers (75,000 according to their website) contribute to a Web-based, free content encyclopedia project. In other words, any person with a working computer, Internet access and a basic understanding of HTML is considered a volunteer and may contribute to Wikipedia. To off-set inaccuracies, the project does encourage the use of citations to any relied upon authorities. Still, students may now have a leg to stand on when their professor bans their use of Wikipedia in a brief or memorandum if they point to the very same usage in U.S. Courts.

Peoples explores the impact of references to Wikipedia in judicial opinions on the law of evidence, judicial ethics, the judicial role in...
Librarians to Serve Food for Thought this Spring

The Brown Bag Sessions (BBS) provide students with informal yet engaging opportunities to discuss new and reliable print and electronic resources necessary for conducting legal research. These series are exclusive to TMSL students only.

BBS serve to clear up any confusion students may have after completing their course in legal research; to brush up in preparation for writing a research paper; or the use of an available electronic database.

Sessions start in the Spring. A schedule will be posted in the library on the information kiosk and will be made available at the Circulation Desk. Please note that these topics are tentative and may be changed at any time.

Also available this Spring, the Clerkship Crash Course in Legal Research is scheduled for the beginning of April. The purpose of the Clerkship Crash Course in Legal Research is to allow students to brush up on their research skills in preparation for their summer clerkships and jobs. The Crash Course will review previously taught research skills and give more detailed attention to specific legal research strategies. The Course will present a Texas legal research problem; unlike the first-year legal research course which focuses on a federal problem. The Clerkship Crash Course will be open to 100 students, as space permits, on a first-come, first-serve basis. Students must sign up at the Circulation Desk. The Clerkship Crash Course will be a half-day presentation covering secondary sources, case law research, citators, and statutory research. Please mark your calendars now and plan to take advantage of this opportunity.

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Studying for Finals: Time is of the Essence

The law library will be open for extended hours during the reading and final exam periods. Students are encouraged to take advantage of two additional hours of study time.

Extended hours will be in effect beginning on Saturday, November 29, 2008 to Thursday, December 11, 2008. The hours are as follows:

| Mon—Thur | 7 am—2 am |
| Fri & Sat | 7 am—12 am |
| Sun      | 12 pm—2 am |

Students, please note that extended hours are a courtesy. During these times, only law students will be allowed in the library. Doors are not to be propped and students must remain in the library and use the facilities in the basement. Adhering to these rules will ensure a safe, incident-free reading period.

After acing your exams, you are welcomed to visit the library during the holiday season. We are open Monday through Friday from 8 am and 5 pm (Dec. 12—22, 2008 and Jan. 2—9, 2009). All hours are subject to change. Please visit or call the circulation desk for up-to-date hours of operation.

As you study for finals, you are not alone! Reference librarians can point you to study aids.
On October 14, 2008, Michael Wasserman donated a collection of African Art to the Texas Southern University. The collection is valued near a quarter of a million dollars. Mr. Wasserman and university and law school officials intended the collection to be housed at Robert J. Terry Library. However, the library sustained damages during Hurricane Ike. It was then that the law library’s director, DeCarlous Spearman, offered to house the collection.

University and law school officials worked tirelessly to ensure the collection was received and displayed. Charlotte Washington, TMSL Director of Communications, and Carolyne Oliver, TSU Director of Development, facilitated the arrangements for delivery and receipt of the collection.

The common law adversarial system, the de-legalization of American law, and the future of stare decisis. Lastly, Peoples finds these citations are here to stay. Thus, he concludes by discussing the best practices for judicial reliance on Wikipedia and other wiki materials. The abstract for the paper is available on the Social Science Research Network.
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Schedule of Events

- November 27, 28: Library Closed
- November 29—December 11, 2008: Extended hours tentatively scheduled
- December 12—22: Library’s hours of operation 8 am—5 pm.
- December 13, 14: Library Closed
- December 20, 21: Library Closed
- December 23, 2008—January 1, 2009: Library Closed
- January 2—9, 2009: Library’s hours of operation 8 am—5 pm

Season’s Greetings from the TMSL Library