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Although Wikipedia is an extremely popular website and is useful for casual or preliminary research, the propriety of using Wikipedia for serious research and citing to it is the subject of fervent debate. In the legal field, this debate rages on in the context of judicial citation to Wikipedia in court opinions, with the primary focus on whether Wikipedia should never be cited or if it is an acceptable practice as long as Wikipedia is used to obtain tangential information only.

This study analyzes judicial citation to Wikipedia in published federal court opinions in an attempt to determine when and why Wikipedia is cited by federal judges. The results of this citation analysis were illuminating and at times troubling and surprising. Most significantly, this study discovered that Wikipedia was used to obtain information important to the outcome of the case in just over one-third of all opinions.

Headings:

Citation Analysis

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JUDICIAL CITATION TO WIKIPEDIA IN PUBLISHED
FEDERAL COURT OPINIONS

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Introduction

As one of the most frequently visited websites, there can be no doubt that Wikipedia is an extremely popular reference source (Johnson, 2009). Despite its popularity, however, Wikipedia is often criticized as inaccurate and unstable, and many have argued that it should not be relied upon or cited in any scholarly or official document (Denning, Horning, Parnas & Weinstein, 2005; Richards, 2008; Waters, 2007). Not surprisingly, this debate rages on in the legal field in the context of court opinions. The first published court opinion to contain a Wikipedia citation was issued in 2004—three years after the site’s creation—and Wikipedia has been cited hundreds of times since. In 2006, Wikipedia was cited four times more than *Encyclopaedia Britannica* in court opinions (Sunstein, 2007). Commentators have fallen basically into two camps. Some, like Judge Richard A. Posner, think citing Wikipedia is acceptable: “Wikipedia is a terrific resource . . . Partly because it is so convenient, it often has been updated recently and is very accurate” (Cohen, 2007, p.C3). Others, like professor Cass R. Sunstein, argue that Wikipedia is not appropriate to cite in a court opinion: “I love Wikipedia, but I don’t think it is yet time to cite it in judicial decisions” (Cohen, 2007, p. C3). This paper examines Wikipedia citations in published federal court opinions and explores whether the website—that even founder Jimmy Wales says should not be used for “serious research” (Young, 2006)—should be relied upon and cited to by judges, who are making decisions that have a significant impact not only on the parties involved, but also on the development of the law (Richards, 2008).

Background

To understand the importance of the debate over whether Wikipedia should be cited in court opinions, it is first necessary to discuss two subjects: (1) the nature and structure of Wikipedia and (2) the tradition of judicial citation and why the study and analysis of citations in court opinions is important.

How Wikipedia Works and Why It Makes People Nervous

Created in 2001, Wikipedia is a “multilingual, Web-based free-content encyclopedia project . . . written collaboratively by volunteers from around the world . . . [that] anyone can edit” (“Wikipedia:About,” n.d.). The goal of Wikipedia “is to compile the sum of all human knowledge” (“Wikipedia:Contributing to Wikipedia,” n.d.). Wikipedia grows and changes rapidly with “hundreds of thousands of visitors from around the world collectively mak[ing] tens of thousands of edits and creat[ing] thousands of new articles” (“Wikipedia:About,” n.d.). The authors of Wikipedia are generally anonymous, identifiable only by IP address.¹ Authors can create an account such that their contributions will be associated with a username, but they can still remain anonymous (“Wikipedia:Why Create an Account?,” n.d.). As discussed more below, registration has certain benefits, such as the ability to create new articles.

The creation of content on Wikipedia, however, is not a free-for-all. Wikipedia has established editing policies and a manual of style (“Wikipedia:About,” n.d.). Additionally, although Wikipedia bills itself as the encyclopedia that anyone can edit, this is not entirely true. Certain users may be blocked in accordance with established Wikipedia blocking policies. For example, an administrator can block a user for repeatedly violating copyright law, personally attacking others, or repeatedly vandalizing

articles (“Wikipedia:Blocking policy,” n.d.). Moreover, not all articles may be edited by anyone. Some pages may only be edited by administrators, and others cannot be edited by anonymous users (“Wikipedia:Protection policy,” n.d.). For example, only certain users can edit the article on President George W. Bush because it is “semi-protected” as a result of ongoing vandalism (“George W. Bush,” n.d.).² Last, but not least, a great deal of protection is afforded by thousands of vigilant Wikipedians who regularly monitor the site and attempt to provide some level of quality assurance.³

Despite these established safeguards, Wikipedia’s openness and constant change cause serious doubts as to its reliability, and the legitimacy of this commonsensical concern is reinforced by three factors. First, Wikipedia itself contains many disclaimers regarding validity of information and the appropriateness of citing Wikipedia, stating that “Wikipedia makes no guarantee of validity” (“Wikipedia:General disclaimer,” n.d.) and “[w]e advise special caution when using Wikipedia as a source for research projects” (“Wikipedia:Citing Wikipedia,” n.d.). Second, there have been a number of highly publicized instances of Wikipedia error. One of the most notorious examples is the article on John Seigenthaler, Sr., former administrative assistant to Attorney General Robert Kennedy, which falsely suggested that he was involved in Kennedy’s assassination (Richards, 2008; Giles, 2005). Another is the articles on the Shimabara Rebellion of 1637–1638 and Ogyu Sorai. After multiple students in a Japanese history class at Middlebury College provided incorrect information on these topics on their final exam, the professor traced the information to Wikipedia. This led the history department to issue a policy prohibiting students from citing Wikipedia (Waters, 2007). Third, in addition to these seemingly unintentional errors, is Wikipedia vandalism. Certain users

abuse Wikipedia's openness and purposefully insert inaccurate or inappropriate content. One such case of vandalism was discovered during the course of this study. On February 29, 2009, the article on America Coming Together was entirely replaced with "Victoriagirl is a wanker." ("America Coming Together," n.d.). The potential for error and vandalism on Wikipedia did not escape the notice of comedian Stephen Colbert, who urged the viewers of his popular television show *The Colbert Report* to change the articles on elephants to say that the population had tripled in the previous six months. The response was so great that it crashed Wikipedia's servers and twenty entries on elephants were locked down so that no one but longtime users could edit them (Ahrens, 2006).

The existence of error and criticism of Wikipedia does not necessarily make Wikipedia uncitable. No information source is infallible. As discussed below, even established, well-respected print sources such as *Encyclopaedia Britannica* contain errors, and some studies have shown that Wikipedia is fairly accurate. Moreover, some of the other criticisms launched at Wikipedia, such as anonymous authorship, are not unique to this website; judicial citation to *Corpus Juris Secundum* has also been denounced because the legal encyclopedia's articles were unsigned (Merryman, 1954). However, Wikipedia *is* different for a few key reasons.

First, even if a particular article is accurate at a given moment, Wikipedia's *high potential* for error (Denning, Horning, Parnas & Weinstein, 2005) due to its open editing policy is what is most troublesome. Second, while not error-free, traditional reference sources at least claim to be authoritative. Britannica, for example, states that *Encyclopaedia Britannica* is "[c]omprehensive, authoritative information on nearly every

subject” (Encyclopaedia Britannica, Inc., n.d.). Wikipedia expressly disclaims that the articles are always authoritative and comprehensive. Third, in regard to anonymous authorship, although articles in traditional encyclopedias may be unsigned, the author is at least a subject-matter expert. In *Britannica*’s case, the authors are “the world’s leading experts, including many Nobel Prize winners” (Encyclopaedia Britannica, Inc., n.d.) Wikipedia articles can be authored by *anyone*. Finally, not all of the usual means by which a person can judge the quality of a source are available for Wikipedia. For example, legal treatises are generally reviewed in law reviews and other journals, and a potential user can consult these reviews to learn more about the treatise’s quality (Merryman, 1954).⁴ A Wikipedia article is “reviewed” by the site’s users, but again, these are not necessarily subject-matter experts.⁵

The Importance of Studying Judicial Citation

One may think that as long as the reasoning is sound, the information is accurate, and the outcome just, it does not matter what a judge cites as the basis for her opinion. Given the nature of the law and the value the legal profession places on authority, however, the sources relied upon and cited in a court opinion are significant. To fully understand this significance and why studies like this one are important, it is necessary to consider why judges cite authority in the first place, what information is gathered by studying these citations, and the effect judicial citation has on the authoritativeness of a source.

Purpose of Judicial Citation. Court opinions are “the law.” Judges, however, cannot make the law whatever they want because they only have “derivative” power:

Even though [judges] have great power, they are *not* supposed to act free and unfettered. A judicial decision does not stand on its own. According to our legal

theory, judges decide ‘according to law.’ They are not free to decide cases as they please. They are expected to invoke legal authority for their decisions.” (Friedman, Kagan, Cartwright & Wheeler, 1981, p. 793)

Additionally, there is a habitual component: Judges—trained as lawyers—were taught to always provide authority for propositions, so they continue to do so (Merryman, 1954).⁶

Purpose of Citation Analyses. The most manifest reason to examine judicial citation is to determine what the law is—that is, to determine what cases control a particular legal issue by reference to those cited by a court (Merryman, 1954). Studying judicial citation, however, provides a great deal more. Judicial opinions and the citations therein give insight into “judicial culture” (Friedman, Kagan, Cartwright & Wheeler, 1981, p. 773). Certainly, not every citation is made with “conviction or understanding about the purpose of citation [or] the nature of authority or the function of precedent,” but it is reasonable to assume that most judges⁷ select their authorities with a purpose in mind, hoping the reader will attach a particular meaning to the reference (Merryman, 1954, p.613). Citation analysis facilitates the discovery of these purposes and meanings. Most significantly—and discussed further below—judicial citation evidences the reasoning of judges and particularly “what counts as sound legal reasoning for any given era” (Friedman, Kagan, Cartwright & Wheeler, 1981, p. 773).

Effect of Judicial Citation on Authority. When a judge cites a particular source, she is indicating—intentionally or unintentionally—that the source is persuasive, legitimate authority: “By mentioning the work in [an] opinion the judge has given it prestige [C]itation by a court, in the public mind, puts the stamp of judicial approval on the work” (Merryman, 1954, p. 616). Attorneys, then, will justifiably rely on those

authorities in determining what the law is and cite to those authorities when arguing their client's case (Merryman, 1954, 616).⁸

Once cited by a court and thereafter cited by an attorney in a brief, reliance on the source quickly escalates, especially if a court repeatedly cites it. Merryman (1954) discussed this phenomenon using the *Restatement* as an example:

A lawyer is justified in believing that a court which cites the Restatement considers it to be persuasive, if not binding, authority. As a consequence, he is influenced to use the Restatement himself, and perhaps to think of it as authoritative. This process becomes cumulative; the more frequently the Restatement is cited in judicial opinions the more frequently it will be cited in subsequent ones. (p. 618)

Further accelerating the snowball effect of a judicial citation to an authority, is that legal publishers—realizing that judicial citation increases the authority and prestige of a particular work—are quick to publicize a reference to one of their publications in a court opinion (Merryman, 1954). Again using the *Restatement* as an example, Merryman (1954) points out that “[e]ventually a sufficient number of citations have occurred to justify publication of something like the *Restatement in the Courts* which, since it uses judicial citations to prove the Restatement has prestige, adds a geometric factor to this cumulative process” (p. 618).⁹

This pattern is not problematic (and is, in fact, a good thing in that it is how law develops and becomes more predictable and settled)¹⁰ as long as the sources involved are accurate and reliable. If a source is instead inaccurate and unreliable, that initial judicial citation begins a cycle of misinformation that is difficult to break. Again, Merryman (1954) provides an apt example using substandard legal treatises:

Such work should not be authoritative in any sense, but some attorney will eventually cite it in his brief and some court will for one reason or another eventually pick up that citation and put it in its opinion. Others will see the work

cited in the opinion and cite it in their briefs, other courts will cite it, and the publisher will use these citations by courts to convince others that they should buy and use the book. . . . So it grows and grows. (p. 647)

Literature Review

Given the characteristics of Wikipedia that cause increased potential for error and impermanence and the powerful meaning attributed to citation by a judge, it was inevitable that Wikipedia citations in court opinions would cause a fervent debate and create a need for the study and analysis of these citations. To give context to the present study, this literature review contains a discussion of the arguments for and against judicial citation to Wikipedia and the one study that conducted a similar analysis of these citations. This review will also provide a brief examination of some of the previous citation analyses of court opinions generally in order to highlight the type of methods used and information gathered in this type of study. Finally, since the entire controversy results from doubts of accuracy and stability, this review will consider studies of the reliability of Wikipedia and the permanence of citations to Internet sources.

Controversy Over and Analysis of Judicial Citation to Wikipedia

Wikipedia was first cited by a federal court in a published opinion on October 15, 2004. On that date, the United States Court of Appeals for the Eleventh Circuit issued its opinion in *Bourgeois v. Peters* (2004), citing the Wikipedia article “Homeland Security Advisory System.” The Eleventh Circuit alone does not hold the title of the first federal court to cite Wikipedia because on that same day, the United States District Court for the Eastern District of Virginia cited the Wikipedia article “Hollywood Walk of Fame” in *Demmon v. Loudon County Public Schools* (2004).

It did not take long for the legal community to notice this new development. Just a few days later, Eugene Volokh reported the citation in *Bourgeois v. Peters* (2004) and outlined the central components of the debate in a post on his popular legal blog *The Volokh Conspiracy* (Volokh, 2004). Volokh noted that while Wikipedia is successful and a useful tool for casual, personal use it may not be appropriate to cite Wikipedia in a court opinion, “which not only resolve[s] disputes between parties but also effectively create[s] law that governs future disputes.” On the other hand, he argued that erroneous information appears in more traditional sources as well (and courts have cited to it), citations to Wikipedia in court opinions may be harmless if the information is “pretty uncontroversial,” and in light of the speed with which judges need to work, Wikipedia may be the most efficient source.

Since 2004, courts have continued to cite Wikipedia, and the debate has persisted along roughly the same lines. Some take the staunch view that it is never proper for a court to cite Wikipedia in a court opinion and consider it a “disturbing trend” (Richards, 2008, p. 62; Cowden, 2007; Cohen, 2007). Even “tangential” citations are considered improper, not to mention when Wikipedia is cited “as the primary legal basis for [an] opinion” (Richards, 2008, p. 62). For example, using Wikipedia as a source for taking judicial notice of a particular fact—a topic discussed in detail below—is definitely *verboten*. The reasons for this opposition are the usual criticisms of Wikipedia: its ability to be edited by anyone, the prolific disclaimers on the site itself, the constant flux of content, and vandalism or the insertion of purposeful inaccuracies (Richards, 2008). Others take the view that the appropriateness of citing Wikipedia depends on the context and the purpose for which it is cited (Cohen, 2007; Solove, 2007). As noted, Judge

Richard A. Posner has stated, “Wikipedia is a terrific source Partly because it is so convenient, it often has been updated recently and is very accurate. . . . [But,] [i]t wouldn’t be right to use it in a critical issue” (Cohen, 2007, p. C3). Finally, there are advocates of Wikipedia who argue the source is entirely appropriate (Noveck, 2007).¹¹ While detractors of judicial citation of Wikipedia argue that the nature of the site is one of the primary reasons it should *not* be cited, supporters also highlight Wikipedia’s nature as the reason why it *is* acceptable. For example, Noveck (2007) points out that (1) “collective human knowledge” is valuable, (2) Wikipedia is similar to Westlaw and LexisNexis in that it is a “database of human knowledge and research,” (3) Wikipedia enables previously disconnected experts to collaborate, (4) Wikipedia’s popularity and inclusion in search engine results leads to an abundance of individuals checking it for accuracy; and (5) Wikipedia can be updated quickly.

Although judicial citation to Wikipedia has been controversial from the start and the topic has been robustly discussed, most articles include only the results of perfunctory searches in Westlaw or LexisNexis to see how many times Wikipedia had been cited and then discuss a only few citations as examples (Richards, 2008; Cohen, 2007; Volokh, 2004). This author only found one unpublished study that actually conducted an empirical analysis of the opinions (Breinholt, 2008). Breinholt’s sample included both published and unpublished federal and state court opinions that cited Wikipedia, which as of January 2008 was 192 opinions. The study categorizes the types of cases in which Wikipedia is cited, and Breinholt argues that citing Wikipedia is not “dangerous” if it is cited in unimportant cases.¹² At the federal level, Wikipedia was most often cited in “prison,” “intellectual property,” and “disability benefits” cases and at the state level in

“criminal,” “zoning,” and “product liability” cases. Breinholt is unconcerned about the use of Wikipedia in the prison and disability benefits cases as these are “among the most banal federal controversies,” (p. 5) but identifies the use of Wikipedia in state criminal cases as “potentially the most problematic” (p. 6).

The study also analyzes how Wikipedia is used by the courts, dividing citations into the categories of (1) Wikipedia “as a dictionary,” (2) Wikipedia “as a short-cut to evidentiary fact-finding,” (3) Wikipedia used “to support or explain a rhetorical argument,” and (4) “commentary about Wikipedia itself” (p. 6). Breinholt did not find the use of Wikipedia for definition or rhetorical argument troublesome, but he took issue with its use as an evidentiary tool in criminal cases. He ultimately concludes that judicial citation to Wikipedia is inevitable and that he “has a hard time thinking that judicial reliance on it is particularly problematic” (p. 11).

Other Citation Analyses of Court Opinions

As previously noted, analyzing citations in court opinions is important given the insight it provides to the judicial process and the effect judicial citation has on the legitimacy of a source. Accordingly, a tremendous number of articles and other publications have analyzed and considered the citation practices of various courts. A comprehensive review of these studies in this paper is impossible given the sheer number, and it is not necessary because most bear little or no relation to the present inquiry. However, a brief discussion of some of these citation analyses will be useful.¹³

Several courts have been the subject of empirical studies on citation practice. The citations of Supreme Court of the United States have, of course, been carefully examined. (Daniels, 1983; Wilkerson, 2006; Newland, 1959). State supreme courts and courts of

appeals also receive their share of scrutiny, including, for example, New York (Manz, 1995; Manz, 2001; Bobinski, 1985), California (Merryman, 1954; Merryman, 1977), Indiana (Cosanici & Long, 2005), Kansas (Custer, 1998), and Montana (Snyder, 1996). Unfortunately, federal courts other than the Supreme Court have rarely been the subject of in-depth citation analyses (Landes, Lessig & Solimine, 1998; Sloan, 1992).

The most ambitious undertakings examined most or all the sourced cited in all opinions issued by a court or courts during a specified period of time (Bobinski, 1985; Custer, 1998, Snyder, 1996; Cosanici & Long, 2005). Researchers then generally select sample random cases from certain sample years. For example, interested in the recent citation practices of the Indiana Supreme Court and Indiana Court of Appeals, Cosanici & Long (2005) selected four sample years (1994, 1997, 2000, and 2003) over a recent ten-year period (1994 to 2003) and studied 100 randomly selected cases per sample year. Some otherwise comprehensive citation analyses disregard citations to statutes because “the subject matter of the case often requires citation of these sources and is not an exercise of judicial discretion” (Manz, 1995, p. 123; Manz, 2001; Merryman, 1954; Merryman, 1977). Other studies focused on citation to particular types of authority only. For example, Daniels (1983) examined secondary source citations in United States Supreme Court opinions. The inquiry can be even more limited, focusing on Internet citations (Wilkerson, 2006), legal periodicals (Newland, 1959), and even student works (Sloan, 1992).

Although the present study’s focus is different, these citation analyses provided inspiration and a methodological basis for an examination of Wikipedia citations in published federal court opinions. Breinholt’s report (2008), while more closely related,

did not serve as a foundation for this study because (1) unlike these analyses, it is an unpublished report not subject to editorial review and (2) it was not discovered until after all the data for this paper was gathered.

Reliability and Accuracy of Wikipedia

Gauging the reliability and accuracy of Wikipedia as a whole is necessarily difficult given the immense size of the website—over 2.7 million articles in English as of March 2009 (“Wikipedia:Statistics,” n.d.)—and its constantly changing content (Wilkinson & Huberman, 2007). However, a number of studies have attempted to test whether the highly publicized errors mentioned previously “are the exception rather than the rule” (Giles, 2005).

Although it certainly contains errors, Wikipedia may not be significantly more inaccurate than more traditional or reputable sources. An expert peer review of science articles in Wikipedia and *Encyclopaedia Britannica* in 2005 found that of the 42 articles reviewed, Wikipedia contained approximately four inaccuracies and *Britannica* contained three (Giles, 2005). A majority of the errors were not serious, but there were 163 factual errors, omissions, or misleading statements in Wikipedia compared to 123 in *Britannica*.¹⁴ Another study “assess[ed] the scope, completeness, and accuracy of drug information” on Wikipedia by comparing it to Medscape Drug Reference (“MDR”), a free online drug information database (Clauson, Polen, Boulos, & Dzenowagis, 2008). While MDR was superior to Wikipedia in terms of scope and completeness, Wikipedia was more accurate, with researchers finding no factually inaccurate information in Wikipedia compared to four factual inaccuracies in MDR.

It appears also that the fact that a large number of individuals can make a great many changes may not reduce the quality of Wikipedia. Wilkinson and Huberman (2007) found that “high-quality” articles were distinguished by an increased number of editors, edits, and collaboration (as evidenced by discussion on an article’s Discussion page). Moreover, the large population of Wikipedia contributors—coupled with their vigilance—helps to curb vandalism and quickly correct newly introduced errors. Magnus (2008) inserted 36 errors into the Wikipedia articles on certain “notable deceased philosophers” to see how many would be corrected within 48 hours. Fifteen were removed and three were flagged as in need of a citation with most corrections occurring within a few hours after the error was introduced.

Finally, beyond *actual* accuracy and reliability is the issue of *perceived* credibility, a related but distinct issue. Chesney (2006) evaluated the credibility of Wikipedia as a whole, a particular article, and the article’s writer. The mean credibility rating given to the author, the article, and the website by the participants was approximately three on a scale of one (very credible) to seven (very incredible), which is “perhaps not ‘high’ credibility, [but] certainly is not ‘low.’ ” Furthermore, the study had experts and non-experts participate, and “experts found the Wikipedia articles more credible than the non-experts . . . suggest[ing] that the accuracy of Wikipedia’s information is high.”

Permanence of Internet Citations

A concern when citing to any Internet source is whether the Uniform Resource Locator (“URL”) will remain active after publication. This concern is particularly relevant in legal scholarship because the purpose of legal citation is to “indicate[] the

nature of the authority upon which a statement is based” and provide “information necessary to find and read the cited material” and “[w]ithout it, subsequent scholars cannot examine or re-examine the original author’s conclusions” (Rumsey, 2002, p. 28). Since this study examined whether the URLs provided for the Wikipedia articles cited in the court opinions were active or redirected, a brief discussion of the permanence—or, more accurately, impermanence—of Internet citations in other publications will provide a decent baseline comparison.

Of the 200 Internet citations appearing in 114 opinions issued by the Supreme Court of the United States between the 1990 and 2005 terms, 14.5% were no longer live by 2006 (Wilkerson, 2006). Internet citations in law reviews are also lost at an alarming rate. Rumsey (2002) found that only 30% of the Internet citations in law reviews in 1997 were still working in 2001, and Davis (2006), who studied selected Washington state law reviews, found that 40% of the links cited in 2001–2003 were broken in October 2004. The results are similar outside legal scholarship. Koehler (1999, 2002), in his often cited studies, found that the average half-life of a webpage is approximately two years, i.e., “every two years, half of the pages being tracked could not be accessed” (Sellitto, 2004). Almost half of the Internet citations in Sellitto’s study (2004) of Australian scholarly papers were missing. About 43% of the URLs cited in the library and information science journals examined by Casserly and Bird (2003) did not work, and in a follow-up study, this increased to 61% (Casserly & Bird, 2008). Finally, in a 2003 study, 21% of the Internet citations in *The Journal of the American Medical Association* were inactive 27 months after publication (Dellavalle et al., 2003).¹⁵

Methodology

Both state and federal courts have cited Wikipedia in both published and unpublished opinions. This study was limited to published opinions of the United States District Courts and the United States Courts of Appeal. “Published” for the purposes of this study means the opinion was published in the *Federal Reporter* or the *Federal Supplement* between the date of the first Wikipedia citation, which occurred on October 15, 2004, to December 31, 2008. This sample was chosen for two reasons. First, the sample is manageable and well-defined. Given the time constraints on this study, it was not feasible to include unpublished federal opinions or also examine state court opinions. Second, federal opinions were selected over state court opinions because a sample of published state court opinions would have been too small. Additionally, it enabled a study of the opinions from single court system—the United States federal courts—whereas each state court system is its own entity.

In order to locate all of the published federal court opinions containing a Wikipedia citation, searches were run in the Westlaw and LexisNexis federal court opinion databases. The initial search occurred on February 3, 2009, and a follow-up search occurred on March 4, 2009.¹⁶ Specifically, in Westlaw, “Wikipedia” was searched for in the “Court of Appeals (CTA)” and “U.S. District Courts Reported Cases (DCTR)” databases. In LexisNexis, “Wikipedia” was searched for in the “US Courts of Appeals Cases, Combined” database and “Wikipedia and CITES(supp)” was searched for in the “US District Court Cases, Combined” database. The addition of “CITES(supp)” to the query in LexisNexis’s database of district court cases was needed in order to limit the results to opinions published in the *Federal Supplement*.

Both LexisNexis and Westlaw were used because although the results should be the same in each, they are not. The initial February 3 searches revealed a different number of returns in each database. For the district court opinions, LexisNexis returned 64 results while Westlaw returned 63, and for court of appeals opinions, LexisNexis returned 49 results while Westlaw returned 46. The next step, therefore, was to compare the two sets of results in order to get a list of all the relevant cases and weed out unpublished cases and the cases in which the court was not citing Wikipedia as an authority, but rather mentioning Wikipedia for a different reason. There were two primary reasons for the discrepancy between the search results in Westlaw and LexisNexis. First, Westlaw's databases returned opinions that were not published in the *Federal Reporter* or *Federal Supplement* but were published in other reporters, such as *West's Bankruptcy Reporter*, while the addition of CITES(supp) in the LexisNexis search eliminated these opinions. Second, the search for "Wikipedia" in Westlaw seemed to miss opinions either because Wikipedia was cited in a footnote rather than the main text or because the word Wikipedia appeared only as part of a URL and a more complex search was needed to retrieve the opinion.¹⁷

After retrieving the final sample—100 opinions¹⁸ containing 143 Wikipedia citations—the opinions were coded in accordance with an established Codebook (see Appendix A). First, basic information was recorded for each opinion, including the *Bluebook* citation, court, date of decision,¹⁹ name of the judge who cited Wikipedia, and the legal topic. For district court opinions, both the district court and the circuit in which the district court sat were recorded. The judges' full names were retrieved from the following sources, in order of preference: the *Biographical Directory of Federal Judges*,

Almanac of the Federal Judiciary, and the *Judicial Yellow Book: Who's Who in Federal and State Courts*. Finally, the area of law involved in the case was determined with reference to the West topics.²⁰ Because each case usually is assigned multiple West topics, the topic chosen was the most dominant one. However, if the Wikipedia citation occurred in a part of an opinion clearly assigned a topic other than the most dominant topic, that topic was chosen. For example, if a case primarily concerned labor and employment (with the dominant West topic "Labor and Employment") but Wikipedia was cited in the portion of the case that dealt with a procedural issue (with the West topic "Federal Civil Procedure"), the topic assigned to the case was "Federal Civil Procedure." Although having two options for assigning a topic makes this category more subjective, flexibility was needed in order to ensure the case was assigned the most appropriate topic.

Second, the Wikipedia citation and Wikipedia article were examined. The Wikipedia citation was recorded exactly as it appeared in the court opinion along with the date the article was last visited, if provided. If the court cited additional sources to support the proposition for which Wikipedia was cited, this citation was recorded as well. In regard to the Wikipedia article, the following information was gathered: (1) the current/correct title and URL of the article; (2) the date it was viewed for this study; (3) whether the article was active; (4) whether the link provided by the court, while incorrect, redirected to the current version of the article;²¹ (5) when the article was last modified; and (6) the number of times the article had been modified since it was cited in the court opinion. The modification information on a Wikipedia article is available under the article's "history" tab. One of Wikipedia's greatest strengths is that a user can see all the

modifications made to an article and how it appeared on a certain date. For the purposes of this study, each modification counted as one modification, including minor revisions and reversions. The date used as the date on which the court cited the article was the date provided in the “last visited” parenthetical. If no “last visited” date was provided, the date of decision was used. Modifications were counted *after* that day (e.g., if the Wikipedia article was “last visited” on January 1, 2008, modifications on January 1, 2008 were not counted).

The court opinion and the Wikipedia article were compared to see if the information the court retrieved from Wikipedia differed from the information as it appears on Wikipedia today, that is, whether a “relevant modification” occurred. If so, the relevant modification was coded according to the type of change. The applicable categories were “Article Deleted,” “Information No Longer Provided,” “Information Present but Different,” and “Quotation Change.” The three latter categories are closely related and warrant additional explanation. “Information No Longer Provided” is used when the current article is completely devoid of the information the court says appears therein. For example, if an article is cited by the court for a particular statistic and that statistic no longer appears in the article at all, it would be categorized as “Information No Longer Provided.” On the other hand, if the statistic still appears in the article but it is different than what the court reported, the citation is categorized as “Information Present but Different.” Finally, if a court directly quotes text from the Wikipedia, which is now different in language but not content, “Quotation Change” was applied.

After recording relevant modifications, a citation purpose was assigned. The list of purposes was developed using “open coding” (Babbie, 2004, p. 377). This method

was used because it was difficult to establish useful categories without first examining the general purposes for which Wikipedia was cited in court opinions. Library of Congress Subject Headings were considered as a basis for assigning the articles a subject, but the list is so comprehensive that almost every article would have had its own subject. The final list of purposes is as follows: (1) Biographical; (2) Definitional; (3) Explanatory; (4) Image; (5) Legal; (6) Historical; (7) Quotation; and (8) Statistical. Definitional and Explanatory are closely related. A citation's purpose is Explanatory rather than Definitional if it goes beyond what something is to describe what it does or how it works. Additional explanations of these categories appear in the Codebook (see Appendix A).

The last step was to determine whether Wikipedia was used to provide information that was important or central to the case. A citation was coded as important to the dispute if the outcome of the case depended in part on the information from Wikipedia. A classic example is a statutory construction case in which a court relies on Wikipedia to define a term in the statute. However, importance for the purposes of this study is more broad. Again, the defining characteristic is not whether the case turns entirely on the information from Wikipedia, but rather whether Wikipedia is cited for information related to an issue that is central to the case. This is the most subjective category with potential for researcher bias (Babbie, 2004, p. 141), but it is also the most important. As discussed previously, the argument is often made that judicial citation to Wikipedia is acceptable as long as it is cited for tangential issues only. Determining whether this is in fact the case is a key component of this study.

Like any other, this study has its limitations. The two key limitations are small sample size and lack of intercoder reliability (Neuman, 2007, p.230). The sample is inherently small because Wikipedia is not cited that frequently, and coding more than 100 opinions would have been difficult given the time constraints placed on this study. Employing additional coders was also not possible as there was not time or resources to find, train, or compensate a second or third coder. Additional coders would have been invaluable for the more subjective components of this study, such as citation purpose and the importance of the citation to the dispute.

Results & Discussion

This section reports the results of this study, which were both anticipated and surprising. Certain findings aligned with common sense, such as judges citing Wikipedia for the definition of new technologies that are not provided in more traditional reference sources. Other findings were not expected, including the use of Wikipedia for medical and legal information. Ultimately, this study provided valuable insight into judicial use of this new information source.

Frequency of Citations Over Time

The number of citations to Wikipedia has steadily increased since it was first cited in a published federal court opinion in 2004. Two opinions cited Wikipedia in 2004 and three in 2005. The number of opinions citing Wikipedia jumped to 19 in 2006, peaked at 39 in 2007, and decreased slightly to 37 in 2008 (See Figure 1 and Table 1).

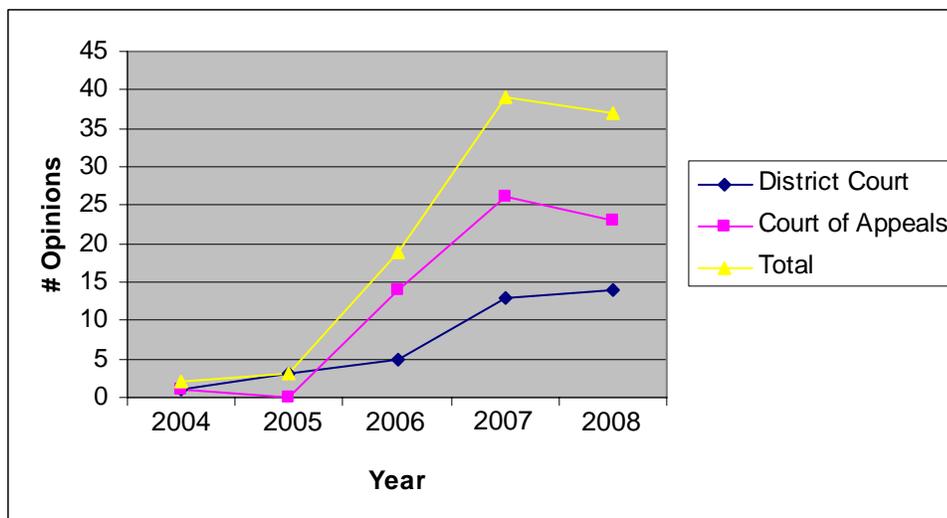


Figure 1. Opinions by year.

Table 1
Opinions by level of court by year

Year	Court of Appeals	District Court	Total
2004	1	1	2
2005	3	0	3
2006	5	14	19
2007	13	26	39
2008	14	23	37
Total	36	64	100

This pattern of increase over time is likely due to three main factors.²² First, Wikipedia has increased in popularity and size.²³ Second, the quality of Wikipedia overall has probably increased in the last five years because the quality of a Wikipedia article increases the longer it exists and the more users contribute (Wilkinson and Huberman (2007)). Third, as previously discussed, the act of judicial citation increases the likelihood that a source will be cited in the future.

Which Courts and Judges Cite Wikipedia Most Often

Every court of appeals, except the District of Columbia and Federal Circuit, and 34 district courts²⁴ issued at least one published opinion that cited Wikipedia. The district court opinions were spread among the circuits, so there is at least one opinion in each of the 13 federal circuits that includes a Wikipedia citation. Of the courts of appeal, the Seventh Circuit cited Wikipedia the most (see Table 2). Almost half of all the court of appeals opinions were issued by the Seventh Circuit. While no single district court stands out from the rest, the four district courts that cited Wikipedia in the most opinions (four each) were the District of Columbia, the Eastern District of Pennsylvania, the Northern District of Iowa, and the Southern District of New York. Alternatively, categorizing the district courts by circuit, district courts in the Third Circuit issued the most opinions citing Wikipedia with almost 20% of all district court opinions (see Table 2).

Table 2
Court Opinions Citing Wikipedia by Circuit

Circuit	<u>Court of Appeals</u>		<u>District Court</u>		<u>Total</u>	
	Opinions	%	Opinions	%	Opinions	%
1st	3	8.3	2	3.2	5	5.0
2nd	2	5.6	6	9.4	8	8.0
3rd	1	2.8	12	18.8	13	13.0
4th	1	2.8	4	6.3	5	5.0
5th	1	2.8	1	1.5	2	2.0
6th	3	8.3	5	7.8	8	8.0
7th	16	44.4	7	10.9	23	23.0
8th	2	5.6	7	10.9	9	9.0
9th	4	11.0	7	10.9	11	11.0
10th	1	2.8	3	4.7	4	4.0
11th	2	5.6	5	7.8	7	7.0
D.C.	0	0.0	4	6.3	4	4.0
Fed.	0	0.0	1	1.5	1	1.0
Total	36	100.0	64	100.0	100	100.0

As for judges, 81 federal judges, including magistrate judges, have cited Wikipedia in a published opinion with 12 judges citing Wikipedia in more than one opinion (see Table 3).

Table 3
Judges Citing Wikipedia in More than One Opinion

Judge	Court	Opinions
Michael Stephen Kanne	7th Cir.	5
Richard A. Posner	7th Cir.	3
Diane Pamela Wood	7th Cir.	3
Linda R. Reade	N.D. Iowa	3
Barbara Brandriff Crabb	W.D. Wis.	3
Richard A. Caputo	M.D. Pa.	2
Joel Martin Flaum	7th Cir.	2
Bruce Sterling Jenkins	D. Utah	2
James Parker Jones	W.D. Va.	2
David M. Lawson	E.D. Mich.	2
Milan Dale Smith, Jr.	9th Cir.	2
Juan R. Torruella	1st Cir.	2

As Table 3 indicates, the Seventh Circuit Court of Appeals dominates because four out of the five judges who cite Wikipedia the most sit on that court. It is worth noting that Judge Diane Wood has been mentioned as a potential nominee to the Supreme Court of the United States should a vacancy arise during the Obama administration (Johnson, 2009), so although Wikipedia has yet to be cited in a Supreme Court opinion, it might not be long before it is.

Permanence of Wikipedia Articles & Use of Measures to Address Impermanence

In regard to link rot, Wikipedia articles fared much better than the Internet citations examined in previous studies of web permanence (Wilkerson, 2006; Rumsey, 2002; Davis, 2006; Sellito, 2004; Casserly & Bird, 2003, 2008; Dellaville et al., 2003).

Only 4% of the links provided no longer worked.²⁵ Sixty-five percent of the links were correct as listed in the opinion, and 14% of the links, while technically incorrect, automatically redirected to the current article. Unfortunately, for 17% of the citations (24), it could not be determined whether the URL had changed because the court did not provide a specific URL in the citation (see Table 4). Instead, for example, the citation would be to Wikipedia as a whole²⁶ or “definition of X on Wikipedia.”²⁷

Table 4
Wikipedia Link Permanence

Result	<u>Court of Appeals</u>		<u>District Court</u>		<u>Total</u>	
	Citations	%	Citations	%	Citations	%
URL Correct	31	62%	62	67%	93	65%
URL Redirect	6	12%	14	15%	20	14%
URL Incorrect	1	2%	5	5%	6	4%
Unknown	12	24%	12	13%	24	17%

The content of the Wikipedia articles—at least as it related to the court opinion—was also fairly stable over time. Wikipedia as a whole constantly changes, and the articles cited in court opinions were modified quite frequently. On average, an article was modified 536 times between the time it was cited in the opinion and when it was viewed for this study in February or March 2009. The article most modified was the “Roman Catholic Church,” with 9,512 total modifications since it was cited in *Doe v. Liberatore* (2007). The article least modified was “Trochanteric Bursitis,” with one modification since it was cited in *Dewald v. Astrue* (2008).

Because even the most minor modifications are recorded in an article’s revision history, this data is not necessarily the best measure of how much an article has changed.

Instead, the actual comparison of the current Wikipedia article to the court opinion proved more useful. About one-third of the articles were “relevantly modified,” such that the article no longer supported the proposition for which it was cited in the court opinion (see Table 5). For 5% of the articles, it could not be determined whether the article was relevantly modified because the court opinion did not clearly indicate what information was attributed to Wikipedia.²⁸

Table 5
Wikipedia Content Permanence

Result	<u>Court of Appeals</u>		<u>District Court</u>		<u>Total</u>	
	Citations	%	Citations	%	Citations	%
Relevant	15	30%	29	31%	44	31%
Irrelevant	27	54%	64	69%	91	64%
Unknown	8	16%	0	0%	8	5%

In regard to what type of relevant modification occurred in these 44 articles, the text of the article was changed slightly such that a direct quotation in the opinion was no longer accurate in 50% of the articles (see Table 6). In the remaining half, the modification was more significant in that either (1) the information attributed to the Wikipedia article had changed, (2) the information attributed to the Wikipedia article was no longer provided at all, or (3) the article was deleted.

Table 6
Type of Relevant Modification to Wikipedia Article

Modification Type	<u>Court of Appeals</u>		<u>District Court</u>		<u>Total</u>	
	Articles	%	Articles	%	Articles	%
Article Deleted	1	7%	1	3%	2	5%
Quotation Change	8	53%	14	48%	22	50%
No Longer Provided	2	13%	10	35%	12	27%
Present but Different	4	27%	4	14%	8	18%

Courts can utilize a number of tactics to deal with the impermanence of Internet citations. For one, the citation should include a parenthetical that indicates the date on which the judge viewed the webpage.²⁹ This is particularly important in a citation to Wikipedia because Wikipedia archives previous versions of each article so that users can see what it said on a particular day.³⁰ Second, if possible, the judge also should cite a non-Internet source that supports the proposition so that some authority remains even if the website changes or disappears.

Unfortunately, most judges who cite Wikipedia do not provide a date last visited parenthetical or additional support. Fifty-six percent of the Wikipedia citations did not include a date last visited parenthetical. The courts of appeals were more diligent about including this information, providing a date in 60% of the citations, but the district court was much more lax, providing a date in only 35% of the citations. In regard to the provision of additional authority, only 19% of the propositions supported by a Wikipedia citation were also supported by another source. And, almost half of these sources were online as well, so the additional citation did not help to solve the problem of web impermanence.³¹

Area of Law Involved in the Case

The 100 opinions involved 42 different legal topics (see Appendix B).³² Overall, the most popular topics were constitutional law, patents, copyright and intellectual property, labor and employment, civil rights, criminal law, sentencing and punishment, and social security and public welfare (see Table 7). Which topics were most popular varied somewhat significantly between the district court opinions and the courts of appeals opinions with the exception of constitutional law, which was one of the most

popular topics in both courts. For example, while topics related to crime—criminal law and sentencing and punishment—were prevalent in courts of appeals opinions (19%), district court opinions were dominated by intellectual property—patent (13%) and copyright (11%). Taking into consideration trademark opinions as well, 25% of the district court cases dealt with intellectual property. Intellectual property was followed closely by cases dealing with the denial of disability or other medical benefits, which are under the topics of labor and employment and social security and public welfare (17%).

Table 7
Most Popular Topics

Court	Topics
Court of Appeals	Constitutional Law (4) Sentencing and Punishment (4) Aliens, Immigration, and Citizenship (3) Criminal Law (3) Antitrust and Trade Regulation (2) Telecommunications (2)
District Court	Patents (8) Constitutional Law (7) Copyright and Intellectual Property (6) Labor and Employment (6) Social Security and Public Welfare (5)
Overall	Constitutional Law (11) Patents (8) Copyright and Intellectual Property (7) Labor and Employment (6) Civil Rights (5) Criminal Law (5) Sentencing and Punishment (5) Social Security and Public Welfare (5)

Subject of Wikipedia Articles

The subject of the Wikipedia articles is closely related to the areas of law at issue in these opinions. For example, with intellectual property as one of the most popular legal topics in district court opinions, it is not surprising that technology and entertainment are common subjects, comprising 15% and 17%, respectively, of the articles cited in district court opinions (see Table 8). Also, the information Wikipedia provides on entertainment and popular culture or new technologies may not readily be available in more traditional reference sources. For example, what other single source could the court in *United States v. Warthan* (2008) have consulted to obtain all the aliases and hit songs for the popular musical artists Ciara, Chris Brown, Chamillionaire, Lil' Flip, Ashanti, and Twista?

Similarly, citation to Wikipedia for medical information—the most popular type of article at the district court level (22%)—was common due to all of the district court opinions dealing with the denial of disability benefits. The courts in these cases often used Wikipedia to define or explain an illness, injury, treatment, or procedure.³³ Unlike some of the articles on entertainment and technology, however, this information was likely available in a traditional—more reliable—reference source.³⁴ Certainly many of the district court law libraries must have a basic medical dictionary. If not, a free, online medical dictionary is available through the National Library of Medicine (*Medline Plus*, n.d.), and a quick search revealed that at least some of the medical terms that the courts used Wikipedia to explain are included in this dictionary.³⁵

In courts of appeals cases, technology was also one of the most popular subjects (12%) along with geographic location (26%) and business (10%). The number of

citations to geographic locations is skewed by two cases that cited multiple Wikipedia articles on particular cities—*Reuland v. Hynes* (2006) (using “Manhattan,” “The Bronx,” “Brooklyn,” “Compton,” “California,” “Washington, D.C.,” “Baltimore,” “Detroit,” and “Chicago” articles to obtain land area) and *Weinbaum v. City of Las Cruces* (2008) (citing “Columbus, Ohio,” “Long Beach, California,” and “Anchorage, Alaska” articles for city flags). This finding, however, is notable because just like medical information in district courts, basic information about countries, states, and cities is readily available in official government sources. For example, a city’s land area is available online from the United States Census Bureau (United States Census Bureau, n.d.).

The most significant finding in this category was that courts cited Wikipedia articles on legal subjects five times—twice in the court of appeals and three times in district court.³⁶ Specifically, the following Wikipedia articles were cited: “Berne Convention for the Protection of Literary and Artistic Works,” “Permanent Residence (United States),” “Visa (document),” “Halakha,” and “Cobell v. Kempthorne.” Citation of the “Cobell v. Kempthorne” article is particularly noteworthy for three reasons. First, it was cited in *Cobell v. Kempthorne* (2008) to provide readers with a “Cliffs-Notes” version of this ongoing litigation. Second, although the judge suggests the reader consult this Wikipedia article, he states that “the Court, of course, cannot vouch for its accuracy” (p. 39). Finally, of the five citations to legal Wikipedia articles, this was the only one cited for information central to the dispute.³⁷

Table 8
Wikipedia Article Subjects

Subject	<u>Court of Appeals</u>		<u>District Court</u>		<u>Total</u>	
	Articles	%	Articles	%	Articles	%
Business	5	10%	3	3%	8	6%
Defense/Martial Arts	3	6%	2	3%	5	3%
Entertainment	2	4%	16	17%	18	13%
Geographic Location	13	26%	3	3%	16	12%
Historical/Current Event	4	8%	6	6%	10	7%
Legal	2	4%	3	3%	5	3%
Medicine	2	4%	20	22%	22	15%
Non-business Organization	3	6%	2	3%	5	3%
Other Object	2	4%	6	6%	8	6%
Religion	1	2%	7	8%	8	6%
Science	4	8%	5	5%	9	6%
Technology	6	12%	14	15%	20	14%
Miscellaneous	3	6%	6	6%	9	6%

Purpose of Wikipedia Citation

Wikipedia is treated like a traditional reference source and was used most often to provide definitions of terms (47%) or explain a process or concept (14%). Similarly, courts use it to find information about particular individuals and organizations (11%) and historical events (13%) (see Table 9). There was not much difference between how district courts and courts of appeals used Wikipedia except that district courts used it more often to obtain statistics. Again, the biggest surprise was that Wikipedia was cited for legal purposes (4%). The citations categorized as legal are same five discussed in the previous section.

Table 9
Citation Purpose

Purpose	<u>Court of Appeals</u>		<u>District Court</u>		<u>Total</u>	
	Citations	%	Citations	%	Citations	%
Biographical	5	10%	11	12%	16	11%
Definitional	16	32%	52	56%	68	47%
Explanatory	7	14%	13	14%	20	14%
Historical	8	16%	10	11%	18	13%
Image	4	8%	0	--	4	3%
Legal	2	4%	3	3%	5	4%
Quotation	0	--	2	2%	2	1%
Statistical	8	16%	2	2%	10	7%
Miscellaneous	0	--	0	--	0	--

Importance of Information Obtained from Wikipedia

In just over one-third of the total Wikipedia citations (34%), Wikipedia was cited for information important to the dispute in the case (see Appendix C).³⁸ It was more often used to obtain important information in court of appeals opinions with 48% of the citations and less so in district court opinions with 27% of the citations. The percentage of court of appeals citations, however, was inflated by one case that included eight Wikipedia citations, all of which were central.³⁹ In terms of opinions rather than citations, Wikipedia was central in 40% of the total opinions—15 court of appeals opinions (41%) and 25 district court opinions (39%).

As discussed previously, the definition of “important” in this study was rather broad. Describing each of these 49 citations here is not feasible, but a discussion of how Wikipedia was used in some of these opinions will clarify what is meant by “information

important to the dispute.” Additionally, it will show just how much certain judges are in fact relying on Wikipedia.

In three opinions, the court used Wikipedia to take judicial notice of particular fact.⁴⁰ Judicial notice is an evidentiary rule where a court can accept “for purposes of convenience and without requiring a party’s proof . . . a well-known and indisputable fact” (Garner, B.A., 2004). According to Federal Rule of Evidence 201(b), the fact cannot be “subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.” In regard to the latter, the sources do not have to be infallible, and they include “books that have long served as authoritative references,” “well-regarded newspapers,” and the Internet “for some purposes” as long as the “information published on the Internet is highly likely to be correct” (Mueller & Kirkpatrick, 2007, §2:5). Despite studies showing that Wikipedia may be fairly accurate—or, at least, not more inaccurate than traditional sources—it is still surprising that judges consider it a source “whose accuracy cannot reasonably be questioned.”⁴¹

As an example, in *Lennon v. Metropolitan Life Insurance Co.* (2007), an insurance company refused to pay death benefits when the insured died in a car wreck while driving with a blood alcohol level over three times the legal limit because the death was not “accidental” as defined in the policy. The beneficiary of the insurance plan sued, and the district court ruled against the insurance company because a drunk driver was more likely to survive than to die in an accident. The court of appeals reversed, reasoning that while drunk drivers generally will probably survive, the insured here was

more than “merely ‘alcohol impaired’” (p. 623). The court then took judicial notice of the fact that as a person’s blood-alcohol level increases, “ ‘so does the risk of being involved in a fatal crash’ ” (p. 623). To support this conclusion the court cited a report of the National Highway Traffic Safety Administration and Wikipedia. Thus, the insurance company was justified in concluding the insured did not die accidentally and denying death benefits.

The Wikipedia citation provided information important to the dispute in six out of the eight patent cases in which Wikipedia was cited. In these six patent infringement suits, the court used Wikipedia to determine the meaning of technical terms, and the definition of these terms was important to the outcome of the case.⁴² For example, in *In re Cygnus Telecommunications Technology, LLC Patent Litigation* (2007), the owner of a patent on an interactive telephone system sued its competitors for infringement. The district court needed to first “determine the scope and meaning” of a number of the patent claims in order rule on the parties’ motions for summary judgment (p. 1054). One of the terms was “telephone exchange.” The court discussed two possible definitions of telephone exchange, one from the sixteenth edition of *Newton’s Telecom Dictionary* and one from Wikipedia. Ultimately, the district court adopted Wikipedia’s definition of telephone exchange.

In addition to using Wikipedia to define terms of a patent, courts use Wikipedia to define words in a statute, even if the outcome of the entire case depends on the definition of the word. In *Fair Housing Council of San Fernando Valley v. Roomates.com* (2008), the operator of a website that matched roommates was sued for violating federal and state law that prohibited discrimination based on sex and sexual orientation. Users of the site

completed a standard form in which they could indicate if they were looking for roommates of a certain race, sex, et cetera. The operator's liability turned on whether it could claim immunity under the Communications Decency Act ("CDA"), and the CDA protected the operator only if it did not "develop" the content. The Ninth Circuit considered various definitions of the term "develop." While the dissent adopted the definition of "development" in *Webster's Third New International Dictionary*, the majority rejected this definition in favor of Wikipedia's definition in the article "Content Development (Web)."

Similarly, Wikipedia is often used to define or explain things to determine whether a statute applies to a particular situation. Three of the opinions in which Wikipedia was central to the dispute fell into this category.⁴³ For example, in *In re Ingram Barge Co.* (2006), claimants sued the United States after Hurricane Katrina, alleging that defective levees led to the floods and resulting damage. The court considered whether it had admiralty jurisdiction over these claims, and noted that admiralty jurisdiction can exist for claims based on damaged caused by land-based structures as long as there is a "substantial relationship to traditional maritime activity" (p. 528). The court used Wikipedia to define a levee and explain its purpose and concluded that it did not have admiralty jurisdiction because a levee has a "fixed land-based nature and non-maritime purpose" (p. 530).

Finally, the opinion in which Wikipedia played its most important role—and the opinion that inspired this study—is *Basada v. Mukasey* (2008). An immigration judge denied Basada asylum because the documents she submitted did not prove her identity. The judge came to this conclusion based partly on evidence submitted by the Department

of Homeland Security, which included information from Wikipedia. Basada appealed, but the Board of Immigration upheld the denial. The Board noted that the immigration judge should not have considered information from Wikipedia, but decided that the decision was adequately supported by other evidence. The court of appeals, however, granted the petition for review and remanded the case, asking the Board to clarify its decision—that is, “whether (and, if so, why) the [Board] believes that the [immigration judge’s] consideration of Wikipedia was harmless error, in the sense that it did not influence the [judge’s] decision” (p. 911). The court of appeals agreed with the Board that Wikipedia was not an appropriate source, and devoted a significant portion of the opinion to describing Wikipedia’s shortcomings. The court cited Wikipedia’s own litany of disclaimers, such as “radical openness means that any given article may be, at any given moment, in a bad state” (p. 910).

Basada is not the only opinion in which reliance on Wikipedia is rebuked. While the court in *Thomas v. Sifers* (2007) cites the Wikipedia article on gastric dumping syndrome, it also immediately warns readers against the use of Wikipedia: “The court wishes to specifically note that it is not endorsing the use of Wikipedia as a reliable source for citation” (pp. 1202–1203). On the other hand, courts have considered the arguments for and against relying on Wikipedia and concluded that is acceptable to cite Wikipedia in certain circumstances. In *Alfa Corp v. OAO Alfa Bank* (2007), the court dismissed defendant’s arguments that an expert witness’s testimony on the transliteration of Russian to English should be excluded due to this use of Wikipedia because the site was not inherently unreliable, the information attributed to Wikipedia here appeared to be correct, and the expert relied on other sources as well.

Future Research

This study is merely a starting point. Future research could expand this study to include unpublished opinions and the opinions of state courts. A search for “Wikipedia” in LexisNexis’s “Federal Court Cases, Combined” and Westlaw’s “All Federal” databases without limiting the results to published opinions returns 309 opinions and 215 opinions, respectively, and a search for “Wikipedia” in LexisNexis’s “State Court Cases, Combined” and Westlaw’s “All States” database returns 114 and 79 cases, respectively.⁴⁴ Additionally, two important issues this study did not explore due to time constraints were (1) whether the information courts retrieved from Wikipedia was actually accurate and (2) whether the information was available from more traditional, reliable reference sources. An examination of these issues would be invaluable.

Future research could also go beyond judicial citation to Wikipedia and consider its use in other legal sources. A study of Wikipedia citations in briefs and court filings would be useful because it might reveal the extent to which judicial citation to Wikipedia has increased reliance on the source by attorneys. A search for “Wikipedia” in LexisNexis’s “All Federal and State Briefs and Motions, Combined” and Westlaw’s “All Briefs” databases returns 604 documents and 338 documents, respectively.⁴⁵ Another interesting study could examine Wikipedia citations in law reviews and journals to see how it is being relied upon in legal scholarship. Like briefs and court filings, a preliminary search reveals that Wikipedia is already cited quite extensively in legal periodicals. A search for “Wikipedia” in LexisNexis’s “US Law Reviews & Journals, Combined” and Westlaw’s “Journals & Law Reviews” databases returns 1,977 articles and 1,816 articles, respectively.⁴⁶

Conclusion

This study provides valuable insight into judicial citation of Wikipedia in published federal court opinions. Key findings include the following: (1) Wikipedia citations have increased dramatically between 2004 and 2008; (2) the Court of Appeals for the Seventh Circuit cited Wikipedia more than any other court; (3) Wikipedia citations are relatively stable as 79% of URLs were still correct or redirected to the current page and less than a third of the articles were modified such that they no longer supported the proposition stated in the opinion; (4) courts often do not address Internet impermanence by including a date last visited parenthetical or citing a non-Internet source in addition to Wikipedia; (5) Wikipedia was cited most often in constitutional law, patent, copyright, and labor and employment cases; (6) Wikipedia articles on medicine, technology, and entertainment are the most popular; (7) and in almost half of the citations, the purpose for citing Wikipedia was definitional. In addition, the most significant and troublesome findings were that Wikipedia was cited for legal information five times and that in one-third of the citations, Wikipedia was used to obtain important information.

Judicial citation to Wikipedia is at present not a common practice. Thousands of federal court opinions citing thousands of sources have been published in the last few years, so one may wonder why anyone should be troubled over 100 opinions. The legal community and the general public should concern themselves with this practice because it is only going to become more and more common—some would argue it is inevitable (Breinholt, 2008). As discussed above, the act of judicial citation to a source has a snowball effect: a judge first cites a source, which essentially legitimizes it, and then

lawyers rely on the source and cite it in their briefs,⁴⁷ and then another judge cites the source in her opinion, and then the source cites all this as evidence that it is a legitimate source. This cycle has already begun with Wikipedia. When the Northern District of Iowa cited a Wikipedia article on the musical performer Ciara in *United States v. Warthan* (2008), it justified use of the online encyclopedia by noting that Wikipedia was cited in *United States v. Bazaldua* (2007). And, Wikipedia, despite numerous warnings and disclaimers against citing to the website, highlights judicial citation as evidence that it is acceptable to cite Wikipedia in certain circumstances (“Wikipedia:Researching with Wikipedia,” n.d.).

Therefore, before Wikipedia citations in court opinions (and other legal documents) become the norm, a decision needs to be made *now* whether Wikipedia is an acceptable source, and if so, in what circumstances. Courts need to carefully consider whether it is appropriate to rely on a source that almost anyone can edit, that changes constantly, that is the subject of vandalism, and that openly discourages its use for serious research.

Notes

¹ An IP address, however, can provide identifiable information about who made an edit. WikiScanner, released in August 2007, is a searchable database that links the IP address from which an edit originated to the owner of the IP address. WikiScanner revealed, for example, that someone with an IP address owned by Diebold Election Systems deleted significant portions of a Wikipedia article that discussed security concerns about the company's voting machines (Borland, 2007).

² The article had semi-protected status as of March 3, 2009 when it was viewed for this study.

³ Some Wikipedia users, such as the Recent Changes Patrol, actively patrol Wikipedia for vandalism and the addition of erroneous information (“Wikipedia:Recent changes patrol,” n.d.).

⁴ Many of the traditional means by which a source is evaluated can be utilized to assess Wikipedia, including scope of coverage, timeliness, arrangement, and the existence and quality of bibliographies and cross references (Bolner & Poirier, pp. 156–157).

⁵ Granted a book reviewer may not be an “expert” either, as in the case of a student-written review in a law journal. However, the reviewer at least has some knowledge of the subject (one year of law school) whereas a Wikipedia user may have no expertise.

⁶ Merryman (1954) provides an extensive list of reasons why judges cite authority, including predictability in the law, impartiality of the law, “value in consulting prior learning,” “relative finality” of resolutions to legal problems, efficiency, transference of responsibility to others, inertia, habit, societal expectations, drive “toward system-building,” respect, “certainty and simplicity,” and summation of authorities (p. 621–626).

⁷ Law clerks generally participate in the preparation of a judicial opinion. Clerks' primary duty is to conduct legal research; however, they also prepare drafts of opinions (George, 2007). Sunstein suspects "that law clerks are using Wikipedia a great deal" (Cohen, 2007). Even if clerks are providing the initial citation to Wikipedia, the responsibility for the provision of authority still ultimately rests with the judge. George (2007) cautions judges: "Be sure that you read and understand the authority you are using. If you are using law clerks, this is especially true" (p. 31).

⁸ Of course, how authoritative a citation is meant to be depends on the context (Merryman, 1954). A reference to a secondary source at the end of a long string citation containing mostly court opinions is likely not meant to be authoritative on the subject, but rather to provide additional information, such as a list of more related cases, or included merely for convenience (Merryman, 1954, p. 616). However, readers often do not make this connection and instead assume the mere fact of citation makes a work authoritative (Merryman, 1954, 1977).

⁹ The users of Wikipedia have noticed its citation by the courts and created articles devoted to court opinions that cite Wikipedia ("Wikipedia:Wikipedia as a court source," n.d.; "Wikipedia:Wikipedia in judicial opinions," n.d.). Additionally, despite all of the general disclaimers and warnings about using Wikipedia for serious research, the site ("Wikipedia:Researching with Wikipedia," n.d.) highlights the act of judicial citation as evidence that it is appropriate to cite Wikipedia in certain circumstances:

There are cases where contributions to Wikipedia are considered original and important enough on topics not covered in other works, so as to be considered a primary source. (For example, according to the New York Times' website, "The Supreme Court of Iowa cite[d] Wikipedia to explain that 'jungle juice' is 'the

name given to a mix of liquor that is usually served for the sole purpose of becoming intoxicated.’ ”).

¹⁰ Although the extent to which the law can ever be certain is debatable (Thomas, 2005, pp. 108–138), a general principle in legal theory is that it is beneficial for law to be predicable and settled (Gebbia-Pinetti, 1997, p. 244). As Justice Brandeis once famously stated, “[I]n most matters it is more important that the applicable rule of law be settled than that it be settled right” (*Burnet v. Coronado Oil and Gas Co.*, 1932, p. 406).

¹¹ Noveck discusses Wikipedia in the context of legal education and does not explicitly address judicial citation to Wikipedia. She does, however, mention judicial citation of Wikipedia, and her support for the site gives the impression that she would support its citation in court opinions. In addition to Noveck, federal judges who cite Wikipedia in their opinions for information that is important to the dispute could be considered more or less categorical Wikipedia advocates.

¹² This author strongly disagrees that any legal case is “unimportant.” It certainly is not unimportant to the parties involved, and it is not unimportant as a matter of law if a court has agreed to take the case and issue a written opinion.

¹³ Although judicial citation practices generally are always of interest, the citation of certain sources can be particularly contentious. For example, citation to unpublished court opinions in light of the new Federal Rule of Appellate Procedure 32.1 and to foreign law sources has spawned a lot of debate in recent years (Schauer, 2008).

¹⁴ Encyclopaedia Britannica, Inc. adamantly rejects this study, stating that “[a]lmost everything about the journal’s investigation, from the criteria for identifying inaccuracies to the discrepancy between the article text and its headline, was wrong and misleading.”

(Encyclopaedia Britannica, Inc., 2006). Despite this criticism, the researchers stand by the original study (“Britannica Attacks,” 2006).

¹⁵ This study also examined *Science* and the *New England Journal of Medicine*. The percentage of links that were inactive after 27 months in these journals was 11% and 13%, respectively.

¹⁶ The second search was run in order to locate any opinions published on or before December 31, 2008 but added to the databases after February 3, 2009. A follow-up search was warranted because it did locate three additional opinions. This indicates that the databases may not contain all federal court opinions containing a Wikipedia citation published during the relevant time period. Therefore, it cannot be guaranteed that the sample in this study is complete.

¹⁷ This last reason for the discrepancy is only a hypothesis. At the time this paper was submitted, the precise reason why certain cases did not appear in Westlaw’s search results had not been determined.

¹⁸ Wikipedia was actually cited in 100 opinions in 99 cases. In one case, *Fair Housing Council of San Fernando Valley v. Roommates.com, L.L.C.* (2008), the majority opinion and the opinion concurring in part and dissenting in part contained a Wikipedia citation. Because this study was recording which judges cited Wikipedia, both of the opinions in this case were counted.

¹⁹ Some opinions include the date the opinion was filed rather than decided, in which case the date filed was used. If the opinion listed both the decision date and the filed date, the decision date was used.

²⁰ Thomson West is the largest commercial publisher of U.S. court opinions, and publishes opinions in reporters as part of its National Reporter System (Sloan, 2006). Opinions of the United States Courts of Appeals are primarily published in the *Federal Reporter* and opinions of the United States District Courts are primarily published in the *Federal Supplement*. West topics are broad legal subject categories created by Thomson West, and there are over 400. For each opinion published in a Thomson West reporter, editors write small summaries of the law in the case—called headnotes—and assign each headnote a West topic (Sloan, 2006).

²¹ A Wikipedia article will often be accessible under multiple URLs. For example, the exact URL for the “Homeland Security Advisory System,” is http://en.wikipedia.org/wiki/Homeland_Security_Advisory_System, but if a user searches for “Department of Homeland Security Advisory System” or enters http://en.wikipedia.org/wiki/Department_of_Homeland_Security_Advisory_System, Wikipedia automatically redirects the user to “Homeland Security Advisory System” and indicates that a redirect has occurred.

²² Although this study did not determine the total number of opinions published each year, it is presumed that the increase in opinions citing Wikipedia is not due to an overall increase in the number of published opinions.

²³ In October 2004 when Wikipedia was first cited in a published federal court opinion, the site had about 360,000 articles in English compared to over 2.7 million today (Waldman, 2004). As for popularity, Wikipedia is now one of the top 10 most frequently visited websites (Johnson, 2009).

²⁴ There are 94 district courts plus the Court of International Trade and the Court of Federal Claims, which are “two special trial courts that have nationwide jurisdiction over certain types of cases” (United States Courts, n.d.).

²⁵ Minor errors in the citations were overlooked for the purpose of coding whether the link was accurate. Certain types of errors occurred multiples times. For example, underscores were often printed as em dashes in the *Federal Reporter* and *Federal Supplement* (*Alvarez Perez v. Sanford-Orlando Kennel Club, Inc.*, 2006; *Perez v. Frank*, 2006; *Phillips v. Pembroke Real Estate, Inc.*, 2006; *Simpleville Music v. Mizell*, 2006; *Mann v. GTCR Golder Rauner, L.L.C.*, 2007; *United States v. Calabrese*, 2007; *Zeiler v. Deitsch*, 2007; *Lennon v. Metropolitan Life Insurance Co.*, 2007; *United States v. Brahm*, 2007; *United States v. Howell*, 2008; *Hicks v. Midwest Transit, Inc.*, 2008; *Aubin v. Residential Funding Co.*, 2008; *Pheasant Run Condominium Homes Association v. City of Brookfield*, 2008; *United States v. Callahan*, 2008). Additionally, two opinions cited to “Wikipedia.com” (*Marassa v. Digital Dish, Inc.*, 2006; *Murdick v. Catalina Marketing Corp.*, 2007).

²⁶ In *Reuland v. Hynes* (2006), for example, the citation was “Wikipedia, available at wikipedia.org” (p. 422).

²⁷ In *Bragg v. Linden Research, Inc.* (2007), for example, the citation was “Wikipedia, Definition of Avatar, available at <http://en.wikipedia.org>” (p. 595).

²⁸ These eight articles were all cited in *Reuland v. Hynes* (2006), in which the dissenting judge used Wikipedia to obtain the land area of Manhattan, The Bronx, Brooklyn, Compton, Washington, D.C., Baltimore, Detroit, and Chicago. The judge, however, did

not include what the land area actually was, so it could not be determined if the land area given in the current article is the same as it was when the opinion was written.

²⁹ The *Bluebook* (2005) requires the inclusion of a date visited parenthetical if the webpage is otherwise undated. Courts often have local citation rules, which trump the *Bluebook* (p. 27); however, including the date a website was viewed is a good citation practice generally.

³⁰ Alternatively, a judge could include the permanent link to the precise version of the article she cites. To obtain a permanent link, a Wikipedia user simply clicks on “Permanent link” in the article’s toolbox (“Wikipedia:Citing Wikipedia,” n.d.).

³¹ The types of non-Internet sources cited to provide additional support include, government reports (*Lennon v. Metropolitan Life Insurance Co.*, 2007), monographs (*Matthews v. Ishee*, 2007), court decisions (*Alvarez Perez v. Sanford-Orlando Kennel Club, Inc.*, 2006), dictionaries (*Aubin v. Residential Funding Co.*, 2008), and journal articles (*Pheasant Run Condominium Homes Association v. City of Brookfield*, 2008).

³² One case, *Crawford v. Marion County Election Board* (2007), did not have any topics assigned to it by the Thomson West editors, so the topic “Elections” was assigned.

³³ For example, in *Dewald v. Astrue* (2008), a claimant appealed the denial of her application for disability and supplemental security insurance benefits. She suffered from bilateral trochanteric bursitis, and the Commissioner of the Social Security Administration claimed on appeal, among other things, that the disease is “typically a short-term ailment” (p. 1203). The court rejected this argument, stating that “[t]here is no evidence of record that [the claimant’s] trochanteric bursitis was a temporary condition

and a cursory review of medical resources reveals that the condition can be chronic in older women” (p. 1203). One of these *medical sources* was Wikipedia.

³⁴ In addition to the availability of more reliable sources, courts should think twice about using Wikipedia for medical information given Wikipedia’s specific disclaimer for medical topics, which states that “no warranty whatsoever is made that any of the articles are accurate. There is absolutely no assurance that any statement contained or cited in an article touching on medical matters is true, correct, precise, or up-to-date”

(“Wikipedia:Medical Disclaimer,” n.d.).

³⁵ For example, the *Medline Plus Medical Dictionary* contains definitions for quinine, gabapentin, cystoscopy, and Peyronie’s disease, which appeared in *Mutual Pharmaceutical Co. v. Ivax Pharmaceuticals* (2006), *Stemple v. Astrue* (2007), *Barton v. Astrue* (2008), and *Hayes v. Snyder* (2008), respectively.

³⁶ Judicial citation to Wikipedia for legal information is troubling for obvious reasons. In addition, Wikipedia contains a specific disclaimer for legal topics like it does for medical topics, which states that “no warranty whatsoever is made that any of the articles are accurate. There is absolutely no assurance that any statement contained in an article touching on legal matters is true, correct or precise” (“Wikipedia:Legal Disclaimer,” n.d.).

³⁷ Given that the article was *about this exact litigation*, it was categorized as an important citation.

³⁸ The three courts of appeals that used Wikipedia for important information in the most opinions were the Seventh Circuit (4), the Sixth Circuit (3), and the Ninth Circuit (3). In regard to district courts, the Northern District of California, the Central District of

California, the Eastern District of Michigan, and the District Court of the District of Columbia used it the most in two opinions each.

³⁹ In *Reuland v. Hynes* (2006), an attorney sued his former employer, a county district attorney, alleging he was fired as retaliation for the exercise of his First Amendment rights when he told a reporter that “ ‘Brooklyn is the best place to be a homicide prosecutor’ because ‘[w]e’ve got more dead bodies per square inch than anyplace else’ ” (pp. 411–412). The court stated that a hyperbolic statement such as this one would not be protected by the First Amendment if “the statement . . . would reasonably have been perceived as an assertion of fact, . . . was false, . . . and was made with knowledge or reckless disregard of its falsity” (p. 414). The majority found that there was no evidence the statement was false or that the attorney made it with reckless disregard of its falsity. The majority also noted that when the attorney made the statement, Brooklyn did have more homicides than any other borough. The dissent, however, disagreed and used crime statistics from the New York Division of Criminal Justice Services and the Federal Bureau of Investigation coupled with land area from Wikipedia to determine that Brooklyn had fewer homicides per square mile than The Bronx, Manhattan, Compton, Washington, D.C., Baltimore, Detroit, and Chicago. The Wikipedia article for each of these eight cities counted as one citation, which, again, inflated the percentage of court of appeals citations coded as providing important information.

⁴⁰ The three opinions in which the court used Wikipedia to take judicial notice were *Lennon v. Metropolitan Life Insurance Co.* (2007), *Ash v. Reilly* (2006), and *Io Group, Inc. v. Veoh Networks, Inc.* (2008).

⁴¹ The courts in *Lennon*, *Ash*, and *Io Group* did not indicate whether the fact was judicially noticed as one that is generally known or one that is capable of determination by reference to accurate sources. However, given the context, it seemed the court was applying the latter part of the rule and using Wikipedia as a source “whose accuracy cannot reasonably be questioned.”

⁴² The six patent cases in which Wikipedia was important were *IMX, Inc. v. Lendingtree, L.L.C.* (2007), *In re Cygnus Telecommunications Technologies, L.L.C. Patent Litigation* (2007), *In re Omeprazole Patent Litigation* (2007), *Polyvision Corp. v. Smart Technologies, Inc.* (2007), *ProBatter Sports, L.L.C. v. Joyner Technologies, Inc.* (2007) and *SPX Corp. v. Bartec U.S.A., L.L.C.* (2008).

⁴³ The three opinions in which Wikipedia was used to define terms in order to ascertain whether a statute applied were *In re Ingram Barge Co.* (2006) (levee), *Alvarez Perez v. Sanford-Orlando Kennel Club, Inc.* (2006) (greyhound racing), and *Murdick v. Catalina Marketing Corp.* (2007) (Buddhism).

⁴⁴ Searches completed on March 12, 2009.

⁴⁵ Searches completed on March 12, 2009.

⁴⁶ Searches completed on March 12, 2009.

⁴⁷ Lawyers should be particularly wary of relying on Wikipedia because they may have an ethical obligation to obtain reliable information (Lewis, 2006).

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Appendix A: Codebook

Unit of Analysis: Individual opinions of the United States Courts of Appeals (12 regional courts of appeals and the Court of Appeals for the Federal Circuit) and the United States District Courts that are published in the *Federal Reporter* or the *Federal Supplement* and contain a citation to Wikipedia.

Citation: Record the complete citation to the opinion; citation should conform to the 18th edition of *The Bluebook: A Uniform System of Citation* (e.g., *Hayes v. Snyder*, 546 F.3d 516 (7th Cir. 2008)).

Court: For court of appeals opinions, record the United States Court of Appeals that decided the case. For district court opinions, record the United States District Court that decided the case and the circuit in which the district court sits.

Date: Record the date the opinion was decided (e.g., 01/01/2008).

Judge: Record the name of the judge that cited Wikipedia. Locate the full name of the judge in the *Biographical Directory of Federal Judges, Almanac of the Federal Judiciary*, and the *Judicial Yellow Book: Who's Who in Federal and State Courts*, in that order of preference.

Area of Law: Record the area of the law with which the case is concerned. The area of law is determined by the West topic assigned to the case. If a case is assigned more than one West topic, the area of law will be the most dominant topic or the topic assigned to the portion of the opinion in which the Wikipedia citation occurs, whichever best captures the area of law. If no West topics are assigned to the case, assign a West topic.

Date Viewed: Record the date the Wikipedia article is being viewed (e.g., 01/01/2008).

Wikipedia Citation: Record the Wikipedia citation exactly as it appears in the court opinion.

Date Last Visited: Record the date the judge visited the Wikipedia article, if included (e.g., 01/01/2008). If the date visited is not given, record "No Date."

Additional Authority Provided: Record whether the opinion includes a citation to another source in addition to Wikipedia to support the same proposition.

- 1) Yes
- 2) No

Additional Authority: If a additional authority is provided, record the citation. If not, record “n/a.”

Article Active: Record whether the article still appears on Wikipedia.

- 1) Yes
- 2) No

Redirect: Record whether the URL provided in the opinion redirects to a different page.

- 1) Yes: Wikipedia automatically redirects to target page
- 2) No: Wikipedia did not redirect the page because the article is deleted or the URL is incorrect and was not redirected
- 3) N/A: The URL provided in the opinion is the correct URL
- 4) Unknown: Unable to determine if the URL was correct or redirected because court did not provide a URL

Subject of the Wikipedia Article: Record the article’s subject.

- 1) Business: Business-related concepts, including companies and business terminology
- 2) Defense/Martial Arts: Weapons, defensive maneuvers, martial artists, types of martial arts
- 3) Entertainment: Types of entertainment, such as music, film, literature, games, and sports and the people who work in entertainment
- 4) Geographic Location: Places, such as cities, countries, and counties
- 5) Historical/Current Event: Events that occurred in the past or near present
- 6) Legal: Legal concepts, including cases and laws
- 7) Medicine: Medical concepts, including illnesses and treatments
- 8) Miscellaneous: Any article that does not fit into another subject category
- 9) Non-business Organization: Organizations other than for-profit companies
- 10) Other Object: Objects and things that do not fit into another subject category
- 11) Religion: Religions and religious concepts and terms
- 12) Science: Concepts related to the sciences, including biology, physics, chemistry, and geology
- 13) Technology: Technological concepts, objects, and processes, especially computers and the Internet

Date of Last Modification: Record the date the article was last modified (e.g., 01/01/2008).

Number of Modifications: Record how many times the article has been modified since the date the judge last visited the article. If no “last visited” date is given, record the date the opinion was decided. Each modification listed in the article’s Revision History counts as 1 regardless of the modification (e.g., an “undo” still counts as 1 modification).

Relevant Modification: Record whether the article has been modified in such a way that Wikipedia no longer supports the proposition for which it is cited.

- 1) Yes
- 2) No
- 3) Unknown: It cannot be determined whether a relevant modification occurred because it is not clear what information is attributed to Wikipedia

Type of Relevant Modification: Record what type of modification occurred:

- 1) Article Deleted: Wikipedia no longer contains an article on the topic
 - 2) Information No Longer Provided: Article no longer includes the information in the opinion or similar information
 - 3) Information Present but Different: Article contains the information in the opinion but it has changed
 - 4) Quotation Change: Opinion directly quotes the article but the text in the current version is different
-

Purpose of Citation: Record the purpose of the citation to Wikipedia, i.e., what type of information is the opinion taking from the article.

- 1) Biographical: The article is used to locate information about an individual
- 2) Legal: The article is used to provide legal information
- 3) Definitional: The article is used to define a term
- 4) Explanatory: The article is used to explain what something does or how it works
- 5) Image: The article is used to provide an example of an image (e.g., a painting, flag, or document)
- 6) Historical: The article is used to provide a historical fact or evidence of an occurrence, including current events
- 7) Miscellaneous: The article is used for a purpose that does not fit into one of the other categories
- 8) Quotation: The article is used to provide support for a quotation/phrase (i.e., a statement a person made, a well-known saying, a writing)
- 9) Statistical: The article is used to provide a statistic

Relationship to Dispute: Record whether Wikipedia is used to obtain information that is important to the determination of a fact or issue central to the dispute (i.e., did the outcome in the case depend in part on the fact or issue).

- 1) Yes
- 2) No

Appendix B: All Case Topics

Case Topics	Court of Appeals	District Court	Total
Administrative Law and Procedure	0	1	1
Admiralty	0	1	1
Aliens, Immigration, and Citizenship	3	0	3
Alternative Dispute Resolution	1	0	1
Antitrust and Trade Regulation	2	2	4
Banks and Banking	1	0	1
Brokers	1	0	1
Civil Rights	1	4	5
Conspiracy	1	0	1
Constitutional Law	4	7	11
Consumer Credit	0	1	1
Copyrights and Intellectual Property	1	6	7
Corporations	1	2	3
Criminal Law	3	2	5
Customs Duties	0	1	1
Double Jeopardy	1	0	1
Elections	1	0	1
Environmental Law	1	1	2
Evidence	1	0	1
Extradition and Detainers	1	0	1
Federal Civil Procedure	1	1	2
Federal Courts	0	2	2
Habeas Corpus	1	0	1
Indians	0	2	2
Infants	0	1	1
Insurance	0	2	2
Interest	1	0	1
Jury	1	0	1
Labor and Employment	0	6	6
Libel and Slander	0	1	1
Limitation of Actions	0	1	1
Obscenity	0	1	1
Pardon and Parole	0	1	1

Case Topics	Court of Appeals	District Court	Total
Patents	0	8	8
Religious Societies	0	1	1
Searches and Seizures	1	0	1
Securities Regulation	0	1	1
Sentencing and Punishment	4	1	5
Social Security and Public Welfare	0	5	5
Telecommunications	2	0	2
Trademarks	0	2	2
Woods and Forests	1	0	1

Appendix C: Table of Cases

Case	Wikipedia Article(s)
Bourgeois v. Peters, 387 F.3d 1303 (11th Cir. 2004) ^a	Homeland Security Advisory System, http://en.wikipedia.org/wiki/Homeland_Security_Advisory_System
United States v. Krueger, 415 F.3d 766 (7th Cir. 2005)	Shake (cannabis), http://en.wikipedia.org/wiki/Shake_(cannabis)
Allegheny Def. Project, Inc. v. U.S. Forest Serv., 423 F.3d 215 (3d Cir. 2005)	Understory, http://en.wikipedia.org/wiki/Understory
United States v. Coker, 433 F.3d 39 (1st Cir. 2005)	Sunroof, http://en.wikipedia.org/wiki/Sunroof
United States v. Zajanckauskas, 441 F.3d 32 (1st Cir. 2006)	Schutzstaffel, http://en.wikipedia.org/wiki/Schutzstaffel
N'Diom v. Gonzales, 442 F.3d 494 (6th Cir. 2006) ^a	Mauritania, http://en.wikipedia.org/wiki/Mauritania
Raymond v. Ameritech Corp., 442 F.3d 600 (7th Cir. 2006)	AT&T, http://en.wikipedia.org/wiki/AT%26T

Case	Wikipedia Article(s)
Reuland v. Hynes, 460 F.3d 409 (2d Cir. 2006) ^a	<p>Manhattan, http://en.wikipedia.org/wiki/Manhattan</p> <p>The Bronx, http://en.wikipedia.org/wiki/Bronx</p> <p>Brooklyn, http://en.wikipedia.org/wiki/Brooklyn</p> <p>Compton, California, http://en.wikipedia.org/wiki/Compton,_California</p> <p>Washington, D.C., http://en.wikipedia.org/wiki/Washington,_D.C.</p> <p>Baltimore, http://en.wikipedia.org/wiki/Baltimore</p> <p>Detroit, http://en.wikipedia.org/wiki/Detroit</p> <p>Chicago, http://en.wikipedia.org/wiki/Chicago</p>
Phillips v. Pembroke Real Estate, Inc., 459 F.3d 128 (1st Cir. 2006)	<p>Berne Convention for the Protection of Literary and Artistic Works, http://en.wikipedia.org/wiki/Berne_Convention_for_the_Protection_of_Literary_and_Artistic_Works</p> <p>Bicycle Wheel, http://en.wikipedia.org/wiki/Bicycle_Wheel</p>
United States v. Radomski, 473 F.3d 728 (7th Cir. 2007)	Andrew Golota, http://en.wikipedia.org/wiki/Andrew_Golota
Ordinola v. Hackman, 478 F.3d 588 (4th Cir. 2007)	Calcium oxide, http://en.wikipedia.org/wiki/Calcium_oxide

Case	Wikipedia Article(s)
Ross v. RJM Acquisitions Funding, L.L.C., 480 F.3d 493 (7th Cir. 2007) ^a	Soundex, http://en.wikipedia.org/wiki/Soundex Approximate string matching, http://en.wikipedia.org/wiki/Approximate_string_matching
Crawford v. Marion County Election Bd., 484 F.3d 436 (7th Cir. 2007)	Washington gubernatorial election, 2004, http://en.wikipedia.org/wiki/Washington_gubernatorial_election,_2004 Florida's 13th congressional district, http://en.wikipedia.org/wiki/Florida's_13th_congressional_district Jon Tester, http://en.wikipedia.org/wiki/Jon_Tester
Exxon Mobile Corp. v. Comm'r of Internal Revenue, 484 F.3d 731 (5th Cir. 2007)	Accrual, http://en.wikipedia.org/wiki/Accrual
Matthews v. Ishee, 486 F.3d 883 (6th Cir. 2007) ^a	Sarcasm, http://en.wikipedia.org/wiki/Sarcasm
Courtney v. Halleran, 485 F.3d 942 (7th Cir. 2007)	Savings and loan crisis, http://en.wikipedia.org/wiki/Savings_and_loan_crisis
United States v. Calabrese, 490 F.3d 575 (7th Cir. 2007)	Chicago Outfit, http://en.wikipedia.org/wiki/Chicago_Outfit
Lands Council v. McNair, 494 F.3d 771 (9th Cir. 2007) ^a	Derrick Jensen, http://en.wikipedia.org/wiki/Derrick_Jensen

Case	Wikipedia Article(s)
Boim v. Fulton County Sch. Dist., 494 F.3d 978 (11th Cir. 2007) ^a	School shooting, http://en.wikipedia.org/wiki/School_shooting
Zeiler v. Deitsch, 500 F.3d 157 (2d Cir. 2007)	Halakha, http://en.wikipedia.org/wiki/Halakha
Lennon v. Metro. Life Ins. Co., 504 F.3d 617 (6th Cir. 2007) ^a	Blood alcohol content, http://en.wikipedia.org/wiki/Blood_alcohol_content
United States v. Bazaldua, 506 F.3d 671 (8th Cir. 2007)	PIT Maneuver, http://en.wikipedia.org/wiki/PIT_maneuver
United States v. Upton, 512 F.3d 394 (7th Cir. 2008)	Strike (attack), http://en.wikipedia.org/wiki/Strike_(attack)
United States v. Stephens, 514 F.3d 703 (7th Cir. 2008)	Accenture, http://en.wikipedia.org/wiki/Accenture
Fair Hous. Council of San Fernando Valley v. Roommates.com, L.L.C., 521 F.3d 1157 (9th Cir. 2008) ^a	Content Development (Web), http://en.wikipedia.org/wiki/Content_development_(web)
Koger v. Bryan, 523 F.3d 789 (7th Cir. 2008)	Allen H. Greenfield, http://en.wikipedia.org/wiki/Allen_H._Greenfield
United States v. Howell, 527 F.3d 646 (7th Cir. 2008)	Quad Cities, http://en.wikipedia.org/wiki/Quad_Cities
Carver v. Lehman, 528 F.3d 659 (9th Cir. 2008) ^a	Denying the antecedent, http://en.wikipedia.org/wiki/Denying_the_antecedent

Case	Wikipedia Article(s)
Hicks v. Midwest Transit, Inc., 531 F.3d 467 (7th Cir. 2008)	Street name securities, http://en.wikipedia.org/wiki/Street_name_securities
Rickher v. Home Depot, Inc., 535 F.3d 661 (7th Cir. 2008) ^a	Wear and tear, http://en.wikipedia.org/wiki/Wear_and_tear
Nautilus Ins. Co. v. Reuter, 537 F.3d 733 (7th Cir. 2008) ^a	Shell (corporation), http://en.wikipedia.org/wiki/Shell_(corporation)
Basada v. Mukasey, 540 F.3d 909 (8th Cir. 2008) ^a	Wikipedia:Introduction, http://en.wikipedia.org/wiki/Wikipedia:Introduction Wikipedia:Researching with Wikipedia, http://en.wikipedia.org/wiki/Wikipedia:Researching_with_Wikipedia
United States v. Knox, 540 F.3d 708 (7th Cir. 2008)	Revolutionary United Front, http://en.wikipedia.org/wiki/Revolutionary_United_Front
Weinbaum v. City of Las Cruces, 541 F.3d 1017 (10th Cir. 2008)	Columbus, Ohio, http://en.wikipedia.org/wiki/Columbus,_Ohio Long Beach, California, http://en.wikipedia.org/wiki/Long_Beach,_California Anchorage, Alaska, http://en.wikipedia.org/wiki/Anchorage,_Alaska
Hayes v. Snyder, 546 F.3d 516 (7th Cir. 2008) ^a	Peyronie's disease, http://en.wikipedia.org/wiki/Peyronie's_disease

Case	Wikipedia Article(s)
Demmon v. Loudon County Pub. Schs., 342 F. Supp. 2d 474 (E.D. Va. 2004) ^a	Hollywood Walk of Fame, http://en.wikipedia.org/wiki/Hollywood_Walk_of_Fame
Richmond v. Wampanoag Tribal Court Cases, 431 F. Supp. 2d 1159 (D. Utah 2006)	Magical thinking, http://en.wikipedia.org/wiki/Magical_thinking
Ash v. Reilly, 433 F. Supp. 2d 37 (D.D.C. 2006) ^a	Machete, http://en.wikipedia.org/wiki/Machete
In re Ingram Barge Co., 435 F. Supp. 2d 524 (E.D. La. 2006) ^a	Levee, http://en.wikipedia.org/wiki/Levee
Alvarez Perez v. Sanford-Orlando Kennel Club, Inc., 469 F. Supp. 2d 1086 (M.D. Fla. 2006) ^a	Greyhound racing, http://en.wikipedia.org/wiki/Greyhound_racing
Perez v. Frank, 433 F. Supp. 2d 955 (W.D. Wis. 2006)	Wudu, http://en.wikipedia.org/wiki/Wudu Eid al-Adha, http://en.wikipedia.org/wiki/Eid_al-Adha
Topps Co. v. Cadbury Stani S.A.I.C., 454 F. Supp. 2d 89 (S.D.N.Y. 2006)	Chewing gum, http://en.wikipedia.org/wiki/Chewing_gum
Simpleville Music v. Mizell, 451 F. Supp. 2d 1293 (M.D. Ala. 2006) ^a	Bumper music, http://en.wikipedia.org/wiki/Bumper_music
Metro-Goldwyn-Mayer Studios, Inc. v. Grokster, Ltd., 454 F. Supp. 2d 966 (C.D. Cal. 2006) ^a	Top 40, http://en.wikipedia.org/wiki/Top_40

Case	Wikipedia Article(s)
Musarra v. Digital Dish, Inc., 454 F. Supp. 2d 692 (S.D. Ohio 2006)	Throughput (business), http://en.wikipedia.org/wiki/Throughput_(business)
Montalvo v. Barnhart, 457 F. Supp. 2d 150 (W.D.N.Y 2006) ^a	Global Assessment of Functioning, http://en.wikipedia.org/wiki/Global_Assessment_of_Functioning Decompensation, http://en.wikipedia.org/wiki/Decompensation
Mutual Pharmaceutical Co. v. Ivax Pharmaceuticals, Inc., 459 F. Supp. 2d 925 (C.D. Cal. 2006)	Quinine, http://en.wikipedia.org/wiki/Quinine
Johnson v. Blue Cross & Blue Shield of Ala., Inc., 457 F. Supp. 2d 1288 (N.D. Ala. 2006)	Blind experiment, http://en.wikipedia.org/wiki/Blind_experiment
U.S. Securities & Exchange Comm. v. Montana, 464 F. Supp. 2d 772 (S.D. Ind. 2006)	There's a sucker born every minute, http://en.wikipedia.org/wiki/There's_a_sucker_born_every_minute
Krav Maga Ass'n of Amer., Inc. v. Yanilov, 464 F. Supp. 2d 981 (C.D. Cal. 2006) ^a	Krav Maga, http://en.wikipedia.org/wiki/Krav_Maga
IMX, Inc. v. Lendingtree, L.L.C., 469 F. Supp. 2d 194 (D. Del. 2007) ^a	Real-time computing, http://en.wikipedia.org/wiki/Real-time_computing
Cotz v. Mastroeni, 476 F. Supp. 2d 332 (S.D.N.Y 2007)	Montebello, New York, http://en.wikipedia.org/wiki/Montebello,_New_York
Stemple v. Astrue, 475 F. Supp. 2d 527 (D. Md. 2007)	Gabapentin, http://en.wikipedia.org/wiki/Gabapentin

Case	Wikipedia Article(s)
Doe v. Liberatore, 478 F. Supp. 2d 742 (M.D. Pa. 2007) ^a	<p>Child grooming, http://en.wikipedia.org/wiki/Child_grooming</p> <p>Hug, http://en.wikipedia.org/wiki/Hug</p> <p>Celibacy, http://en.wikipedia.org/wiki/Celibacy</p> <p>Roman Catholic Church, http://www.wikipedia.org/wiki/Roman_Catholic_Church</p> <p>Instruction Concerning the Criteria for the Discernment of Vocations with regard to Persons with Homosexual Tendencies in view of their Admission to the Seminary and to Holy Orders, http://en.wikipedia.org/wiki/Instruction_Concerning_the_Criteria_for_the_Discernment_of_Vocations_with_regard_to_Persons_with_Homosexual_Tendencies_in_view_of_their_Admission_to_the_Seminary_and_to_Holy_Orders</p> <p>List of Christian denominational positions on homosexuality, http://en.wikipedia.org/wiki/List_of_Christian_denominational_positions_on_homosexuality#Roman_Catholic_Church</p>
In re Cygnus Telecommunications Tech., L.L.C. Patent Litigation, 481 F. Supp. 2d 1029 (N.D. Cal. 2007) ^a	Telephone exchange, http://en.wikipedia.org/wiki/Telephone_exchange
Mann v. GTCR Golder Rauner, L.L.C., 483 F. Supp. 2d 884 (D. Ariz. 2007)	List of longest novels, http://en.wikipedia.org/wiki/List_of_longest_novels

Case	Wikipedia Article(s)
Butler v. Adoption Media, L.L.C., 486 F. Supp. 2d 1022 (N.D. Cal. 2007)	Web server, http://en.wikipedia.org/wiki/Web_server
Buck v. Stankovic, 485 F. Supp. 2d 576 (M.D. Pa. 2007)	Permanent residence (United States), http://en.wikipedia.org/wiki/Permanent_residence_(United_States) Visa (document), http://en.wikipedia.org/wiki/Visa_(document)
EMI Entertainment World, Inc. v. Priddis Music, Inc., 505 F. Supp. 2d 1217 (D. Utah 2007)	Karaoke, http://en.wikipedia.org/wiki/Karaoke
Tilton v. Playboy Entertainment Group, Inc., 510 F. Supp. 2d 932 (M.D. Fla. 2007)	Miami bass, http://en.wikipedia.org/wiki/Miami_bass
Bragg v. Linden Res., Inc., 487 F. Supp. 2d 593 (E.D. Pa. 2007)	Avatar (computing), http://en.wikipedia.org/wiki/Avatar_(computing)
Bowling v. Hasbro, Inc. 490 F. Supp. 2d 262 (D.R.I. 2007)	Dungeons & Dragons: Dragonshard, http://en.wikipedia.org/wiki/Dungeons_%26_Dragons:_Dragonshard
In re Omeprazole Patent Litigation, 490 F. Supp. 2d 381 (S.D.N.Y. 2007) ^a	Alkaline earth metal, http://en.wikipedia.org/wiki/Alkaline_earth_metal
PolyVision Corp. v. Smart Tech., Inc., 501 F. Supp. 2d 1042 (W.D. Mich. 2007) ^a	History of Microsoft Windows, http://en.wikipedia.org/wiki/History_of_Microsoft_Windows
Wilton Indus., Inc. v. United States, 493 F. Supp. 2d 1294 (C.I.T. 2007) ^a	Christmas cracker, http://en.wikipedia.org/wiki/Christmas_cracker

Case	Wikipedia Article(s)
Vista India v. Raaga, L.L.C., 501 F. Supp. 2d 605 (D.N.J. 2007)	Streaming media, http://en.wikipedia.org/wiki/Streaming_media
Murdick v. Catalina Marketing Corp., 496 F. Supp. 2d 1337 (M.D. Fla. 2007) ^a	Buddhism, http://en.wikipedia.org/wiki/Buddhism
Healthcare Advocates, Inc. v. Harding, Earley, Follmer & Frailey, 497 F. Supp. 2d 627 (E.D. Pa. 2007)	Screenshot, http://en.wikipedia.org/wiki/Screenshot
Pro batter Sports, L.L.C. v. Joyner Tech., Inc., 518 F. Supp. 2d 1051 (N.D. Iowa 2007) ^a	Pitching position, http://en.wikipedia.org/wiki/Pitching_position
Amer. Athiests, Inc. v. City of Detroit Downtown Dev. Auth., 503 F. Supp. 2d 845 (E.D. Mich. 2007)	Potemkin village, http://en.wikipedia.org/wiki/Potemkin_village
Blue Ocean Inst. v. Gutierrez, 503 F. Supp. 2d 366 (D.D.C. 2007)	Bycatch, http://en.wikipedia.org/wiki/Bycatch
McCabe v. Macaulay, 515 F. Supp. 2d 944 (N.D. Iowa 2007)	America Coming Together, http://en.wikipedia.org/wiki/America_Coming_Together
Unitronics (1989) (R”G), Ltd. V. Gharb, 511 F. Supp. 2d 123 (D.D.C. 2007)	Cellular network, http://en.wikipedia.org/wiki/Cellular_network
Greybuffalo v. Kingston, 581 F. Supp. 2d 1034 (W.D. Wis. 2007)	Wasi’ chu, http://en.wikipedia.org/wiki/Wasi’_chu

Case	Wikipedia Article(s)
United States v. Brahm, 520 F. Supp. 2d 619 (D.N.J. 2007)	The War of the Worlds (radio), http://en.wikipedia.org/wiki/The_War_of_the_Worlds_(radio)
Thomas v. Sifers, 535 F. Supp. 2d 1200 (D. Kan. 2007)	Gastric dumping syndrome, http://en.wikipedia.org/wiki/Gastric_dumping_syndrome
SPX Corp. v. Bartec USA, L.L.C., 530 F. Supp. 2d 914 (E.D. Mich. 2008) ^a	Tire-pressure monitoring system, http://en.wikipedia.org/wiki/Tire-pressure_monitoring_system
Urso v. Prudential Ins. Co. of America, 532 F. Supp. 2d 292 (D.N.H. 2008)	Pronator teres muscle, http://en.wikipedia.org/wiki/Pronator_teres_muscle Somatoform disorder, http://en.wikipedia.org/wiki/Somatoform_disorder Hypertensive retinopathy, http://en.wikipedia.org/wiki/Hypertensive_retinopathy
Cobell v. Kempthorne, 532 F. Supp. 2d 37 (D.D.C. 2008) ^a	Cobell v. Kempthorne, http://en.wikipedia.org/wiki/Cobell_v._Kempthorne
Chadwell v. Lee County Sch. Bd., 535 F. Supp. 2d 586 (W.D. Va. 2008) ^a	Standards of Learning, http://en.wikipedia.org/wiki/Standards_of_Learning

Case	Wikipedia Article(s)
United States v. Warthan, 541 F. Supp. 2d 1058 (N.D. Iowa 2008)	<p>Ciara, http://en.wikipedia.org/wiki/Ciara</p> <p>Chris Brown (entertainer), http://en.wikipedia.org/wiki/Chris_Brown_(entertainer)</p> <p>Chamillonaire, http://en.wikipedia.org/wiki/Chamillonaire</p> <p>Lil Flip, http://en.wikipedia.org/wiki/Lil_Flip</p> <p>Ashanti (singer), http://en.wikipedia.org/wiki/Ashanti_(singer)</p> <p>Twista, http://en.wikipedia.org/wiki/Twista</p>
Anderson v. Astrue, 569 F. Supp. 2d 902 (E.D. Mo. 2008)	Sixth nerve palsy, http://en.wikipedia.org/wiki/Sixth_nerve_palsy
Colony Nat. Ins. Co. v. Hing Wah Chinese Restaurant, 546 F. Supp. 2d 202 (E.D. Pa. 2008) ^a	Restaurant, http://en.wikipedia.org/wiki/Restaurant
Lamanna v. Special Agents Mut. Benefits Ass'n, 546 F. Supp. 2d 261 (W.D. Pa. 2008)	Million Clinical Multilaxial Inventory, http://en.wikipedia.org/wiki/Millon_Clinical_Multiaxial_Inventory

Case	Wikipedia Article(s)
Barton v. Astrue, 549 F. Supp. 2d 1106 (E.D. Mo. 2008)	Intravenous pyelogram, http://en.wikipedia.org/wiki/Intravenous_pyelogram Cystoscopy, http://en.wikipedia.org/wiki/Cystoscopy Bone spur, http://en.wikipedia.org/wiki/Bone_spur List of medical abbreviations, http://en.wikipedia.org/wiki/List_of_medical_abbreviations Sulfamethoxazole, http://en.wikipedia.org/wiki/Sulfamethoxazole
City of Waukegan v. Nat'l Gypsum Co., 560 F. Supp. 2d 636 (N.D. Ill. 2008)	Benthic zone, http://en.wikipedia.org/wiki/Benthic_zone
United States v. Radley, 558 F. Supp. 2d 865 (N.D. Ill. 2008) ^a	Houston, http://en.wikipedia.org/wiki/Houston
Aubin v. Residential Funding Co., 565 F. Supp. 2d 392 (D. Conn. 2008) ^a	Business day, http://en.wikipedia.org/wiki/Business_day
Kenseth v. Dean Health Plan, Inc., 586 F. Supp. 2d 1013 (W.D. Wis. 2008)	Adjustable gastric band, http://en.wikipedia.org/wiki/Adjustable_gastric_band

Case	Wikipedia Article(s)
Winebarger v. Liberty Life Assur. Co. of Boston, 571 F. Supp. 2d 719 (W.D. Va. 2008)	Minnesota Multiphasic Personality Inventory, http://en.wikipedia.org/wiki/Minnesota_Multiphasic_Personality_Inventory Beck Anxiety Inventory, http://en.wikipedia.org/wiki/Beck_Anxiety_Inventory Beck Depression Inventory, http://en.wikipedia.org/wiki/Beck_Depression_Inventory
Pharmacy Records v. Nassar, 572 F. Supp. 2d 869 (E.D. Mich. 2008) ^a	Grand Champ, http://en.wikipedia.org/wiki/Grand_Champ
Io Group, Inc. v. Veoh Networks, Inc., 586 F. Supp. 2d 1132 (N.D. Cal. 2008) ^a	Flash Video, http://en.wikipedia.org/wiki/Flash_Video IP address, http://en.wikipedia.org/wiki/IP_address
Murakowski v. Univ. of Del., 575 F. Supp. 2d 571 (D. Del. 2008)	Yurt, http://en.wikipedia.org/wiki/Yurt Katana, http://en.wikipedia.org/wiki/Katana
Pheasant Run Condo. Homes Ass'n v. City of Brookfield, 580 F. Supp. 2d 735 (E.D. Wis. 2008)	Homeowners' association, http://en.wikipedia.org/wiki/Homeowners'_association

Case	Wikipedia Article(s)
Miller v. Penn Manor Sch. Dist., 588 F. Supp. 2d 606 (E.D. Pa. 2008)	<p>Columbine High School massacre, http:// en. wikipedia. org/ wiki/ Columbine_ High_ School_ massacre</p> <p>Virginia Tech massacre, http:// en. wikipedia. org/ wiki/ Virginia_ Tech_ massacre</p> <p>Northern Illinois University shooting, http:// en. wikipedia. org/ wiki/ Northern_ Illinois_ University_ shooting</p> <p>Amish school shooting, http:// en. wikipedia. org/ wiki/ Amish_ school_ shooting</p> <p>Red Lion Area Junior High School shooting, http:// en. wikipedia. org/ wiki /Red_ Lion_ Area_ Junior_ High_ School_ shooting</p> <p>Bag limits, http:// en. wikipedia. org/ wiki/ Bag_ limits</p>
United States v. Callahan, 582 F. Supp. 2d 1125 (N.D. Iowa 2008)	Ginsu, http://en.wikipedia.org/wiki/Ginsu
United States v. Richardson, 583 F. Supp. 2d 694 (W.D. Pa. 2008)	Piggybacking (internet access), http://en.wikipedia.org/wiki/Piggybacking_(internet_access)
Dewald v. Astrue, 590 F. supp. 2d 1184 (D.S.D. 2008) ^a	Trochanteric bursitis, http://en.wikipedia.org/wiki/Trochanteric_bursitis

Case	Wikipedia Article(s)
PowerDsine, Inc. v. AMI Semiconductor, Inc., 591 F. Supp. 673 (S.D.N.Y. 2008).	Semiconductor fabrication plant, http://en.wikipedia.org/wiki/Semiconductor_fabrication_plant Specification (technical standard), http://en.wikipedia.org/wiki/Specification_(technical_standard)

Note. The format of Wikipedia citations in these opinions varied greatly, so a simple, standard format was used in this chart. The articles herein are the current versions that the courts presumably would have cited if writing the opinions today and/or if citing a specific article rather than Wikipedia as a whole. In order to avoid unnecessary repetition, the opinions and Wikipedia articles discussed in the text of this paper are not included in the References if they appear in this table.

^a = said Wikipedia was used to get important information