

OBITER DICTUM

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LIBRARY HOURS



For the remainder of intersession, through Sunday, January 16, the library will be open from 8:00 A.M. until 8:00 P.M. seven days a week. The library will be closed on Monday, January 17, in observance of Martin Luther King, Jr. Day. Regular hours will resume on Tuesday, January 18.

For details, check the Legal Research Center web site at <http://www.sandiego.edu/lrc/about/hours.php>.

LEARN WHAT PACER CAN DO FOR YOU!



The PACER (Public Access to Court Electronic Records) Service Center is the centralized registration, billing, and technical support center of the Administrative Office of the U.S. Courts. It offers electronic access to case and docket information from federal appellate, district and bankruptcy courts, and from the U.S. Party/Case Index.

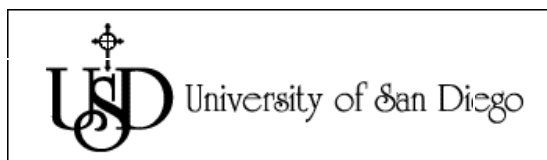
WHY USE PACER?

The PACER System offers an inexpensive, fast, simple, and comprehensive way to obtain information about federal cases. Available information includes: Parties and participants, including judges, attorneys, and trustees; cause of action; nature of suit; dollar demand; and dates of case events. The database also provides a claims registry; a listing of new cases each day; appellate court opinions; judgments or case status; and imaged copies of many court documents.

HOW CURRENT IS PACER INFORMATION?

The PACER System is available days, nights, and weekends. You can verify all updates to active and recently closed cases without having to make repeated trips to the court to review paper records. If there have been no updates, this can be confirmed in seconds.

The newsletter section of OBITER DICTUM may be found at <http://www.sandiego.edu/lrc/catalogs/news.php>



PACER (cont.)**HOW CAN I LEARN TO USE PACER?**

The Reference Team is available to give you individual instruction on how to access and navigate through the PACER system. Please call John Adkins at x4766 to request training. *Submitted by John Adkins, Head of Public Services.*

**SMILE,
YOU'RE ON
CANDID
INTERNET**

In a contractual dispute before a federal magistrate judge in Northern District of Illinois, the plaintiff objected to the admission of "snapshots" of the contents of its Web site as they appeared on prior dates. The snapshots were retrieved from the Internet Archive (IA), which is located at <http://www.archive.org/>. The Internet Archive is a nonprofit effort to build an Internet library to offer permanent access for researchers, historians, and scholars to historical collections that exist in digital format. IA's "spiders" regularly crawl the World Wide Web, making copies of web pages and storing them permanently in an enormous digital archive.

The judge rejected the plaintiff's assertion that the snapshots were excluded hearsay, ruling that they were either not statements at all or that they were admissible admissions of a party-opponent. Further, the judge found that the Web snapshots met Fed. R. Evid. 901's threshold requirement of *prima facie* genuineness. *Telewizja Polska USA v. Echostar Satellite Corp.*, 2004 U.S. Dist. LEXIS 20845 (D. Ill. 2004). IA supporters tout this decision as recognition of its validity as a reliable research tool.

**LRC GETS
"NEW
ROUTER"**

The LRC welcomes Jason Curtis as our new Serials/Processing Assistant. Jason comes to USD from the East County Branch of the San Diego County Public Law Library and immediately before that from the library at Bunker Hill Community College in Boston. He has also worked for Barnes & Noble and for Brigham Young University. He studied at BYU as well and received a B.A. in French, which he speaks fluently. While Jason has assumed responsibility for many aspects of the LRC collection, faculty will communicate with him chiefly about the serial materials that are routed to them. He can be reached by e-mail at jcurtis@sandiego.edu and by telephone at ext. 4920.

We know that you will enjoy getting to know our very personable new co-worker. Please join us in welcoming him.

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