DECLARATION OF BRIAN W. CARVER

I, Brian W. Carver, declare as follows:

1.   I am an Assistant Professor at the University of California, Berkeley School of Information, where I have taught since 2008. I have personal knowledge of the matters stated in this declaration and could competently testify to them if called as a witness.

The Free Law Project

2.   As a professor, I teach classes in cyberlaw, and intellectual property in the School of Information. My primary research interest is in the laws and policies governing technology and information, particularly in understanding the technical, economic, social, and legal frameworks that best promote progress and access to information.

3.   In 2013, I cofounded with Michael Lissner, a former student of mine, the Free Law Project, a 501(c)(3) not-for-profit corporation with a mission to provide free, public, and permanent access to primary legal materials on the Internet for educational, charitable, and scientific purposes to the benefit of the general public and the public interest. The Free Law Project may be found at the following URL: http://freelawproject.org/

4.   The Free Law Project was founded to provide an institutional home for the Court Listener system, a project Mr. Lissner and I have been working on

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since 2010. The Court Listener system may be found at the following URL:

http://courtlistener.com.

5.   The Court Listener system provides the public, at no charge and with

no restriction, access to over 2.5 million opinions going back to 1 U.S. 1 (1754).

The system continues to add new opinions added each day by the courts of last

resort from all 50 states and the District of Columbia, from all the Federal

Appellate courts, and from many other specialized jurisdictions.

6.   Users are not required to register to use the system, but those that do

can take advantage of functions such as the real-time alert system, which are

triggered within approximately 30 minutes of a document appearing on a court's

web site.

7.   The Court Listener system also provides bulk access to all the data so

other users may create their own system or conduct research. Court Listener

provides an Application Programming Interface (API), which provides developers

with programmatic access and advanced query capabilities to create new

applications that build on top of our system.

8.   The Free Law Project is also now responsible for the maintenance and

development of RECAP, originally developed by researchers at the Center for

Information Technology Policy at Princeton University. RECAP is an extension to

the Firefox and Chrome browsers and may be found at the following URL:

https://www.recapthelaw.org/

9.   RECAP provides a layered interface on the PACER system for registered PACER users. It builds on an archive of PACER documents that are located on the Internet Archive (http://archive.org). When a user is browsing a PACER docket, RECAP will inform a user if a particular document is already available on the Internet Archive and may be viewed at no charge.

10.   If a document is not already on the Internet Archive repository, a RECAP user may click to view the document, incurring the normal PACER charges. That document is then placed on the Internet Archive and made available at no charge for other RECAP users or those simply browsing the Internet Archive repository and not using PACER at all.

11.   Both the CourtListener system and the RECAP server scan incoming documents for Social Security Numbers ("SSNs"). On CourtListener, since we create plain text and HTML versions of incoming PDFs, we are able to create a display version of the document that has the SSN redacted. The RECAP server also searches incoming PDFs for SSNs and when it discovers one, adds the document to an internally-maintained blacklist. Blacklisted documents are not forwarded to the Internet Archive.

The Public Resource Fee Exemption Request

12.   The Free Law Project would be delighted to support the Fee Exemption Request advanced by Public Resource for access to all proceedings of one or more jurisdictions. The Free Law Project would incorporate all this data into the Court Listener system, providing advanced query and search capabilities to this information.

13.   In addition, the Free Law Project would work with Public Resource to make sure that data is also incorporated into the RECAP system on the Internet Archive so that users may access the data using their browser extension.

14.   As a professor teaching access to the law to students in the Law and Information schools as well as to practitioners attending conferences and Continuing Legal Education (CLE), it would be a pleasure to instruct lawyers and non-lawyers alike how to effectively access and use this important data.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and this declaration was executed this 1 day of April, 2015 at Berkeley, California.

By _____
                                    Brian W. Carver

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