

UELMA and Other Legislation Affecting Law Libraries

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ORALL Annual Meeting

Toledo, Ohio

October 17, 2013

Outline

- I. History and purpose of UELMA
- II. Enactments
- III. Looking ahead
- IV. UELMA in ORALL states
- V. Federal issues
- VI. Q & A

History of UELMA

- **2003, 2007 and 2010:** AALL publishes State-by-State Reports on Permanent Public Access and Authentication
- **April 2007:** AALL holds National Summit on Authentic Legal Information in the Digital Age
- **February 2008:** ULC (formerly NCCUSL) forms Study Committee on Online Authentication of Legal Materials
- **July 2009:** ULC forms Drafting Committee on Authentication and Preservation of Electronic State Legal Materials
- **July 2011:** Uniform Law Commission approves UELMA
- **February 2012:** ABA approves UELMA

Requirements

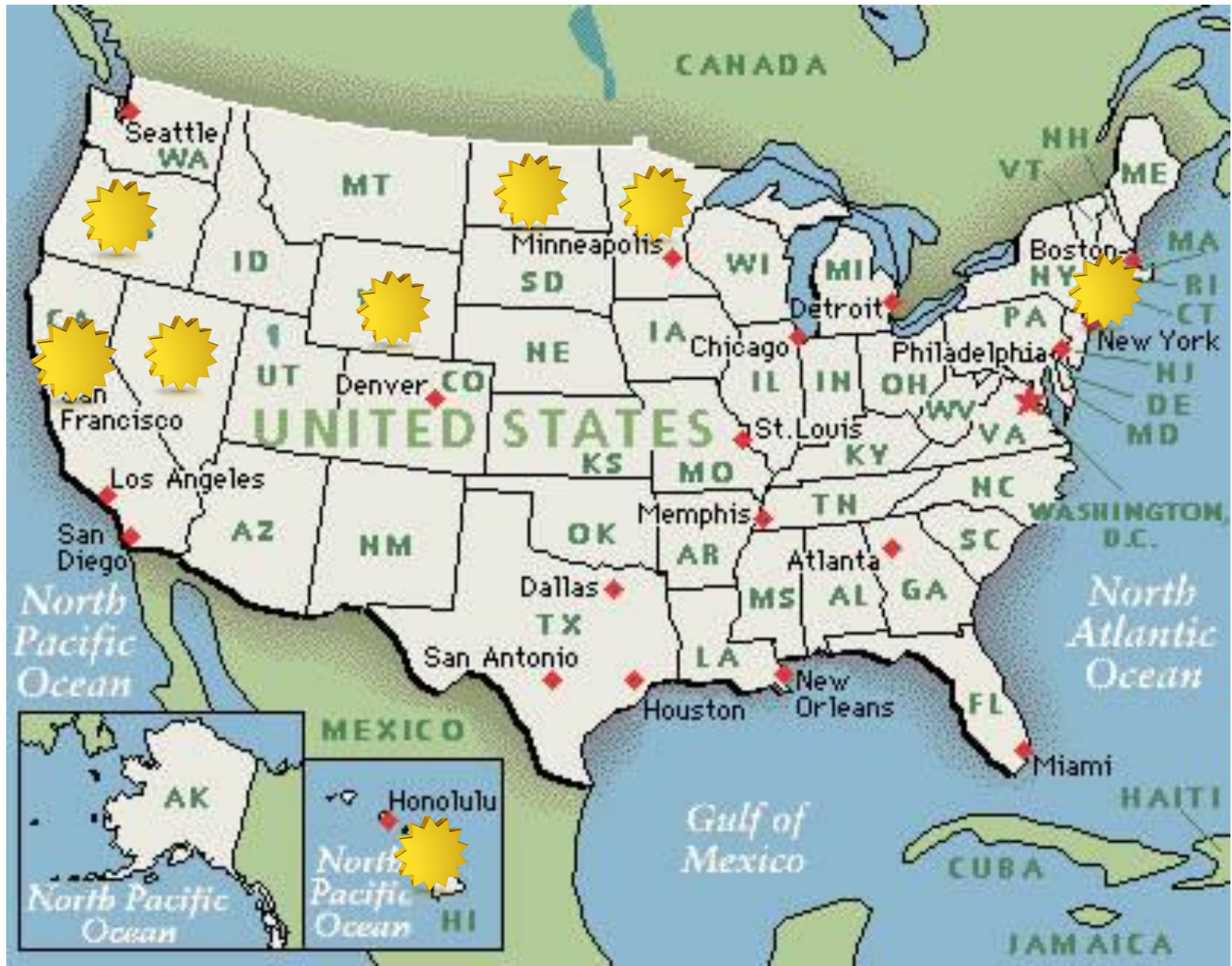
- Electronic legal material designated as official must be:
 - Capable of being authenticated;
 - Preserved; and
 - Permanently accessible to the public.

What material is covered?

1. state constitution
2. state session laws
3. codified laws
4. agency regulations which have the effect of law

Optional: state administrative agency decisions, reported decisions, state court rules, etc

Enactments



Enactment Chart

State	Bill Number	Covered Legal Materials	Fiscal Impact	Effective Date
California	SB 1075	<ul style="list-style-type: none"> • Constitution • Statutes • The California Codes 	<p>\$135,000 to \$165,000 (General Fund) for set up, authentication, archiving, and onsite storage.</p> <p>Annual ongoing costs in the range of \$40,000 to \$70,000</p>	July 1, 2015
Colorado	HB 1209	<ul style="list-style-type: none"> • Constitution • Session laws • Colorado revised statutes • State agency rule 	\$198,912	March 31, 2014
Connecticut	SB 235	<ul style="list-style-type: none"> • Constitution • General statutes • Regulations of Connecticut state agencies • Reported decisions of the following state courts: The Supreme Court, the Appellate Court and the Superior Court 	No fiscal impact	October 1, 2014

State	Bill Number	Covered Legal Materials	Fiscal Impact	Effective Date
Hawaii	SB 32 / HB 18	<ul style="list-style-type: none"> •Constitution •Session laws •Hawaii Revised Statutes •A state agency rule that has or had the effect of law; •Reported decisions of the following state courts: the supreme court of the State of Hawaii and the intermediate appellate court of the State of Hawaii; or • State court rules. 	No fiscal impact	July 1, 2013
Minnesota	SF 157 / HF 278	<ul style="list-style-type: none"> •Constitution •Laws of Minnesota •Statutes •Minnesota Rules 	No fiscal impact	January 1, 2015
Nevada	SB 105	<ul style="list-style-type: none"> •Constitution •Statutes •Revised Statutes •Administrative Code 	No fiscal impact	January 1, 2014

State	Bill Number	Covered Legal Materials	Fiscal Impact	Effective Date
North Dakota	HB 1129	<ul style="list-style-type: none"> • Constitution • North Dakota Century Code • North Dakota Session Laws, also known as the Laws of North Dakota • North Dakota Administrative Code 	\$115,000 for the 2013-15 biennium. Of this amount, \$85,000 is one-time costs relating to software development and \$30,000 is ongoing costs each biennium	July 31, 2013
Oregon	HB 2944	<ul style="list-style-type: none"> • The Oregon Constitution; • Session laws published by the Legislative Counsel under ORS 171.236; • Oregon Revised Statutes; or Oregon Administrative Rules 	Minimal fiscal impact	May 23, 2013

Looking Ahead to 2014

- Uniform Law Commissioners have identified what acts to put on their plans
- Nine states have included UELMA on their plans for 2014, including Ohio

Status of UELMA in Ohio

- Initial identification of stakeholders & advocates
- May 2013 meeting to strategize
- Preliminary conversations with stakeholders
- Info gathering on UELMA successes
- Attempt to garner OSBA committee support
- Identification of House & Senate Committees and possible sponsors

Ohio Interest

- Ohio's Uniform Law Commissioners
- ORALL Government Relations Committee
- Law Librarians
- Attorney General
- Secretary of State
- Ohio State Library
- Ohio Public Defender
- Ohio Legal Assistance Foundation

Stakeholders

- Ohio Secretary of State
- State government agencies, General Assembly
- Librarians
- Legal professionals
- Access to Justice advocates

UELMA in Kentucky & Indiana

- Preliminary discussion
- Hopes for introduction in 2014 for Kentucky
- Uncertain in Indiana

Your Role

- Contact ORALL's Government Relations Committee members or Jonathan Chagat
- Help with committee connections
- Be ready to step up with letters and calls of support

UELMA Resources

- Background information
- Advocacy materials
- Letters and testimony
- Articles and blog posts
- Reports and papers

<http://www.aallnet.org/Documents/Government-Relations/UELMA>

Federal Issues to Watch

- Access to Government Info
- Privacy
- Records Management
- Copyright
- Net Neutrality



Bill	Sponsors	Status
H.R. 1380, <i>Access to Congressional Mandated Reports Act (ACMRA)</i>	Rep. Mike Quigley (D-IL), Rep. Elijah Cummings (D-MD), Rep. John A. Yarmuth (D-KY) and 12 others	05/22/2013 Reported (amended) by Voice Vote, Committee on Oversight and Government Reform
S.1130, <i>Ending Secret Law Act</i> H.R.2475	Sen. Jeff Merkley (D-OR), Sen. Mike Lee (R-UT), Sen. Rand Paul (R-KY) and 12 others Rep. Adam Schiff (D-CA), Rep. Todd Rokita (R-IN) and 28 others	06/11/2013 Referred to Senate Committee on the Judiciary 06/20/2013 Referred to the House Committee on the Judiciary and Permanent Select Committee on Intelligence
S.1215, <i>FISA Accountability and Privacy Protection Act of 2013</i>	Sen. Patrick Leahy (D-VT) and 10 others	06/24/2013 Referred to the Senate Committee on the Judiciary
S.607, <i>Electronic Communications Privacy Act (ECPA) Amendments Act of 2013</i>	Sen. Patrick Leahy (D-VT), Sen. Mike Lee (R-UT), Sen. Mark Udall (D-CO) and Sen. Rand Paul (R-KY)	04/25/2013 Reported (amended), Committee on the Judiciary. Report No. 113-34.

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