



American Association of Law Libraries
MAXIMIZING THE POWER OF THE LAW LIBRARY COMMUNITY SINCE 1906

AALL State Working Groups to Ensure Access to Electronic Legal Information

January 2010, Revised June 2010

Goals of the Working Groups:

In 2007, AALL's Executive Board adopted as policy the "[Core Values Concerning Public Information on Government Web Sites](#)" which define *the Association's commitment to equitable, no-fee, permanent public access to authentic online legal information*. This policy statement will serve as the framework for working groups to promote these principles in every state.

The AALL Government Relations Office (GRO) is asking law librarians to organize state working groups to respond to challenges that threaten the authentication and preservation of official legal resources, and to contribute to the development of a national inventory of primary legal information. With assistance from the GRO, we would like the working groups to:

- First, [take action to oppose any plan in your state to eliminate an official print legal resource](#) in favor of online-only *unless* the electronic version is digitally authenticated and will be preserved for permanent public access, or to charge fees to access legal information electronically. This is an increasingly common problem as states respond to severe budget cuts.
- Second, [ensure that a disclaimer is added to any legal resources](#) in a state's raw-data portal so that users know that the information is *not* an official or authentic resource.
- Third, collaborate on the ground-breaking effort led by Erika Wayne at Stanford University's Robert Crown Law Library and Carl Malamud of Public.Resource.Org to develop a [national inventory](#) of all primary legal resources at every level of government.

Last but not least, the progress you make on these issues will be very helpful when NCCUSL's recently appointed Drafting Committee on Authentication and Preservation of State Electronic Legal Materials makes its recommendations on a new uniform state law. Our Issue Brief on [The Need for Authentication and Preservation of Online Legal Resources](#) provides additional background information about AALL's leadership on digital authentication and preservation.

The first state working group came together quickly in November 2009 to respond to the Maryland Division of State Documents' plan to discontinue the print publication of the Maryland Register. Thanks to the excellent coordination of Law Library Association of Maryland (LLAM) Government Relations Committee/Vendor Relations Chair Joan Bellistri, the Maryland working group organized quickly to [oppose the elimination of the print Register](#).

We are very pleased that more than 190 law librarians in all 50 states and D.C. have already [signed up to participate](#) in their state's working group, but we still need more volunteers. Please contact [Emily Feldman](#) if you would like to join your colleagues in this important effort.

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**YOUR FIRST IMMEDIATE CHALLENGE:
STOP THE ELIMINATION OF PRINT LEGAL RESOURCES IN YOUR STATE**

The Problem: With many states facing serious budget crises, some are making short-sighted decisions to eliminate an official print legal resource and to charge fees to access it electronically. State officials simply do not understand the long-term risks and costs related to the preservation of electronic information.

Your Goal: AALL needs your help to ensure that your state continues to publish official print legal resources *until there is an official, authenticated online version that will be preserved for permanent public access*. Our policy position is affirmed in the [ARJD Statement of Principles: "Official" On-line Documents](#).

Immediate Action Needed:

- If you discover that there is a threat to any print legal resource, please send an email to the [Advocacy Listserv](#) ([subscribe here](#)) so we are all aware of the situation.
- Build allies by contacting other organizations to see if they will support your position:
 - The [state and local bar associations](#)
 - The state government documents group
 - The [State library or archive](#)
 - The state library association
 - Other state-based open government, consumer and watchdog groups.
- Create a one-page issue brief explaining your concerns and the negative impact the proposed plan would have on your libraries and patrons.
- Send a [letter](#) to the appropriate state officials to articulate your opposition to the elimination of the print legal resource *unless there is an official, authenticated online version that will be preserved for permanent public access*.
- Set up meetings with them to explain the importance of maintaining the print version of legal resources. (Hint: Find out if any of the officials has a JD, because if so, he/she may better understand the need for authentication and preservation of online legal information.)

Your actions may vary depending on the specific threat in your state. The Government Relations Office staff, [Mary Alice Baish](#) and [Emily Feldman](#), will work with you as you move forward to confront your specific challenge. You also may wish to consult our [Advocacy Toolkit](#) for more advice about advocating for law libraries at the [state level](#).

**YOUR SECOND IMMEDIATE CHALLENGE:
ADD A DISCLAIMER TO LEGAL RESOURCES IN YOUR STATE'S DATA PORTAL**

The Problem: Federal and state governments are quickly moving toward posting more raw data online. When the Office of Management and Budget (OMB) announced the addition of the XML version of the Federal Register to [Data.gov](#), the Federal government's data portal, the Government Relations Office successfully persuaded them to add a [disclaimer](#) explicitly stating that the XML version is *not* official and provide a hotlink to the official version.

As the National Association of State Chief Information Officers announced in a recent [report](#), **Data.govs are coming to your state**. CIOs do *not* understand the need for official status or digital authentication of online legal resources.

Your Goal: California, the District of Columbia, Maine, Massachusetts, Michigan, North Dakota and Utah have launched new [data portals](#). Working groups in those states need to contact their [CIO](#) to ensure that a disclaimer is added to any legal information in the portal. If your state does not yet have a data portal, you need to find out if there are plans to create one.

Immediate Action Needed:

- **If your state's data portal includes legal resources:**
 - Contact your state CIO to explain why official status and digital authentication of online legal resources is necessary.
 - Ask your CIO to add a disclaimer, [similar](#) to the one OMB added to the Federal government's Data.gov, stating that the available data is not official or authenticated.
 - Find out what the plans are for the future of the portal.

- **If your state's data portal does NOT yet include legal resources:**
 - Contact your state CIO to find out the future plans for the portal and explain why digital authentication of online legal resources is important to legal researchers.

- **If your state does NOT yet have a data portal:**
 - Investigate whether there are plans for a portal in the works. Check newspapers, blogs that cover state politics and local technology blogs.
 - Contact your state CIO to explain the need to digital authentic and preserve online legal resources.

**YOUR THIRD IMMEDIATE CHALLENGE:
COLLABORATE ON EFFORTS TO CREATE A NATIONAL INVENTORY OF
ALL U.S. PRIMARY LEGAL RESOURCES**

The Problem: It is [AALL policy](#) that the public have no-fee, permanent public access to authentic online legal information on government Web sites. In addition, we believe that government information, including the text of all primary legal materials, must be in the public domain and available without restriction.

Your Goal: Working with your chapter, your goal is to contribute to the development of the national inventory of primary legal resources at every level of government.

Action Needed: With permission from Erika Wayne, Paul Lomio and California Working Group coordinator Susan Nevelow Mart who developed a robust prototype for the California state inventory, we expanded their template to include additional questions related to the permanent public access, authentication and preservation of digital legal resources available online.

Each state coordinator will be [responsible](#) for uploading our inventory template to Google Docs. [Volunteers](#) will then contribute titles from every level of state government using a form that will automatically populate the inventory. Once we have data for all fifty states, D.C. and the Federal government, the results will be analyzed and used as needed by experts who will be working with LAW.gov, the Law Library of Congress and our AALL public policy committees.

**THE GOVERNMENT RELATIONS OFFICE IS HERE FOR YOU!
GRO staff will work with all of the state working groups as you move forward to confront these
challenges in your state. Please feel free to [contact us](#) at any time.**