

**C-5**  
**At the Top of the Rise:**  
**Government Web Sites**  
**That Have Met the Challenge**



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**Speakers:**

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**We'd like your input** on these guidelines drafted by the Access to Electronic Legal Information Committee. The guidelines are intended for use in evaluating a legal Web site. They are designed for people without extensive legal research experiences, such as members of the general public, scholars in other disciplines, and first-year law students. What did we forget? What is confusing? What did we get right? **Please share your thoughts on our survey at [http://www.surveymonkey.com/s.aspx?sm=dyUaYL8sHNbDz5mCOW\\_2fyjQ\\_3d\\_3d](http://www.surveymonkey.com/s.aspx?sm=dyUaYL8sHNbDz5mCOW_2fyjQ_3d_3d)**. (The survey is also linked from the AELIC homepage at <http://www.aallnet.org/committee/aelic/index.html>) Thanks!

## **Guidelines for Evaluating a Legal Web Site**

*Drafted by the American Association of Law Libraries, Access to Electronic Legal Information Committee, date*

*Approved by the American Association of Law Libraries Executive Board, date*

These guidelines are intended to help members of the general public assess law-related Web sites. The guidelines identify some of the issues to consider when considering whether a Web site provides trustworthy and up-to-date information, suitable for a particular law-related information need.

Legal research is a specialized discipline. These guidelines note some of the unique issues involved in conducting legal research but are not intended as a legal research tutorial. Those seeking a brief introduction to legal research may wish to read [How to Research a Legal Problem: A Guide for Non-Lawyers](http://www.aallnet.org/sis/lisp/research.htm) (links to <http://www.aallnet.org/sis/lisp/research.htm>), prepared by the [Legal Information Services to the Public](http://www.aallnet.org/sis/lisp/) (links to <http://www.aallnet.org/sis/lisp/>) section of the [American Association of Law Libraries](http://www.aallnet.org/). (links to <http://www.aallnet.org/>)

For a more detailed introduction to legal research, see the following Web sites and books, which may be available through your local library or bookstore.

- [Finding the Law](http://library.lawschool.cornell.edu/Finding_the_Law/default.htm) [links to [http://library.lawschool.cornell.edu/Finding\\_the\\_Law/default.htm](http://library.lawschool.cornell.edu/Finding_the_Law/default.htm)] from the Cornell Law Library

- Legal Research Tutorials [links to <http://www.ll.georgetown.edu/tutorials/index.cfm>] from the Georgetown University Law Library
- Finding the Law at the UNT Libraries and on the Internet [links to <http://www.library.unt.edu/govinfo/law/tutorial/default.htm>] from the University of North Texas
- Olson, Kent C., *Legal Information: How to Find It, How to Use It* (Phoenix, AZ: Oryx, 1999). ISBN: 0897749618.
- Elias, Stephen & Susan Levinkind, *Legal Research: How to Find and Understand the Law* (Berkeley, CA: Nolo, 2005). ISBN: 1413303951.
- Cohen, Morris L. and Kent C. Olson, *Legal Research in a Nutshell* (St. Paul, Minn.: Thomson/West, 2003). ( ISBN: 0314147071.
- Berring, Robert C., *Finding the Law* (St. Paul, Minn.: Thomson/West, 2005). ISBN: 0314145796.
- Mersky, Roy M. and Donald J. Dunn, *Legal Research Illustrated* (New York: Foundation Press, 2002). ISBN: 1587780666.

Developers of government-sponsored legal Web sites may wish to consult the Committee's Principles & Core Values Concerning Public Information on Government Web Sites [links to [http://www.aallnet.org/committee/aelic/AELIC\\_Core\\_Values.pdf](http://www.aallnet.org/committee/aelic/AELIC_Core_Values.pdf)] for ideas on improving their own sites.

**Primary Law and Secondary Sources.** Primary law is the actual text of the law. It includes judicial opinions in court cases, administrative agency regulations, federal, state, and local laws (statutes and ordinances), and federal and state constitutions. Secondary sources explain or discuss primary law and provide references to primary law, including cases, statutes, and regulations.

When looking at a law-related Web site, first determine whether the site offers primary law or other legal information.

**Authorship.** What person or organization is the source of the information, and why is it being provided?

Primary law [links to prior section] is written by governmental entities, and governments determine which sources of primary law are official. Frequently, these are published by the government itself. The official source is often hard-copy, not electronic.

Both the purpose of the research and the nature of the source affect the importance of using an official source. When preparing a legal action or writing a scholarly paper, it is typically important to use the government-designated official source of law. However, in some instances the only available current compilation of primary law is the electronic copy. Although the electronic version may not have been deemed official by the state, it is still the most current and, therefore, a reliable source.

(For more information on official and unofficial sources on a state-by-state basis, see the Committee's State-by-State Report on Authentication of Online Legal Resources) [links to [http://www.aallnet.org/aallwash/authen\\_rprt/AuthenFinalReport.pdf](http://www.aallnet.org/aallwash/authen_rprt/AuthenFinalReport.pdf)]

To determine who the source is and whether it is reliable, consider questions such as:

- Can the author/source of the material clearly be identified?
- What is the domain name of the site? This unique identifier normally appears near the start of the URL (address) before the .com, .org, .gov, .edu, .mil designation. In the U.S., domain names that

end in .us or .gov are government sites. To learn more about who registered a particular domain name, see [Discover Who Owns a Web Site](#). [links to

- Is there an introduction or disclaimer that describes who is providing the information and why?
- Is there an “about us” or similar kind of link?
- Does the Web site provide a comment form or contact information for the author or Webmaster?
- For information written by an individual, are qualifications provided, like biographical information or a vita listing education and experience? Can this information be verified with a different source?
- Was the site created purely to inform or for another purpose, such as influencing public opinion or selling a product or service? When evaluating a Web site designed to be persuasive, it is particularly important to be aware of the viewpoint being advocated and to consider carefully whether information presented is factual and complete.

**Jurisdiction.** [Link to <http://dictionary.lp.findlaw.com/scripts/results.pl?co=dictionary.lp.findlaw.com&topic=3b/3b88b7b91518ba6fad3936368b53e27c> for definition] Different laws apply in different places. The law in California may not be the law in Texas. The subject matter of the legal issue affects whether federal sources, state sources, or local sources of law need to be consulted. Geographic considerations, such as where the people involved live or who owns the land where an incident occurred, also affect which law applies. If there are contradictory laws on a matter, in general federal law would take precedent over state law, and state law over local law.

To determine jurisdictional relevance, consider questions such as:

- For primary law, where is the court, legislative body, or executive agency geographically located? What is the geographic scope of that body’s law-making power?
- For sites interpreting or re-stating the law, is the source of the law and where it applies made clear? It can be helpful to consider where the author or organization who created the page is based because sometimes the Web site will only present the law of that jurisdiction.

**Currency.** As new statutes are passed, court cases decided, and regulations put into effect, the law can change, so it is important to consult the most up-to-date information available.

To determine the currency of a site, consider questions such as:

- What is the last update date given for the site? Be aware that the date provided may be automatically updated by the page. This may be especially likely if the last update date is the current date. Check the page on more than one day to see if the last update date is always the current date. Another option is to check the source code to see if the text before the date, e.g., “last updated” or “last revised,” is followed by html coding or a date, but there are other ways to create a page that has a false last update date.
- Do the links provided within the site still work, or do you see many “page cannot be displayed” responses when you click on the links?
- Is other information provided indicating the last time the page was updated, for example “current through the end of the 2007 legislative session”?
- How does the date the site was last updated compare to the frequency with which statutes are passed, cases decided, or regulations promulgated in that particular jurisdiction?

- Does a site with legislative information include pending legislation? Does it provide effective dates (dates when the provisions of an enacted statute go into effect)?

**Content.** Legal information is best read in full-text and in context. It is important to know whether a site is providing complete content and to be able to find all relevant information available on a particular site. In addition, it is important to consider the interplay of different sources of law and access any that might be relevant to the legal information sought. To simplify, a constitution lays out basic responsibilities and rights to which other kinds of laws in that jurisdiction must comply. Legislative bodies pass statutes or ordinances that become law. The executive branch creates regulations to help enforce and administer these statutes and ordinances and issues rulings, decisions, and orders. Courts settle claims and issues based on common law and interpret laws, regulations, and constitutions and issue opinions that are law.

To determine the comprehensiveness of a site's content, consider questions such as:

- Are laws, court rulings, or regulations directly quoted or only paraphrased?
- Are laws, court rulings, or regulations provided in complete or only partial text?
- Are references provided to sources of full-text (preferably to the official source)? [Link to official section above]
- Does the site provide the ability to search by document number (e.g. code section or docket number), title or parties in a case, keyword, and subject?
- Is an index available?
- Are references to other relevant information, such as related statutes, constitutional provisions, court opinions, or regulations, provided? (Note: this tends to be a value-added feature, not available on many free sites. The absence of these references does not necessarily mean the site is unreliable, but the user may want to seek out this additional information in other ways.)

**Other Measures of Quality.** Other, more general, considerations that can help a user assess the value of a Web site include:

- What other sites link to this site? The advanced search options in some search engines provide the ability to search for sites that link to another site. For instance, see Alexa Advanced Search [links to <http://www.alexa.com/site/ds/advanced?q=>] under Site Information (note that other site information can be found here, too) or Google Advanced Search [links to [http://www.google.com/advanced\\_search?hl=en](http://www.google.com/advanced_search?hl=en)] under Page-Specific Search: Links.
- Does the site use a clear writing style and proper spelling, grammar, and punctuation?

For additional information on evaluating Web sites, see

- Evaluating and Rating Websites and Other Information Resources [links to <http://www.law.siu.edu/lawlib/guides/eval.htm>] from the Southern Illinois University Law Library,
- Evaluating Web Pages: Techniques to Apply and Questions to Ask [links to <http://www.lib.berkeley.edu/TeachingLib/Guides/Internet/Evaluate.html>] from the University of California Berkeley Library, and
- Evaluating Quality of Information on the Internet [links to <http://www.virtualchase.com/quality/index.html>] from The Virtual Chase