

Authentic Legal Information in the Digital Age: A National Summit

Catherine Lemann, SCCLL Chair

Are you and your patrons relying on government information viewed on the Internet? Do you know if the information is official? Is it authentic? In 2006, the American Association of Law Libraries Access to Electronic Information Committee undertook a 50 state survey that investigated whether government-hosted legal resources on the Web are *official* and capable of being considered *authentic*. The trustworthiness of online legal resources is fundamental to permanent public access and is inherently a matter of great concern to the legal community.

The [State-by-State Report on Authentication of Online Legal Resources](#) was published in April 2007. I hope you take the time to read at least the Executive Summary and the information for your particular state.

The survey investigated six sources of law: statutes and session laws, administrative codes and registers, and high and intermediate court opinions. The answer to the question of official and authentic is:

A significant number of the state online legal resources are *official* but none are *authenticated* or afford ready authentication by standard methods. State online primary legal resources are therefore not sufficiently trustworthy. Citizens and law researchers may reasonably doubt their authority and should approach such resources critically.

Information is defined as official if it is governmentally mandated by state statute or rule. There are ten states which deem one or more online primary legal resources as official. There are no states which provide authentic online legal resources. Authentic legal resources are those whose content has been verified by a government entity to be complete and unaltered when compared to the version approved or published by the content originator. Authentic information will bear a certificate or mark that conveys information relating to the certification.

In order to discuss the issue of official and authentic online legal information, AALL convened **Authentic Legal Information in the Digital Age: A National Summit**. This day and a half discussion brought together delegates from the ABA, the National Conference of Commissioners on Uniform State Laws, the National Conference of State Legislators, the Government Printing Office, Library of Congress, National Archives and Records Administration, state supreme court justices, revisors of statutes, law librarians, and more.

I attended this conference as SCCLL chair. As President Sally Holterhoff stated, AALL has traditionally been very good at gathering information and publishing reports. We have not been taking the next steps to follow up and find solutions to problems identified in the reports. We have also relied on vendor contributions to fund events such as this. In this case **AALL paid all expenses**. No legal information vendors contributed or attended the event.

It was extremely valuable for law librarians to convey to these other groups that we recognize the authentication problem and would like to help resolve it. Conversely, we heard from other constituencies who deal with the issue and were able to hear their thoughts. I wish I could convey to you the energy that I felt at the conference. It was stimulating to share ideas with others, and not feel as if it were merely law librarians who thought about these issues.

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At the end of the conference, there were break-out groups to discuss possible next steps. There are a variety of technological approaches to the authentication issue: PKI, a watermark, a time stamp, hashing. Each state is at a different place with their technology so no particular technology solution was recommended.

Another consideration is how to bring this to the attention of legislators and convince them that it is a critical issue. One suggestion is to gather stories where individuals relied on seemingly official and/or authentic online information to their detriment. If you have such stories, please share them with me.

Finally, we discussed who else should be invited to participate in this discussion and came up with some ideas. We decided that the conference had been valuable and hope that there can be a follow up. In the meantime, you will hopefully see more about this issue in Bar Journals, as conference programs, and as a study topic for NCCUSL. The authentication issue will not be settled quickly and easily but it will be exciting to watch what happens. Remember, AALL started the discussion. ■

Summary of Listserv Discussion on Strategic Directions

Judy Meadows, Montana State Law Library

Editor's Note: Judy Meadows graciously accepted Sara Galligan's invitation to summarize the SCCLL's March 2007 listserv discussion; her synthesis ties together some thoughtful and very important commentary from our members.

In March SCCLL conducted a listserv discussion for our members based on the SCCLL Strategic Directions for 2006-2011. Our two Strategic Directions, which align with AALL's, are:

- Advocate the value of law libraries in a democratic society and of law librarians as the foremost leaders and experts in legal information, research, and technology.
- Provide the education and training needed to meet and leverage the challenges of the changing information environment.

Thirty law librarians from the full array of our membership participated in the online conversation, sharing their opinions and concerns for our profession and our institutions. (I have no doubt, however, that hundreds were lurking in the background, nodding heads and muttering agreement or dissent to their computer screens!) I have been asked to summarize their comments for the full readership of our newsletter.

ADVOCACY

On the first day Marcus Hochstetler from King County Law Library led us in an extensive discussion of Advocacy. He asked members to focus on the active or proactive ways in which they demonstrate to others the value of the law library.

In the area of making connections, John Pickett from Johnson County Law Library said that he has worked with the Kansas Bar Association on the funding that flows from the offices of the clerks of court. Without that connection the opportunity for input in the legislative process would not have happened. Many of us work with our state library associations on advocacy efforts. Cathy Lemann meets with judges and magistrates when traveling around the state, and networks with Native Corporation family services, Legal Services, and other organizations. Barbara Golden mentioned the importance of

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the AALL VIP program in involving potential allies with our causes. Others mentioned how important it is to build connections **before** a crisis exists in funding or governance. We were reminded of the program to be presented on July 16th in New Orleans: "Partnerships, Public Libraries, & the Pro-Se Litigant: Expanding County Law Library Services".

Marcus asked members if they have conveyed the value of the library to decision makers in ways which have helped funding. Several people discussed providing testimony before legislative bodies in the effort to increase court fees or appropriations. Reminding decision makers of the law library's essential role in the delivery of justice and service to the self-represented litigant is a recurring message that is successfully given. It is vital to educate those in court administration about the roles of the law library, especially those without a legal education. We also were reminded to think creatively in formulating responses to decision makers who might think that law libraries are passé in the age of the Internet and Google searching.

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LEADERSHIP

The second day's topic on Leadership was led by Larry Myer from San Bernardino County Law Library. He asked members to reflect on:

- What is leadership?
- How does one become a leader, and do you consider yourself to be one?
- Who do you recognize as leaders in our field and why? Why do they stand out?
- What can be done to foster leadership?
- Have any of us encouraged others to be leaders?

Larry led off the discussion by detailing how important mentorship is for those who have recently joined the profession. Encouraging others to get involved by gentle nudging is sometimes all that is needed. Showing others the confidence we have in their potential can lead to new law librarians' early volunteerism. The 2007 book ***True North: Discover Your Authentic Leadership*** by Bill George, Peter Sims, and David Gergen was brought to our attention. Judy Siess, Editor of The One-Person Library, said that she would be happy to email to us a collection of articles on the topic of leadership from her newsletter.

Cathy Lemann described the attributes of a leader as including the willingness to listen to various points of view, the ability to negotiate and persuade, the courage to speak up and speak plainly, and having a well-developed sense of humor. It was agreed that leaders are almost always risk takers, have high energy levels, have the ability to communicate their vision, and to install trust in others.

Linda Wallihan equated the qualities of leadership with those of authenticity: passion, self-knowledge, desire to make a difference, understanding one's values and motives, respect and appreciation for others, and a sense of balance. It was said that being a manager does not necessarily make one a leader unless the individual also possesses the traits listed above.

We were reminded that there are many opportunities to volunteer in both AALL and SCCLL that require little work and time. Early, meaningful experience on committees can give the confidence to take on more responsibility later, as well as develop a willingness to chair committees and run for office. Writing for newsletters and journals

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outside of our profession and advocating in areas such as the authenticity of digital documents are good examples of demonstrating our leadership to others.

EDUCATION

Cathy Lemann from the Alaska State Law Library led the third day's topic of education and communication. She encouraged members to consider what constitutes a great educational opportunity. Specifically,

- How can SCCLL best deliver education to our members?
- What tools are needed for coping with the changing legal information environment?
- When and for how long can we take advantage of an opportunity?
- Where do we find the occasion for educational advancement?
- What topics do we need, and how can SCCLL help make these possible?

Sara Galligan said we should encourage members to attend events outside of the law library world. These not only lead to new ideas but also create the connections that are so important to us. Marie Erickson finds that work experience is several libraries can provide great educational experience. This is especially valuable before the attainment of the graduate library degree. She suggested that volunteering for other libraries after library school can also give us an understanding of other ways of managing library programs and resources. Cross-training between public services and technical services is helpful in knowing what both sides are doing, and how and why they do what they do.

Specific topics that were mentioned as being sought were indexing and cataloging, legal history, knowledge distribution networks, the affects of changing technology on publishing, and short courses on the specific genres of legal publishing. Both in-person and online classes are acceptable, as well as self-study.

TRAINING/MENTORING

The final day's topic of Training & Mentoring was led by Barbara Fritschel from the US Courts Library in Milwaukee. She asked us to consider if our library training adequately prepared us for the real world of law librarianship. Do we have enough time for professional development? What is the best way for attaining it? What are the characteristics of a good mentor? Must mentor/mentee relationships be assigned, or are they best left to develop naturally? Have members' mentoring experiences been positive? Does a mentor necessarily have to have more experience than someone new to the profession?

Both AALL and our local chapters provide opportunities for in-person training. Those who live in metropolitan areas are indeed fortunate to be able to take advantage of local programming. We who live in rural areas, however, can benefit from classes offered by state libraries, state library associations, and local and state bar associations. As Katy Gill said, online programs are particularly valuable for all of us. Joseph Novak suggested that library internships before graduation are critical to early success.

The benefits of natural mentoring include the sharing of a work environment and ample time for the relationship. It also was mentioned that informal professional connections can accommodate the "dumb question", as well as facilitating the teachable moment.

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CLOSING THOUGHTS

The week's online discussion provided the opportunity for all of SCCLL's members to express their views on the issues that are paramount for most of us. We agree that the chance to talk about these matters while at our desktops is valuable for all. The topics tended to merge into each other, such as education and training, and leadership and mentoring. There was a heavier flow of comments at the beginning of the week, and activity decreased by Thursday. But, I don't think that everything that could have been said was said!

Thanks go to the discussion leaders – Marcus Hochstetler, Larry Myer, Cathy Lemann, and Barbara Fritschel – for sparking our reactions, and to Sara Galligan for getting the discussion organized. She told me, "The leadership topic drew many more opinions than I expected--but they were very thought provoking--it's heartening to see so many SCCLL members come forward with important ideas regarding leadership." To me personally this is very important, as I will be chairing an AALL Special Committee on Leadership for our incoming President Ann Fessenden.

We all look forward to more online discussions such as this one. I challenge all of you to think of topics that could be used, and to try out your leadership abilities by volunteering to lead a discussion! ■

2007 SCCLL Election Results

Georgia Chadwick, Nominations Chair

For the third year SCCLL has held its elections by electronic ballot. Secretary/Treasurer Marcus Hochstetler sent out notices to members notifying them that elections would take place from March 30 to April 20, and 48% of our members voted. Thank you to all who were candidates for an office and to all who voted. The results of the election are as follows:



Vice Chair/Chair Elect: Marcus Hochstetler of the King County Law Library
Secretary/Treasurer: Amy Hale-Janeke of the U.S. Court of Appeals 5th Circuit Library
Member-at-Large: Karen Quinn of the Rhode Island State Law Library

Continuing are:

Chair: Sara Galligan of the Dakota County Law Library
Board Member: Lisa Rush of the Travis County Law Library
Board Member: Barbara Fritschel of the U.S. Court of Appeals 7th Circuit Library

The members of the Nominations Committee are:

Georgia Chadwick
Anita Anderson
Anne Matthewman ■

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Member News & Announcements

New Kentucky State Law Librarian Appointed

Carol Parris, State Law Librarian in Kentucky passed away in August 2006. Jennifer Frazier was appointed as State Law Librarian and Reed Ennis was appointed Assistant State Law Librarian, in September. Submitted by Jennifer Frazier.

Connecticut Librarians Honored at Law Day Ceremony

Chief Justice Rogers presided over a Law Day ceremony at which the entire staff of the Connecticut Judicial Branch Law Libraries (plus the State Librarian) was honored. Thirty public law librarians (including five who are retired) each received a plaque which read: "In grateful appreciation [librarian's name] for your commitment to enhancing the public's understanding of the law and for your dedication in providing the highest quality research assistance to judges, attorneys and all other patrons. Given on this 1st day of May, 2007. Honorable Chase T. Rogers, Chief Justice." The honorees were also presented with a pewter cup with the Judicial Branch seal.

In addition to the opening remarks from the Chief Justice (see link below), the president of the Connecticut Bar Association, Attorney Norman K. James, spoke, as well as the Chief Judge of the Appellate Court, the Honorable Joseph P. Flynn. Judge Flynn is also Chair of the Law Library Advisory Committee. There was a reception following the ceremony. http://www.jud.ct.gov/external/news/Speech/rogers_050107.html Submitted by Maureen Well.

Law Librarian Travels to South Africa

Riverside County Law Librarian Gayle Webb recently participated in a Special Library Delegation to South Africa through the People to People Ambassador Program founded by former President Dwight D. Eisenhower in 1956.

The 15 member delegation, led by SLA President Rebecca Vargha, included archivists, library school professors, science librarians and 3 other law librarians - Brenda Larison (Illinois Supreme Court), Allen Moye (DePaul University Law School), and Tonika Farrell (Rackmann, Sawyer & Brewster)

The delegation met with librarians and information professionals to determine the extent of their involvement with their organizations; to assess their technological needs and to learn about the educational and training systems available to them. Sites visited included the Universities of Johannesburg and Capetown, the Centre for the Book, Document Warehouse, meetings with the Library and Information Association of South Africa and the SubSahara SLA Chapter and many others. It was an amazing exchange of information and contacts. Submitted by Gayle Webb.

View from Your Library



An SCCLL Librarian sends along the following humorous anecdote:

We recently began transitioning from chairs to stools for use by our patrons while viewing our OPACs. The first feedback we received regarding this change follows: "I feel that it is disrespectful to slowly steal the comfortable chairs in the law library and replace them with bar stools. Some people come here to find information on defending themselves in a DUI case. These stools may cause a relapse. The person who authorized the chair switch is seeking his own gain and is unwilling to wait his turn for budget approval to get his own stools. I want to know where the comfortable stools went to so I can contact that person(s) and explain how the chairs they now have were stolen from other people by an unscrupulous person. Thank you for your information."
