Best Practices for Implementing UELMA’s Authentication Requirements

A PROJECT OF THE ALL DIGITAL ACCESS TO LEGAL INFORMATION COMMITTEE (ADALIC) UNITED STATES LAW DIGITAL INITIATIVE (USLDI), IN PARTNERSHIP WITH... AADL - Access to Legal Information Committee of the U.S. Law Digital Initiative

What is UELMA?

In 2005, the Uniform Law Commission (ULC) approved the Uniform Electronic Legal Material Act (UELMA) to facilitate the preservation, authentication, and accessibility of electronic legal material. UELMA is technology neutral in that it does not specify any technical means to preserve or authenticate electronic records, but rather sets the general legal framework for their preservation and authentication. UELMA is not a model ordinance that should be considered before local, state, or federal legislation is drafted, but is rather a model of the fundamentals of legal documentation that, when properly used, can form the foundation for drafting modern legal legislation.

The Challenge

Although many states provide access to primary legal material, only a handful provide authentication of the material in any meaningful way. In particular, most states have not put place a means by which electronic legal material can be preserved and authenticated so that an electronic record is a true and correct representation of the original legal material in any chain of custody. Providing a means by which to preserve and authenticate electronic legal material is the challenge.

HELPING STATES WITH IMPLEMENTATION

One of the biggest hurdles states face in moving towards ensuring access to primary legal material is a lack of knowledge and understanding of the issues surrounding electronic authentication. The process of digital authentication is technically complex and may require changes in workflow as well as the introduction of new systems. Whether you are new to the world of digital authentication or an old hand at authentication systems, this poster provides some basic guidance on selecting an authentication method and getting started.

BACKGROUND

In 2011, the U.S. Government Printing Office (GPO) approved the Uniform Electronic Legal Material Act (UELMA). This is a model act that establishes fundamental legal concepts and provides a basic structure that can be used as a foundation for electronic legal material. The act enables the legal material to be protected from tampering under a chain of custody. This poster is intended to be just that—a foundation for states wanting to learn about electronic legal material.

The poster provides a brief introduction to UELMA, explaining its purpose and how it can be used to ensure the integrity of electronic legal material. It also provides some guidance on selecting an authentication method, including tips on criteria for selecting a method and a discussion of the various options available.

One of the most important aspects of implementing UELMA is setting the stage for the successful implementation of an authentication system. This involves setting up a team of important stakeholders to provide ongoing feedback and support throughout the project.

Other Stakeholders to Involve

This process will employ Digital Signature and Hash and Https/SSL authentication. You may decide that you can implement authentication without an outside vendor, or you may select a third party to meet your requirements. It is important to understand the relative portability of document file types, and to consider the potential benefits and drawbacks of each approach. You should also be familiar with the basic terminology and processes for authenticating data and be aware of the options available.

Helping States with Implementation

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