Chair Jinkins and members of the committee,

My name is Peggy Jarrett, Collection Development and Government Information Librarian at the University of Washington School of Law, Gallagher Law Library. I am here today on behalf of the Law Librarians of Puget Sound, along with Rob Mead, State Law Librarian. We would like to thank you for the opportunity to testify in support of SB 5039, which will enact the Uniform Electronic Legal Material Act (UELMA). UELMA was approved by the Uniform Law Commission in 2011. Enactment of UELMA would provide Washington State with a technology-neutral, outcomes-based approach to ensure that online state legal material deemed official will be preserved and made permanently available to the public in unaltered form. We were pleased that SB 5039 passed the Senate unanimously and we hope for the same bipartisan support in the House of Representatives. We urge the committee to approve the bill without delay.

The Law Librarians of Puget Sound (LLOPS), founded in 1990, represents over one hundred local law librarians and legal information professionals. Our membership is diverse. We work in law firms and law schools, and in state, court, county, and corporate law libraries throughout Washington. LLOPS is a chapter of the American Association of Law Libraries (AALL), which was founded in 1906 to promote and enhance the value of law libraries to the legal and public communities, to foster the profession of law librarianship, and to provide leadership in the field of legal information. LLOPS and AALL strongly support the adoption of UELMA, as does the Western Pacific Chapter of AALL, a multi-state chapter that includes Washington.

SB 5039 will ensure that online legal material is guaranteed the same level of authority traditionally provided by print publication. Anyone accessing Washington’s primary legal material online will be able verify the trustworthiness of that material. SB 5039 covers a range of key legal materials including the Washington Constitution, the Revised Code of Washington, the Washington Administrative Code, and the Washington State Register. People who use and rely on these resources include judges, legislators, lawyers, and law students, but they are also small business owners, researchers, self-represented litigants, and other citizens.

SB 5039 addresses an increasingly urgent problem, first identified in AALL’s 2007 State-by-State Report on Authentication of Online Legal Resources: many state governments, including Washington, put legal resources online without assuring trustworthiness and reliability through digital authentication. People accessing legal information online need
to be sure that information is accurate and has not been altered. People need to have the same level of trust when they look at the Revised Code of Washington online as they do when they pull volumes of the Revised Code Washington off the shelves in our libraries. Digital authentication provides this level of trust.

SB 5039 also addresses preservation and permanent public access. Preservation is keeping older, superseded versions of legal material safe, so researchers – whether judges, lawyers, or members of the public – can find out, with confidence, what the law was at an earlier time. Public access to legal material, on a permanent basis, is an important component of access to justice in our state. Citizens need to be able to find, to use, and to rely on law that governs them.

The Law Librarians of Puget Sound strongly urges you to support SB 5039, adopting the Uniform Electronic Legal Material Act. We have passed a Chapter Resolution confirming our support, copies of which we will submit today. By adopting UELMA, Washington State would join the other states that have recognized that official, electronic legal material must be authenticated, preserved, and made permanently available to the public. Thank you very much for your consideration of this important matter.