

## UELMA: IMPLEMENTATION RESOURCES

### INTRODUCTION

The American Association of Law Libraries (AALL) has been devoted to ensuring that the legal and public communities have access to the law since the Association was founded in 1906. When state governments began to increase the electronic publication of legal materials approximately ten years ago, AALL surveyed state practices and concluded that states must adopt methods that would ensure the authentication of and permanent public access to electronic legal materials.

In support of this conclusion, in 2009, the Uniform Law Commission (ULC) authorized a drafting committee to develop a legislative approach that addresses the issues raised by electronic publication of legal materials. In July 2011, the ULC approved the Uniform Electronic Legal Material Act (UELMA) at its annual meeting, and twelve states have now enacted UELMA, which provides a framework for state governments to ensure permanent public access to authentic versions of the electronic legal materials they publish.

The links below provide information about how some states that have adopted UELMA have approached its implementation. In addition, links are included to websites of organizations advocating UELMA's passage and offering useful resources.

AALL's commitment to access to the law extends to providing information to interested parties about UELMA. We hope that these resources are helpful to you. If you have questions or need additional information, contact Emily Feltren, director of the AALL Government Relations Office, at [efeltren@aall.org](mailto:efeltren@aall.org), phone 202-942-4233.

### AUTHENTICATION

UELMA requires that a state publishing official electronic legal material authenticate the material. Authentication means that the official publisher must provide a method for the end user to determine that the material received from the publisher is unaltered from the officially published version.

Common authentication methods include the use of digital signatures, hash values (a form of digital fingerprint), and secure websites. For information about authentication, see:

- U.S. Government Publishing Office (formerly the U.S. Government Printing Office) page on authentication, <https://www.govinfo.gov/about/authentication> and its report entitled "Authenticity of Electronic Federal Government Publications" (June 2011).
- Center for Technology in Government – "Opening Government's Official Legal Materials: Authenticity and Integrity in the Digital World" (February 2012).

California, Minnesota, and the District of Columbia are leaders in developing systems to authenticate official electronic legal material. The following reports describe common methods of authentication, including the systems adopted by Minnesota and the District of Columbia:

- California Office of Legislative Counsel – "Authentication of Primary Legal Materials and Pricing Options"

(December 2011). This white paper briefly reviews five methods of electronic authentication. Six sample solutions are described, and their relative costs are compared.

- Minnesota Office of the Revisor of Statutes – “[Prototype for Authentication of Official Electronic Record and Pricing](#)” (August 2012). This report describes the technologies used for authentication, including a hash algorithm and secure communications across the Internet. Minnesota implemented its authentication system in-house and with no additional funds.

## PRESERVATION AND PERMANENT PUBLIC ACCESS

If official legal material is preserved in an electronic record, UELMA requires that the official publisher ensure the integrity of the record, provide for backup and disaster recovery of the record, and ensure the continuing usability of the material. There are many factors to consider when choosing a preservation strategy, including how to provide public access, how to preserve multiple versions of legal materials, and how to back-up materials to protect them in case of loss or corruption of the primary copies. The following resources provide guidance on preservation:

- [Minnesota Historical Society NDIIPP Project](#). In 2008, the Library of Congress’ National Digital Information Infrastructure and Preservation Program (NDIIPP) funded four initial state-level projects, including Minnesota’s “[A Model Technological and Social Architecture for the Preservation of State Government Digital Information](#),” a multi-year project to work with selected state legislatures in exploring methods to preserve and provide access to legislative materials in electronic form. The final product of the Minnesota NDIIPP grant was a new website, the [Center for Archival Resources On Legislatures](#), which includes resources and reports to help states address their needs and select a preservation system, as well as the report, Minnesota Historical Society – “[Preserving State Government Digital Information](#).”

## ORGANIZATIONS

Many organizations have developed materials and resources about UELMA generally, and authentication, preservation, and permanent public access specifically, including:

- [Uniform Law Commission](#). The Uniform Law Commission promulgated UELMA and supports its passage with a variety of resources on its website. This includes a link to UELMA with and without its comments, a Legislative Information Kit, a map of enactments, and a bill tracking chart.
- [National Conference of State Legislatures \(NCSL\)](#). NCSL links to articles about UELMA, authentication, and preservation.
- [AALL](#). This website includes background and advocacy materials, FAQs, AALL chapter resolutions, letters and testimony, additional links to reports, and a UELMA enactment chart.

*Approved by the AALL Executive Board, April 2015*