

UNIFORM ELECTRONIC LEGAL MATERIAL ACT

WHAT IS THE PROBLEM BEING ADDRESSED?

Public access to government information is essential for a well-functioning democracy. As members of the public communities increasingly turn to the Internet to access information, it is critical that the information they find on government websites be trustworthy and reliable. However, while more states are putting their primary legal material online, most have not addressed preservation, permanent public access, or authentication of their resources.

WHAT IS THE SOLUTION?

Enactment of the *Uniform Electronic Legal Material Act (UELMA)*, approved by the Uniform Law Commission in 2011, will ensure that online state legal material deemed official will be preserved and will be permanently available to the public in unaltered form. *UELMA* furthers state policies of accountability and transparency by ensuring public access to information produced by the government. *UELMA* does not prescribe specific technologies so that states can determine their preferred systems.

The act requires that if legal material is published only in electronic form, it must be designated official. Official electronic legal material must be:

1. *Authenticated*, by providing a method to determine that it is unaltered;
2. *Preserved*, either in electronic or print form; and
3. *Accessible*, for use by the public on a permanent basis.

WHAT LEGAL MATERIALS ARE COVERED BY UELMA?

Four categories of basic state legal material are specifically named in the act, including the state constitution, state session laws, codified laws, and agency regulations which have the effect of law. The state has discretion to include any other publications it deems appropriate.

WHO SUPPORTS UELMA?

The Uniform Law Commission, the American Bar Association, and the American Association of Law Libraries support *UELMA*. Many other stakeholders, including the U.S. Government Publishing Office, the National Archives and Records Administration, the Society of American Archivists, the National Center for State Courts, and the Association of Reporters of Judicial Decisions, were observers to the ULC drafting committee. The Council of State Governments also approved *UELMA* as “Suggested State Legislation.” To date, *UELMA* has been enacted in [##] states and Washington, D.C.

WHY SHOULD [STATE NAME] TAKE ACTION?

By adopting *UELMA*, [YOUR STATE] will establish itself as a leader among states that have recognized that electronic legal material must be trustworthy, accessible, and preserved.