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Permanent Access to Georgia's Authentic Legal Documents

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Permanent Access to Georgia's Authentic Legal Documents

Librarians understand that, in addition to easy access, it is crucial to ensure the accuracy, authenticity, and preservation of primary electronic legal materials. Unfortunately, many states do not have mechanisms for authenticating or preserving their online legal materials, leaving these materials at risk of change or loss.

To track the current practices of each state, the [American Association of Law Libraries](#) (AALL) reports on the status of primary legal materials in each state on its [State Online Legal Information](#) site. The site covers online session laws, statutes, high court opinions, appellate court opinions, administrative registers, and administrative codes in all fifty states and the District of Columbia.

Based on information gathered from the 350 volunteers who contributed to AALL's [National Inventory of Legal Materials](#), for each category of legal material, the site tracks:

- Authentication: Has the information been made trustworthy through a digital verification system?
- Official status: Is the version governmentally mandated or approved by statute or rule?
- Preservation: Will the information be preserved in either print or electronic format?
- Permanent public access: Has the governmental entity committed to making the information permanently and publicly accessible?
- Copyright: Is the resource free of copyright restrictions?

- Universal citation: Has the state adopted a medium- and vendor-neutral citation system?

The website updates AALL's [2007 State-by-State Report on Authentication of Online Legal Resources](#) and [2009-2010 State Summary Updates](#), published by the Digital Access to Legal Information Committee (DALIC, formerly the Electronic Legal Information Access and Citation Committee). The state pages are updated by DALIC in conjunction with volunteers in each state.

During the past several years, AALL and its members have worked hard to support the drafting, approval, and promulgation of the [Uniform Electronic Legal Material Act](#) (UELMA), which addresses many of these concerns about online legal information. The American Association of Law Libraries' Executive Board recently endorsed a [Resolution on UELMA](#), which supports adoption of the act.

In a nutshell, UELMA requires that official electronic legal materials be:

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

The Act specifically names four categories of state primary legal materials:

- constitutions
- session laws
- codified laws
- agency regulations which have the effect of law

UELMA also requires that if the online version is the only source for a primary legal material, the state must designate that online version as official. The act provides the states with the discretion to include additional categories of publications. It also leaves it to the individual states to decide which technology to use in implementing UELMA.

UELMA is supported by AALL, the [Uniform Law Commission](#) (which drafted and adopted the uniform act), and the [American Bar Association](#) (which approved it). Many other stakeholders—including the U.S. Government Printing 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 Uniform Law Commission drafting committee. Eight states have already enacted UELMA and many more are considering enactment. AALL provides charts tracking both [enacted legislation](#) and the status of [pending legislation](#).

What can you do to ensure permanent access to official, authenticated online legal materials in Georgia?

- If you have additions or updates to information about the status of legal materials in Georgia, please contact me at aburnett@uga.edu.
- Familiarize yourself with UELMA by visiting the [FAQ](#) prepared and frequently updated by AALL Government Relations Office.
- If you know of a state legislator who might be interested in sponsoring the act in Georgia, please contact Anne Burnett at aburnett@uga.edu or AALL Director of Government Relations Emily Feltren at efeltren@aall.org.
- Prepare yourself to lobby your state legislators for UELMA enactment with [AALL's Advocacy Toolkit](#).
- Discuss UELMA's importance with the librarians, attorneys, judges, and academics you know.
- Promote UELMA on your library's blog

Join your law librarian colleagues in supporting adoption of UELMA. By advocating for its enactment, you will help to ensure access to the state's primary legal materials for many years to come.