



ANDREW M. CUOMO
Governor

Office of Information
Technology Services

Study of Electronic Legal Materials for New York State

REQUEST FOR PUBLIC COMMENT
(published by NYS ITS on July 3, 2020)

Request for Public Comment ("RFPC") - A study concerning the use and access of electronic legal materials for New York State.

This year, Governor Andrew M. Cuomo signed into law New York State bill number A8989/S7164. The bill directs the NYS Office of Information Technology Services (ITS) to conduct a study on the use of legal material in an electronic format that guarantees the authenticity of and access to such legal materials. ITS must deliver the study no later than November 1, 2020.

Specifically, the law requires:

"The office of information technology services, in consultation with any entity that the director of the office of information technology services deems appropriate, shall conduct a study on the use of legal material in an electronic format that guarantees the authenticity of and access to such legal materials of the state of New York"

NY LEGIS 15 (2020), 2020 Sess. Law News of N.Y. Ch. 15 (S. 7164)¹

ITS is issuing this RFPC to help direct the findings and recommendations of the required study.

All stakeholders, users, and other interested parties are encouraged to submit responses to all or parts of the RFPC, irrespective of whether they currently use legal materials of the State of New York. No contract will be awarded based on responses to this RFPC.

Responses are due by: September 4, 2020, 5:00 PM EST

Responses should be in writing, preferably sent by electronic mail to its.sm.LegalMaterialsStudy@its.ny.gov. Responses can also be mailed to ITS at the following address:

New York State Office for Technology
ESP Swan Street Building, Core 4
Room 2405
Albany, NY 12223

¹ <https://www.nysenate.gov/legislation/bills/2019/s7164>

NEW YORK STATE ITS REQUEST FOR PUBLIC COMMENT (RFPC)
Part I - General information for the survey

I. Focus of the Study

The bill outlining this study indicates that legal materials should be:

- accessible;
- authenticated;
- preserved;

II. Definitions

“Legal Materials”

For the purposes of this study, "legal material" shall mean, whether or not in effect:

- the constitution of the state of New York
- the laws of the state of New York
- any state agency rule, regulation or decision that has or had the effect of law
- material published in the New York register; and
- the New York code of rules and regulations.

III. INSTRUCTIONS

This survey is seeking information regarding the items/questions listed below. Any additional ideas or proposals are also welcome.

Please clearly identify by letter or number each outcome or question you are addressing. It is not necessary to respond to each item. It is recognized that respondents will have different areas of expertise and interest; where applicable, please provide a brief description of your organization and its experience with this topic. In addition to the information requested in this RFPC, comments and recommendations to the State on additional desired outcomes or potential barriers are encouraged. Please identify these barriers and the tools needed to implement desired outcomes.

IV. RESULTS

Information gathered from responses to this RFPC may be used by ITS to help direct the findings and recommendations of the study. Respondents should keep in mind that RFPC responses may be made public by ITS voluntarily or pursuant to requests under the Freedom of Information Law.

NEW YORK STATE ITS REQUEST FOR PUBLIC COMMENT (RFPC)

Part II - Questions

A. INFORMATION REQUESTED – Access to legal materials

1. Do you have any experience accessing New York State electronic legal materials? If so, please provide a detailed description.
2. Have you experienced any positive impacts accessing New York State electronic legal materials currently available? If so, please provide a detailed description.
3. Have you experienced any negative impacts using New York State electronic legal materials currently available? If so, please provide a detailed description.
4. Do you have any experience in accessing electronic legal materials in states that have passed a version of the Uniform Electronic Legal Material Act (UELMA)? If so, please provide a detailed description.
5. Do you have any experience in accessing electronic legal materials in states, other than New York, that have not passed a version of the Uniform Electronic Legal Material Act (UELMA)? If so, please provide a detailed description.

B. INFORMATION REQUESTED – Use of legal materials

6. Do you have any experience in using New York State electronic legal materials? If so, please provide a detailed description.
7. Have you had any positive experiences in using New York State electronic legal materials? If so, please provide a detailed description.
8. Have you had any negative experiences in using New York State electronic legal materials? If so, please provide a detailed description.
9. Do you have any experience in using electronic legal materials in states that have passed a version of the Uniform Electronic Legal Material Act (UELMA)? If so, please provide a detailed description.
10. Do you have any experience in using electronic legal materials in states, other than New York, that have not passed a version of the Uniform Electronic Legal Material Act (UELMA)? If so, please provide a detailed description.

C. INFORMATION REQUESTED – Technology utilization

11. Do you have any experience in using, creating, or maintaining systems that authenticate documents? If so, please provide a detailed description.
12. Do you have any experience in using, creating, or maintaining systems that preserve documents? If so, please provide a detailed description.

- 13.** Do you have any experience in using, creating, or maintaining systems that secure documents? If so, please provide a detailed description.

- 14.** Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public? If so, please provide a detailed description.