



Legal Materials Report

2021



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Introduction

In accordance with Chapter 575 of the NY Laws of 2019 (as amended by Chapter 15 of the NY Laws of 2020), the New York Office of Information Services (“ITS”) was charged with conducting “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” (referred to herein as “the Study”).¹ Pursuant to this legislation, the Study focused on the following issues:

- Standards of the use, authentication, preservation, security, and public access of legal materials, and the fiscal implications thereof.
- The needs of users of legal material in an electronic format, including the views of stakeholders about the authentication, use, preservation, and security of such materials.
- Methods and technologies used for the authentication, use, preservation and security of legal material, technology used by the state and other states to disseminate legal material
- Current practices of the state of New York on session laws, the code of statutes, the register, administrative code, and court opinions in both electronic and non-electronic format.

To address these issues, ITS engaged State agencies and employees who focus on authentication, preservation, and access to legal materials, vendors in the field, and members of the public.

Unfortunately, the Study coincided with COVID-19 pandemic which may have limited participation from some stakeholders in the Study. While the results of the Study show the desire for verifiable and accessible electronic legal materials, which can be accomplished in part by New York State enacting the Uniform Electronic Legal Materials Act,² the Study also indicates that any technological solution New York would choose needs to carefully balance user experience, accessibility, reliability, and cost.

Methodology

From the first meeting in February 2020, ITS acknowledged that considering the statewide scope of the Study and the numerous entities that use and/or publish legal materials, the depth and breadth of the Study depended on ITS’ ability to work and consult closely with the stakeholders.

A few weeks later, the COVID-19 pandemic hit New York and the unprecedented conditions that followed impacted ITS’ work plan for the Study, as well as the available resources of the stakeholders.

ITS pivoted from its initial plan to hold general open meetings with stakeholders to learn about the state of electronic legal materials in New York due to both the nature of the pandemic, which required postponing large gatherings, and availability of stakeholders. For example, several law school professors who ITS contacted about helping to set the methodology and direction of the Study indicated that they would be unable to assist. Likewise, experts who agreed to provide an overview on available technological solutions advised that they would be unable to participate in the information gathering meetings.

With many stakeholders unable to participate early in the process, ITS conducted a comprehensive survey of the available literature relating to standards of electronic legal materials. The issues of authentication, preservation, security of electronic legal materials are the subject of numerous articles.³



ITS' research showed that to address these topics, many states adopted the recommendations from the model act authored by the Uniform Law Commission.⁴ The model act, titled "The Uniform Electronic Legal Materials Act" (UELMA), helped provide context for the Study. In addition to this initial overview of relevant literature, ITS reviewed websites for NYS entities to compare treatment of electronic legal materials addressed the issues of authentication, preservation, security and access in New York ITS also solicited input from several stakeholders. ITS interviewed Senator Mayer's and Assemblyperson⁵ Lifton's staff, participated in two conference calls with members of the American Association of Law Librarians, with follow up emails and related documents, participated in a



conference call with Thomson Reuters, met with representatives from the New York State Archives, and met with the ITS Chief Data Office.

After this initial investigation, ITS prepared a survey for New York State Entities to seek information as to how they approached authentication, preservation, security and access to electronic legal materials, as well as technological solutions that they employed.⁶ The survey was distributed to agency Counsels, Records Management Officers, and Record Access Officers. Those who responded were sent a second email with follow-up questions regarding the fiscal

impacts of electronic legal materials. Once the deadline for the initial request passed (September 1, 2020), a reminder request was sent to all entities that had not yet responded with a new deadline of September 18, 2020. Of the initial 191 requests sent, 44 responses were received. The low response rate by State agencies was directly attributable to Statewide Agency staff continuing to manage the new and evolving issues that arose during the ongoing pandemic. All responses were forwarded to a dedicated mailbox, tabulated and then collated. The results were analyzed and incorporated into this Study.

Additionally, ITS solicited public comment by uploading a "Request for Comment" on ITS' website on July 3, 2020.⁷ The public comment was reposted by the Law Library Association of Greater New York. In order to enhance participation and publicize this Request for Public Comment, ITS emailed the link to various stakeholders including law schools within the State, the New York State Librarians Association, the New York Bar Association, New York State county bar associations, and New York State legal aid organizations. Commenters were able to provide responses by mail, email, or through a website utilizing SurveyGizmo. ITS analyzed the results and incorporated them into the Study.⁸

In preparing the "Findings" section of this Study, ITS found guidance in the requirements set forth in Chapter 575 of the NY Laws of 2019 and organized the findings into four primary sections:

- Standards regarding the use, authentication, preservation, security, and public access of legal materials, and the fiscal implications thereof.
- The needs and views of users of legal material in an electronic format relating to the authentication, use, preservation, and security of such materials.
- Technological solutions available for the authentication, use, preservation and security of legal material, technology used by the state and other states to disseminate legal material.
- Practices New York State uses to disseminate the traditional (print) and electronic versions of i) Session laws, ii) the code of statutes, iii) the register, iv) the administrative code, and v) court opinions.

In completing the first section, ITS relied on the review of literature as well as other research of secondary sources, including the available electronic legal material offerings in New York. ITS relied on the responses to public comment to complete the second section.⁹ The third section, in which the Study discusses the technological solutions used by New York and other states to meet uniform standards for electronic legal materials, incorporates information gleaned from the survey sent to NY State Entities, together with interviews with stakeholders and technological experts as well as a review of secondary sources. The fourth section, which is limited to the “current state” of certain legal



material identified by the Legislature, includes information from interviews with stakeholders as well as secondary source research.

After reviewing the research and compiling the Report, ITS recommends further research be done on the fiscal impact of adopting statewide standards for the authentication, preservation, security and access to electronic legal material. Although ITS attempted to identify and collect contracts related to legal materials,¹⁰ and consulted with experts who could opine on the impact such a solution would have on the State budget, there were simply too many unknown variables that could impact the cost of a solution. There are large cost disparities of different technological solutions depending on the features and security capabilities of the systems, and the staff time needed to update and maintain those solutions.



III. Findings

1. Standards on the use, authentication, preservation, security, and public access of legal materials, and the fiscal implications thereof.

Key Findings:

- New York does not have a uniform standard for electronic legal materials;
- Confusion around authenticity of legal material is derived, in part, from a lack of clear labeling as to “official” or “unofficial” materials;
- Clear standards allow for easier access and reliability;
- Fiscal implications to adopt statewide standards can be minimal, however, feature rich solutions that provide additional value to users (i.e. searchable or annotated materials) come with a cost.

Standards in New York

New York has no statewide standards such as those provided in UELMA, which provides standards for the authentication, preservation, security and public access of legal materials. Therefore, entities that publish legal material take varied approaches to disseminating electronic legal material to the public.

The particulars of these varied approaches are discussed in more detail below in Section 3. These different standards affect the trustworthiness of the electronic legal material and leave it to the user to ascertain their authenticity and reliability.¹¹ Absent a standard, even relatively simple fixes that could allow users to trust the validity of electronic legal materials are difficult to implement.¹²

Framework for Standards

To bring clarity to the trustworthiness of electronic legal materials, UELMA offers a framework for states to implement standards for the authentication, preservation and accessibility of official electronic legal publications by requiring that such legal materials meet the same standards to which paper materials have been held.¹³ UELMA provides an outcomes framework and does not dictate the method of implementation.¹⁴ ¹⁵ The UELMA requires “authentication”, “preservation”, and that documents available to the public are provided on a “reasonably permanent” manner.¹⁶

Under UELMA, an authentic text is one whose content has been verified by the government publisher to be complete and unaltered when compared to the version originally published. The publisher must also provide a means for the public to check the authenticity of the record.¹⁷ UELMA does not specify how this is to be done and is an “outcome” driven statute.¹⁸ The various authentication methods for

electronic legal materials used by states that have enacted UELMA provide an electronic method, using metadata, to prove the integrity of the document by demonstrating that the information in it has not been tampered with or altered during the transfer between

the official publisher and the end-user. Legal materials in an electronic record authenticated pursuant to a state’s UELMA statute is presumed to be an accurate copy of the legal material.¹⁹



The second requirement of UELMA is preservation. It recognizes the importance of keeping prior legal materials that are still relevant to the outcome of current legal disputes, and therefore provides that material governed by UELMA be preserved and secured. States may choose to do so in print or electronic format. If done in electronic format, then the publisher must “ensure the integrity of the record; provide for backup and disaster recovery of the record; and ensure the continuing usability of the material.”²⁰ These outcomes may be carried out through several measures, including maintaining multiple copies, storing the copies in separate geographic and administrative locations, and migrating materials to new electronic platforms as technology evolves.

Finally, UELMA requires that the electronic legal materials be routinely available to the public on a “permanent” basis. “An official publisher of legal material in an electronic record that is required to be preserved under Section 7 shall ensure that the material is reasonably available for use by the public on a permanent basis.”²¹ This is consistent with other sections of UELMA in that the statute is simply a guideline. The Model Act does not require 24/7, instead states enacting UELMA can determine what type of access is best, including business hours access and even access from a designated terminal inside a library.²²

Fiscal Impact from Implementation of Standards

The costs of implementing a standard by which electronic legal materials meet the same standards to which paper material have been held varies with the specific solution. As set forth in more detail in Section 3 below, the technology to meet the UELMA standards differ by verification strategies, storage options and platform, all which can impact the price. Further, the ultimate costs of implementing the Model Act are impacted by what the state includes in its definition of “legal material.”²³ However, a survey of the costs other states incurred to implement EULMA shows that the costs to enact the standards ranged from revenue neutral to about \$200,000.²⁴ Ongoing costs ranged from revenue neutral to \$100,000 per year. Examining this data, California reports that it had one-time costs of \$135,000 to \$165,000 to setup authentication, archiving, and onsite storage, and costs of \$40,000 to \$70,000 annually thereafter. Colorado reported total costs of \$198,912 to adopt the UELMA standards, and Ohio reported that to fulfill the requirements of its UELMA bill, they would need to contract with an electronic legal publisher and the costs would exceed \$100,000 annually.²⁵ Iowa reported that its recent enactment of UELMA had no fiscal impact.



In order for New York to get a full accounting of the costs of adopting UELMA, New York would need to consider the specific needs and requirements of its own program. For example, the legal materials examined in this study are currently available in an electronic format. Also, these materials must be printed on paper. Accordingly, whether adoption of a uniform standard for legal materials would lead to the obsolescence of the required printing of paper legal materials could result in additional savings or costs.²⁶

Another consideration with whether adoption of uniform standards could lead to savings are the State’s current costs to provide reliable legal materials to employees or the public. Many agencies procure electronic legal research from vendors such as Westlaw, LexisNexis, or Bloomberg, potentially for thousands of dollars each month. For example, the Department of Correction and Community Supervisions spends \$508,692 annually for electronic legal materials as well as an additional \$321,348 for print materials to ensure inmates’ access to accurate legal materials.²⁷

2. The needs and views of users and stakeholders of legal material in an electronic format pertaining to the authentication, use, preservation, and security of legal materials in an electronic format.

Key Findings:

- Users benefit from electronic materials that are current, searchable, and cost-effective;
- Unfriendly user interfaces, concerns regarding accuracy, and poor search functionality limit the usefulness of electronic legal materials;
- Technology can be leveraged, at a cost, to create for robust, searchable, and accurate online platforms to access legal materials.

New York State makes a significant amount of legal material available in an electronic format, although as noted above, such materials may not be authenticated or official.²⁸ ITS conducted a survey to gauge user opinions relating to their use of these resources.²⁹ The respondents included attorneys, legal librarians, state employees, professors, legal researchers, and individuals, collectively referred to as “Commenters.” The full text of the responses can be found in Appendix III.

Comments from Users and Stakeholders

The overarching theme of the responses were that online access to legal information is integral to the public and government operations. Electronic legal materials are easier to access and use and are more cost effective than print material. Commenters report using a multitude of various legal sources. Generally, Commenters use commercially available electronic legal materials published by companies such as Westlaw, Lexis, Justia, Crimetime, Bloomberg, and Heinonline, state sponsored sites such as the New York State legislative website³⁰, New York State Courts³¹, New York State agency websites³², including the Department of State, New York Governor’s official website,³³ New York State Court Reporter,³⁴ and New York State Court Pass.³⁵

Commenters use these sources to search for court decisions, statutes, regulations, NYS constitution, bills, bill jackets, legislative history, petitions, motions, executive orders, pending cases, and administrative decisions.

Commenters report many positive experiences with the currently available electronic legal materials:

- One commentator noted “[electronic legal materials] provide the ability to direct others to legal materials without paywall, ease of searching agency decisions.”
- Another commentator added that electronic legal materials “[a]llow for remote use and available 24 hours a day”;

Commenters cited other positives such as reduced paper waste, speed of retrieval, and strong search capabilities

- A commentator stated that electronic legal materials are “more accessible for users with a visual or physical disability who are unable to use standard print materials.”

Commenters also identified drawbacks with the currently available New York electronic legal materials. These comments generally fell into two categories: 1) flaw in the standards for the authentication, preservation, security or dissemination of electronic legal materials; and 2) problems with the technological solutions utilized by some of the electronic legal materials in New York.

3. Methods and technologies used for the authentication, use, preservation and security of legal material, technology used by the state and other states to disseminate legal material

Key Findings:

- There are commonalities in the approach that publishers of electronic legal material have used to achieve the authentication, preservation, accessibility standards from UELMA;
- The solutions do not need to be expensive, but may be;
- New York State entities use different technological solutions to provide electronic legal materials;
- New York would need additional resources to reach the UELMA standards for all legal materials.

With regard to implementation, UELMA provides that an official publisher of legal material (an official publisher is the entity the State designates responsible for providing the official version of those materials the state has designated covered by their electronic legal materials act) shall consider the practices of other jurisdictions.³⁶ ITS reviewed the technological approaches used by different states and the United States Government Printing Office (GPO) to achieve the authentication, preservation and accessibility standards of UELMA. This section reviews the technical considerations required for UELMA, looks into how other jurisdictions approached UELMA implementation, and then relates those approaches to what some New York State Entities are already doing.



For reference in this section, ITS provides a “Technical Terms” addendum to this Report that provides meanings to key technical terms

Technological Considerations:

Verification:

Authentication requires that a document verify its Authenticity of Origin — verification that the document is actually from the source that it claims to come from (e.g. the Legislative Bill Drafting Commission) and establish its Document Integrity — verification that the document has not been altered since it left its source.³⁷ Accordingly, the file format used must be able to accommodate metadata to assist in verification of the authentication data. At its simplest, this means the file itself should contain information including when the document was published, who published it, and a description of it. Most technology solutions also use document hashes (hash checksum function) or a digital signature to prove authenticity.³⁸

Storage and handling

Any technology solution under UELMA must consider long-term needs of users and presume that 1) the technological solution must preserve the integrity of the materials far into the future; 2) the document's authenticity should be maintained through any storage, processing or transmission; and 3) the technological solution should provide for backup and disaster recovery of the record.³⁹ This means that to guard against obsolescence, publishers of legal materials should avoid proprietary file formats. Open source file formats are preferred. Some solutions offer a hedge against obsolescence by giving electronic legal material publishers the ability to create electronic legal materials in multiple formats.

The solution must also have sufficient storage to accommodate growth in the size of the catalog of legal material in the future. While some states use on-site hosting to protect and secure their electronic legal material, many are also using cloud solutions, such as Amazon Web Services, Google Cloud and Microsoft Azure. While both solutions can offer similar security protections, the costs and reliability of these different approaches are relevant considerations. Proper storage and handling of the materials also requires a disaster recovery plan.

Extra Capabilities of Electronic Legal Materials

While not a standard for UELMA, additional fields of metadata can enhance user engagement with the materials. For example, California's solution offers a Keyword Tracking feature that provides users with an easy way to be notified when bills impacting a particular subject are introduced or amended. Once a user specifies a keyword to track ("water," "fisheries," etc.), the user will be automatically subscribed to bills having the keyword when bills are introduced or are amended.⁴⁰

Some solutions also provide users with a simple way to download the entire code.⁴¹ This allows users to save the entire statutory or regulatory text locally and makes it available without requiring internet connectivity. This further allows users to freely share the entire text with others and allows them to add their own enhancements.

Technological Solutions from Other Official Legal Publishers

There are countless technologies that can be utilized to provide electronic legal materials, with distinct advantages and disadvantages for each, and states may also choose which materials to make available in an official electronic manner. What follows is a brief review of the solutions used by Minnesota, California, Colorado, Iowa, the District of Columbia, Arizona, and the U.S. Government Printing Office's Federal Digital System (FDsys) as examples of how public entities have handled issues of accessibility, verification, preservation, and other user considerations.

Minnesota

Minnesota's publishing system encompasses the state's statutes (codified law), session laws (enactments), and administrative rules (executive branch codes and regulations). The Minnesota Legislature website has a "Documents Authentications" page that provides a gateway to these resources as well as information about their electronic publishing system.⁴² Visitors to that site are greeted with the following notification:

Authenticated PDF copies of legislative documents are considered official electronic records under the Uniform Electronic Legal Materials Act. All material viewed on the Office of the Revisor, State of Minnesota website is sent via secure servers (SSL) with encryption. If you need an official record or require additional verification of authenticity, follow the steps below.⁴³

That page then instructs users to authenticate materials by uploading a file the authenticity of which the user wants to validate by clicking the “authenticate” button. The system then compares the user provided document with the authenticated document and if the document is authentic, the system certifies it.

The Minnesota solution thus provides a source for users to verify that the documents they are using are authentic and also provides a clearinghouse from where they can obtain authenticated electronic legal materials. This publishing system allows a point-in-time system determination of the exact language posted on the internet on any given day. Also, the system can accommodate queries targeting erroneous or outdated law, notifying and linking the user to a more recent or correct version of that provision. It also contains an archive function which creates documents on a Write Once Read Many (WORM) disk and the document is validated and then posted to a public facing website. Everything is backed up on tape offsite. This system is called KEEPS (Keep Electronic Edicts Preserved & Secure) and is a program Minnesota wrote in or about 2013 utilizing Apache Ant and Ivy.

California

California’s solution uses PDF/a file format to provide the California Constitution, the statutes and the California Code in an authenticated form.⁴⁴ California’s Office of Legislative Counsel inserts a “State of California Authenticated Electronic Legal Material” designation on the upper left corner of the first page of an authenticated document, and when a member of the public views such a file, a blue ribbon icon is displayed in a banner visible above the document, together with text that reads “Certified by Legislative Counsel”



to help users verify the document as authentic.⁴⁵ After researching various authentication and preservation issues California chose to use the proprietary software platform tool, Preservica, to install metadata for authentication and to preserve the records⁴⁶. The California website is updated daily and contains a legislative schedule, California bills, California laws, other publications from the legislature such as assembly and senate daily files, a legislative index and a table of sections affected.⁴⁷

Colorado

Colorado limited its Legal Materials under UELMA to the official publication of the State Administrative Rules.⁴⁸ The Colorado Secretary of State compiles and publishes the administrative rules of Colorado’s executive agencies in the Code of Colorado Regulations. Each regulation is made available on the Secretary of State’s website and is available for download as an authenticated PDF.⁴⁹ The document is restricted to read only, contains a digital signature, and bears the seal of the state of Colorado on the first page.⁵⁰ Colorado does not offer authenticated electronic version of its statutes.⁵¹

Iowa

Iowa enacted UELMA in 2019 and provides the Constitution of the State of Iowa, the Iowa Acts, the Iowa Code, the Iowa Administrative Bulletin and the Iowa Administrative Code.⁵² Iowa's approach shares an element of Minnesota's approach: the Iowa Legislature offers a site where users can determine if a document is authentic.⁵³ After a user uploads a document and presses the "Authenticate" button, a line of text appears letting a user know that the document is "unaltered from the official record" which means it is authentic, or that "the document uploaded cannot be authenticated." The Iowa solution differs from the Minnesota solution because Iowa does not offer a clearinghouse with authenticated documents. Accordingly, the Iowa website includes a disclaimer that the site provides is "a starting point" for legal research but refers users to the official version of the unofficial materials that are provided.⁵⁴

Washington, DC

The website for the DC legislature has the Code of District of Columbia, DC laws codified, Federal Laws codified and Law of the United Kingdom codified. Washington D.C. created a virtual library for its electronic legal materials using the Open Law Platform.⁵⁵ This software creates XLM files instead of PDF files. As compared to PDF files, XLM files do not rely on historical software, take up less storage space, and are authenticated at creation. The electronic documents are authenticated



with GIT (<https://git-scm.com>) which is open source software.⁵⁶ This entire library is available for downloading by a user. Every version of the library is saved so there is great redundancy in the storage of the materials and older versions of documents are preserved permanently.⁵⁷ The XLM files have the seal of the District of Columbia in the upper left-hand corner.⁵⁸

Federal Government Printing Office's (GPO) electronic materials system "Govinfo"

The Federal government, through the Government Printing Office (GPO), provides digital access to all of the Federal Laws, congressional documents, the Federal Register, Court Opinions for the Federal District and Circuit Courts as well as the Bankruptcy and International Trade Court decisions.^{59 60}

Documents are available for viewing and download as PDFs with the logo of the GPO as proof of authenticity.⁶¹ The original system, FDsys,⁶² has been replaced by the newer system "Govinfo" and a transition between the two systems is in place.⁶³ The new system is ISO 16363 compliant as a "trustworthy digital source."^{64 65} Federal Law⁶⁶ requires the GPO to

coordinate with "Federal Depository Libraries" (Federal Depository Library Program (FDLP)^{67 67}) and has been providing the public with access to Federal electronic materials since 1997.⁶⁸

GPO's system of digital imaging and its design is publicly available on its website,⁶⁹ as well as site maps⁷⁰ for use by the public and developers. The GPO published its 2005 "white paper" with respect to preservation of digital materials⁷¹ which is also publicly available.

Methods and technologies New York State entities use to provide electronic legal materials.

New York entities employ different methods and technologies to provide electronic legal materials. Solutions range from the most simple, like an HTML website, to text to feature-rich materials such as Thompson-West offerings of New York Code Rules and Regulations⁷² and New York Official Reports Service,⁷³ to use of a feature of an existing claim management software to ensure for the authentication and preservation of electronic legal materials.

Examples of How NYS Entities Publish Decisions Electronically

The Worker's Compensation Board,⁷⁴ Tax Tribunal,⁷⁵ Public Employee Relation Board (PERB),⁷⁶ Division of Human Rights, and the Department of Health (DOH - Medicare⁷⁷) publish their decisions on public facing websites, but the methods they use differ. The entities present the decisions as either downloadable PDFs (DOH, NYS Tax Tribunal, PERB, DHR, Workers Compensation⁷⁸) or HTML (Workers Compensation⁷⁹). Users of these decisions cannot validate the authenticity of the decisions published on these websites as none of the above websites claim the legal materials are authentic, original or official.

The Worker's Compensation Board ("Board") posts electronic legal materials on its public facing website.⁸⁰ The materials include proposed and adopted regulations, statutes organized by topic, mandatory full board memoranda of decisions, and select full board and panel decisions. The decisions are posted as a courtesy copy for the general public. The original board decisions are authenticated and preserved within the Board's internal Claim Information System (CIS) that is not available to the public. In order to get the decision into the public domain, a Board staff member exports the file from the CIS, redacts the claimant's personal information, and then submits the decision to the web content group for posting or uploads to a clearinghouse to publish on Westlaw.

The New York State Tax Appeals and Tax Appeals Tribunal is mandated to publish all Tax Appeals and Tribunal decisions.⁸¹ The website has every decision issued since the Tribunal's creation in 1987 released in PDF format.⁸² The Tax Tribunal has no formal standards regarding authentication of their decisions on its website. To help ensure the published decisions are authentic, the Tribunal limits to only a few people who prepare the PDF files for publication and also limits to only a few people the number of individuals

who have access to edit the webpage. The Tribunal preserves all of their decisions by storing paper decisions, maintaining the decisions locally, and preserving the digital decisions in a digital backup. In the event a decision is amended after publishing, the Tribunal maintains the original decision and publishes a new amended decision.



The Office of the Medicaid Inspector General (OMIG) web page contains decisions by DOH Administrative Law Judges (ALJ) in cases seeking recovery of overpayments from providers under the Medical Assistance Program (Medicaid)⁸³. The Department conducts the hearings pursuant to Articles 1 and 5 of the New York Social Services Law (SSL) and Title 18 of the Official Codes, Rules and Regulations of the State of New York (NYCRR). OMIG publishes these Decisions on their site by hosting downloadable PDFs of decisions from 2010 onward and providing an index of cases from 1997 – 2010 that may be requested through OMIG’s Records Access Office.⁸⁴

Examples of How NYS Entitles Publish Laws and Regulations Electronically

The Thruway Authority provides a PDF file and link to the Westlaw website to view the Thruway Authority’s Rules and Regulations.⁸⁵ The Thruway Authority maintains volumes of the Session Laws dating back to 1954 that is not available to the public.



The Workers Compensation Board has some of its regulations posted on its website,⁸⁶ however, as their regulations are voluminous and dynamic, they do not ensure that their regulations posted on their website are current.

The New York State Office of Parks, Recreation and Historic Preservation website contains a link to the relevant regulations and proposed regulations.⁸⁷ The regulations are published in the NYCRR,⁸⁸ which is also available electronically on the DOS website.⁸⁹ According to staff, “If the regulations are

updated, OPRHP Counsel’s Office alerts the Public Information Office who arranges for the updated regulations to be posted on the website.”

New York State Archives (“State Archives”) uses “Preservica”⁹⁰ the same software used by the State of California to authenticate and preserve documents, including electronic legal materials such as Legislative Bill Jackets and Veto Jackets.⁹¹ Preservica uses “checksum verification” to authenticate documents. Checksum is an electronic document verification process that performs a calculation to verify that a document has not been altered. It can also track any edits made to any document that is not “read-only”. State Archives makes more recent legislative materials available for download in a read only PDF/a file format to preserve the integrity of the document.⁹² PDF/a files prominently label a document as a true copy of the original document.

The Governor’s Executive Orders are published on the Governor’s public facing website as both, HTML text and available for download as an unsecured PDF.⁹³

4. Practices used by New York State to disseminate the traditional (print) and electronic versions of i) Session laws, ii) the code of statutes, iii) the register, iv) administrative code, and v) court opinions

Key Findings:

- Both print and electronic legal materials are available to the public, although the standards for authentication are varied;
- State entities generally piggyback off each other when providing electronic legal materials;
- There is no central location of New York electronic legal materials.

Legal Materials available in paper form to the public: Print copies of legal materials are mandated by the Legislature.⁹⁴ The New York State Library provides paper copies of many of these materials, which can be searched remotely. The New York State Library is affiliated with State University of New York–Albany, whose library is also available to the public. Many public libraries also have paper copies of legal materials, including the New York Public Library and the library at SUNY-Buffalo, but the exact content varies by library. Most law libraries across the state continue to have paper copies of materials which may be available to the public. For example, Albany Law School allows the public to use its library during weekday business hours.

Legal Materials available in electronic form to the public: New York provides electronic legal materials in a variety of ways. As an example, the New York State Law Reporting Bureau provides via its “Legal Research Portal” links to electronic legal materials covering case law, session laws, NYCRR, state agencies, New York City Codes and Regulations, the New York State Register, case law from most New York Courts, and the website where the public can search the Department of State’s database on local laws.⁹⁵ There is also a link to the “Electronic Resources User Guide” fall 2020 edition.⁹⁶ This guide discusses where to find official versions of case law online. There are also links to FindLaw.com and Justia.com for third party research. Not all of these resources are authenticated or official, and many are hosted by other entities. As noted previously, many State agencies also provide links to laws or regulations on their website.

Session Laws

Non Electronic Version: Laws of the State of New York are published by the New York State Bill Drafting Commission and are published annually in three volumes. Unofficial versions are published by McKinneys and New York Consolidated Laws.

This publication is mandated by the Consolidated Laws, Legislative, §44.⁹⁷ The New York State Library has bill jackets for 1905 and 1921-2009.⁹⁸ New York State Archives has the bill jackets from 1883 to 2019.⁹⁹

Electronic Version: The New York State Senate publishes bills on its



website.¹⁰⁰ Bills are provided online and are available to download as a PDF file or to “share” by email, Facebook or Twitter.¹⁰¹ The search engine allows searching by year, print number, title, sponsor, status or issue.¹⁰² New York Senate Rule 8 §3(b) requires that after a third reading, the bill be “jacketed.”¹⁰³ Those jackets are preserved in both paper (baseline copy) and electronic format by the NYS Archives (from 1995 to 2018) and for various years by the New York State Library, as mentioned above.^{104 105}

The New York State Assembly also publishes bills online¹⁰⁶ and in PDF format to download. In its search engine, the Assembly allows searches by floor vote, calendar, text, committee vote or agenda, sponsor, status, action date range and committee. The Assembly website also links to copies of State laws¹⁰⁷. This website has a banner stating when it was last updated but the laws are text only and not available for download.

Code and Statutes

Non-Electronic Version: Print versions of these documents are available at the NYS Library as well as Law School libraries and public libraries throughout the state. The publication is mandated by the Consolidated Laws, State Printing and Public Documents Law, § 4.

Electronic Version: Laws of New York is published by the Legislative Bill Drafting Commission (LBDC). The New York Secretary of State is also responsible for publishing local laws as a supplement to Laws of New York. The permanent laws of a general nature are codified in Consolidated Laws of New York.

New York State Statutes are available in a variety of online databases. Both the State Senate and State Assembly websites have links to the Statutes. The New York Court System website has links to



both the Senate and Assembly websites as well as a link to “NY state laws.”

The New York State Library also provides digital access to historical versions of the Consolidated Laws of New York which may be downloaded as PDF files.¹⁰⁸

The official New York State Website (<https://www.ny.gov/>) does not provide a direct link to the Code

of Statutes but will re-direct to the website of the New York State Attorney General where specific statutes can be found.

New York Register

Non-Electronic Version: Print versions of these documents are available at the State Library as well as law school libraries and public libraries throughout the state.

Electronic Version: The Department of State (Division of Administration Rules) provides links to the New York Register on its website. These links go directly to a Thomson Reuters website where issues of the register are available in a searchable HTML format back to 2007 and in PDF format back to 2003.

Administrative Code (NYCRR)

Non-Electronic Version: The New York State Constitution declares that no rule or regulation made by any state agency, unless involving internal organization or management, shall be effective until filed with the Department of State (Art. IV, Sec. 8). Print versions of these documents are available at the NYS Library as well as law school libraries and public libraries throughout the state.

Electronic Version: The official version of the New York Codes, Rules, and Regulations (NYCRR) is published by Thompson Reuters; however, the DOS Division of Administrative Rules provides an unofficial copy of the NYCRR on its website, clearly labeled as such.

Court Opinions

Non-Electronic Version: In addition to the three electronic sources below, the New York State Law Reporting Bureau there is a bound print version of the reports released annually. These bound versions can be found in the NYS Library as well as many legal libraries around the State.

Electronic Version: New York Courts has a website called “New York Official Reports” which cites CPLR 5529(e) as the basis for the reporting. Pursuant to Judiciary Law §431 the Court of Appeals and Appellate Division cases are posted electronically from this website.

Recent decisions may contain a disclaimer that they are not “final”. Currently NYS Public Officers

Law §70-b addresses certification of printed legal materials, but it does not apply to electronic legal materials.

The NYS Law Reporting Bureau (LRB) produces the Official NY State Case Opinions, replete with editorial enhancements such as headnotes. These are available at no charge on their website without enhancements. The site is powered by Thomson Reuters (Westlaw) which contains

nine different categories of reports.¹⁰⁹ These items are free on the Thomson Reuters website but it is difficult to navigate to them without signing up for a “free trial.”

The website New York Official Reports¹¹⁰ contains links to the Court of Appeals, all four appellate



divisions and many trial courts. The guide to using the site indicates that there are three services that provide Court decisions (New York Official Reports, Electronic Resources User Guide, Fall 2020 by Cara J. Brousseau).¹¹¹ These are: 1) New York Slip Opinion Service (available on the LRB website) 2) New York Official Reports Service (available on the LRB website) and 3) Thomson Reuters Westlaw (via the New York Official Reports content category).

The site states “the Official Reports, comprised of the New York Reports, Appellate Division Reports, and Miscellaneous Reports, are the only official source of New York’s common law.”¹¹²



Historical Legal Documents

The New York State Library (as part of the Office of Cultural Education) has a digital collection of historical legal documents.

These are available free of charge in PDF format. The Library uses the platform Knowvation, which creates PDF/a files and inserts metadata into the scans that can be used to search, retrieve and authenticate the documents. For the most part, the paper versions of these documents are preserved as the official authentication copy. This collection includes older versions of local building and construction laws, the Census, and historical versions of New York State Laws.

Other Materials

The majority of New York State websites have similar graphical user interface templates and are structured in a similar way to provide familiarity for users. Most New York State websites maintain a section that identifies legal materials, such as statutes, rules, regulations, determinations, and guidance documents.

Conclusion

New York has a robust set of legal material electronically available to the public at no charge, but those materials are not centralized, nor is there a single standard that can be used to authenticate or validate those materials. Adoption of UELMA could provide more utility for New York legal material today and into the future. The flexibility of UELMA would allow New York to tailor its version of UELMA to reflect the needs and budgetary reality of the State.

Even the small steps of allowing authentication of documents and collecting legal materials into one central repository (even if such materials are not all authenticated) would allow all users of New York electronic legal materials to better interact with their government, save time and money, and start New York on the path to being a model for other states on electronic legal materials.

Addendum

Technical Terms

Cloud storage refers to the use of commercially available data storage and hosting services that allow for the storage of data on private data centers. Cloud storage is primarily through Amazon Web Services (AWS), Google Cloud, and Microsoft Azure. Many archival platforms utilized these commercially available cloud storage products or can be used with on-site hosting.

Digital signatures are a method of providing a visible assurance to the user that a document has not been altered since it was downloaded from the original source. Digital signatures are predominantly used on PDF documents. The U.S. Government Printing Office (GPO) provides digitally signed documents that display a blue ribbon on the first page of the document for documents that have not been modified since the signature was applied. Signature properties are also available for users who require further information on the certificate. A user who receives a PDF published by GPO from a secondary source (e.g., an email from a colleague or a private website) can use the digital signature to assure themselves that the content has not been altered, and the technology allows users to verify GPO as the source of the material.¹¹³

Hash Checksum Function is the method of calculating a hash value of a document that can be used to verify that a document. The checksum value is calculated by applying a secure hash algorithm such as MD5, SHA-1, SHA-256, SHAR-512. The value can be compared, generally through the use of an application, which determines whether the values are equal and therefore the document is considered unaltered, or different, which would identify that the document has been altered. This method does not identify what has been altered and changes to immaterial data such as font or format would result in a different checksum value, meaning that a document might not be deemed authentic despite not making any material changes.

HTML refers to “Hypertext Markup Language” which is the standard markup language for documents designed to be displayed in a web browser. The plaintext is embedded within code that determines the presentation of the text in web browsers.

International Standards Organization (ISO): A non-governmental organization that is a network of the national standards bodies of 157 nations.

Metadata is structured information that describes and/or allows users to find, manage, control, understand or preserve other information over time. Metadata is attached to records when they are created and added to as a result of different processes such as sentencing and disposal.

On-site Hosting requires the State to store and provide access to documents through their data center. Currently, NYS ITS maintains New York State’s data center which provides a stable and highly secure environment with full back-up and recovery capability to ensure high-availability of state applications. The tier-3 designation brings an expectation of 99.982% availability, full redundancy, greater business continuity, and disaster recovery capabilities.

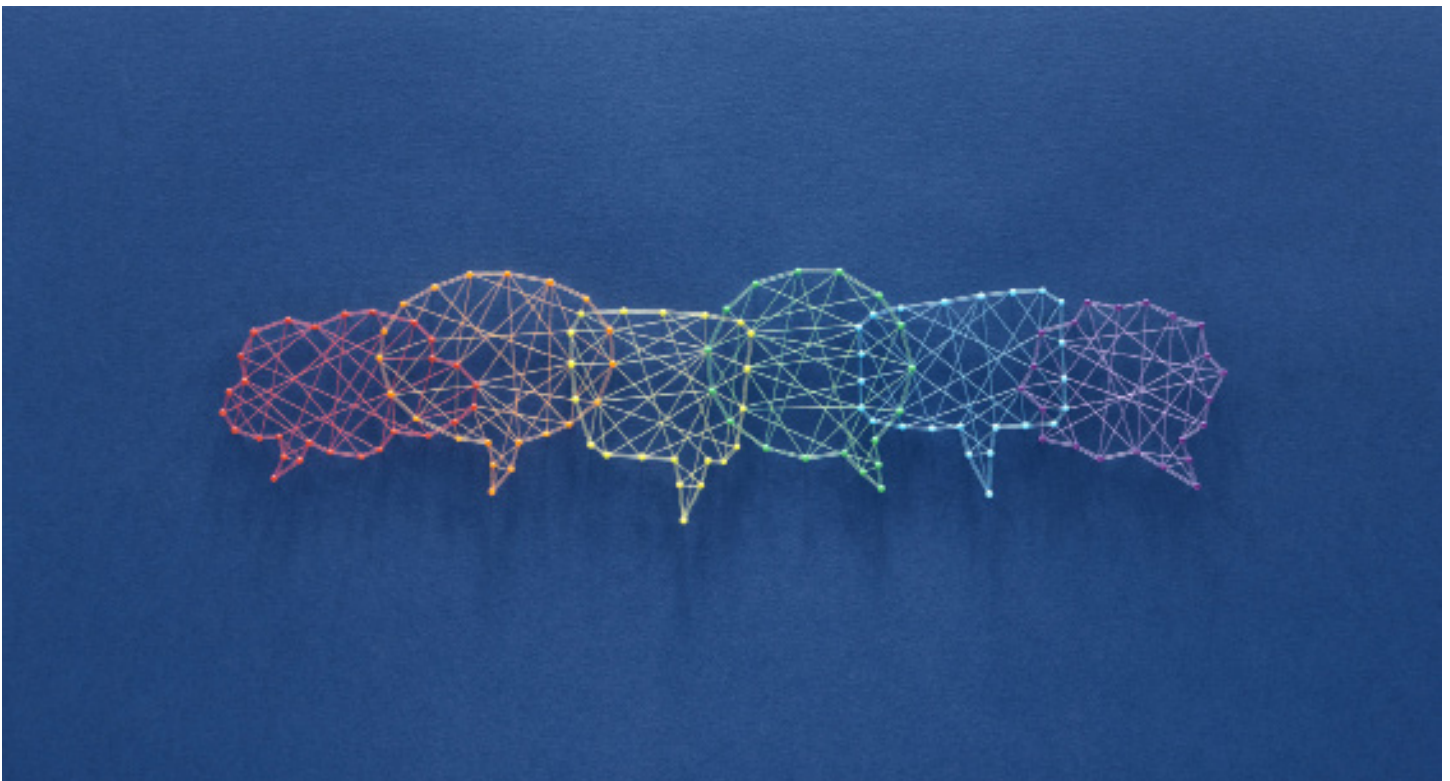
Open Source: Software that is distributed with its source code so end user organizations and vendors can modify it for their own purposes. Most open source licenses allow the software to be redistributed without restriction under the same terms of the license.

Open Standards: Specifications for hardware and software that are developed by a standards organization or a consortium involved in supporting a standard. Available to the public for developing compliant products, open standards imply “open systems”; that an existing component in a system can be replaced with that of another vendor. Open formats are a subset of open standards.

PDF refers to Portable Document Format and is an open standard that stores text in binary, which is unreadable without software that converts the binary language to plaintext.

PDF/a is an archival PDF that adds elements such as fonts to improve compatibility. PDFs and PDF/a allow for the use of digital signatures and read only protections. Any change to the document results in the removal of the digital signature.

XML refers to “extensible markup language” and is a plaintext format that uses relatively low storage space and has increased compatibility as it does not require additional software for reading the materials. XML stores text, formatting, and additional information within the same document.



From: Kimball, Karen (ITS)
To: its.sm.LegalMaterialsStudy
Cc: Kimball, Karen (ITS)
Subject: Governor's Electronic Legal Materials Study response deadline extended to 9/18
Date: Tuesday, September 08, 2020 3:30:55 PM

As you all know, the legislature has passed a bill requiring ITS to perform a study of the use of electronic legal materials in the state. According to our records you have still not responded to this survey. Please try to complete it by September 18, 2020 as the deadline for our statutorily mandated report is rapidly approaching. For your convenience I include the original questions below. It would also be very helpful if you would indicate what the fiscal impacts for these legal materials are. Thank you.

On February 3, 2020, Governor Andrew M. Cuomo signed into law New York State bill number A8989/S7164. The law directs the Office of Information Technology Services (ITS) to conduct a study on the use of legal material in an electronic format and access to such legal materials. As part of the study, ITS is seeking input from NYS agency stakeholders. To assist in this effort, please answer the questions below by September 4, 2020, and return the document to its.sm.LegalMaterialsStudy@its.ny.gov.

Question 1: Please state the name of your NYS entity.

Question 2: Please identify any legal materials that are produced, distributed, stored, or used by your entity.

Question 3: Please identify any digital repository for legal materials your entity currently maintains, operates, or otherwise uses. Please also identify any method for storage or dissemination of these legal material including, statutes, regulations, material published in the New York register, and the New York code of rules and regulations.

Question 4: Please identify the types of agency rules your entity issues or uses.

Question 5: Please identify the types of decisions that your entity issues or receives.

Question 6: Please describe the method by which any legal materials maintained or used by your entity are updated, shared, and stored.

Question 7: Please describe the use of legal materials by your staff.

Question 8: Name and contact information for the person in your entity designated to respond to further inquiries associated with this study.

Please also include a statement about the fiscal impacts of the use of electronic legal materials by your entity.

Karen

Karen Kimball

**Senior Attorney, Bureau of House Counsel
Division of Legal Affairs**

Office of Information Technology Services

Empire State Plaza, PO Box 2062
Albany, New York 12220
p: 518 473 5115
Direct line: 518 925 0924

E-mails to or from attorneys in the ITS Division of Legal Affairs are attorney-client privileged and should never be shared outside of the agency without prior approval. Thank you.



**Office of Information
Technology Services**

ANDREW M. CUOMO
Governor

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.

Request for Comment Submission 01

Do you have any experience accessing New York State electronic legal materials?

No, I don't have any experience accessing New York State electronic legal materials. Because I did not use and think about practice the electronic.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

No I did not do that at all.

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)?

No

Have you had any positive experiences in using New York State electronic legal materials?

No

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)?

No

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No

Do you have any experience in using, creating, or maintaining systems that secure documents?

No

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

No I did not do that at all.

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)?

No

Do you have any experience in using New York State electronic legal materials?

No

Have you had any negative experiences in using New York State electronic legal materials?

No

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)?

No

Do you have any experience in using, creating, or maintaining systems that preserve documents?

No

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

No

Request for Comment Submission 02

Do you have any experience accessing New York State electronic legal materials?

I utilize regularly the online laws of the State of New York and the bills pending.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

I'm sorry, what does "negative impacts" mean in this context? Could you furnish some examples? The wording is not self-explanatory.

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)?

[blank]

Have you had any positive experiences in using New York State electronic legal materials?

[blank]

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)?

[blank]

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that secure documents?

I use the NYSEF system. That works well, although I wish we could have more input in the dropdown menus to describe what we are submitting. I have also had experience using our local family court's secure server which just uses Microsoft Office. This is TERRIBLE. Time consuming, many useless steps. Supplying us with a code that we type in would be faster. It takes me nearly 10 minutes to access a document. This impacts representation (many attorneys may not want to go through the effort, and for those who do, the bill will be more).

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

I don't know what "experienced positive impacts" means in this context. It is a positive impact that I am able to utilize the material online, although that is a strange way of stating it.

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)?

I don't know. I once looked up online laws in Minnesota and Colorado, but I don't know if they have passed the UELMA or not.

Do you have any experience in using New York State electronic legal materials?

[blank]

Have you had any negative experiences in using New York State electronic legal materials?

[blank]

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)?

[blank]

Do you have any experience in using, creating, or maintaining systems that preserve documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

[blank]

Request for Comment Submission 03

Do you have any experience accessing New York State electronic legal materials?

I am an Attorney whose sole practice is Article 81 Guardianships and representing children in Family Court

Have you experienced any negative impacts using New York State electronic legal materials currently available?

The format used by NYS is clunky and counter intuitive.

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)?

No

Have you had any positive experiences in using New York State electronic legal materials?

Yes the information contained in the Materials is excellent

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)?

No

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

Yes, as the Executive Director of the NYS Division of Parole, the Executive Deputy Commissioner of the NYS DCJS and as the Deputy Director of the NY Prosecutors Training Institute.

Do you have any experience in using, creating, or maintaining systems that secure documents?

Yes as the Executive Director of the NYS Division of Parole, the Executive Deputy Commissioner of the NYS DCJS and as the Deputy Director of the NY Prosecutors Training Institute.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes, some of the Petitions are readily available

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)?

No

Do you have any experience in using New York State electronic legal materials?

Yes for Petitions and Article 81 cases

Have you had any negative experiences in using New York State electronic legal materials?

Yes the the format used by the State is clunky and counter intuitive.

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)?

No

Do you have any experience in using, creating, or maintaining systems that preserve documents?

Yes, as the Executive Director of the NYS Division of Parole, the Executive Deputy Commissioner of the NYS DCJS and as the Deputy Director of the NY Prosecutors Training Institute.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

Yes, as the Executive Director of the NYS Division of Parole, the Executive Deputy Commissioner of the NYS DCJS and as the Deputy Director of the NY Prosecutors Training Institute.

Request for Comment Submission 04

Do you have any experience accessing New York State electronic legal materials?

Yes on Crimetime

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

I have found it very useful because I can find the most current issue.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

No

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)?

No

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)?

Yes. NJ has similar, but not as comprehensive

Do you have any experience in using New York State electronic legal materials?

I've used the material on crimetime often and found it to be up to date and very helpful.

Have you had any positive experiences in using New York State electronic legal materials?

See above

Have you had any negative experiences in using New York State electronic legal materials?

No

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)?

No

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)?

See 5, above

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

E filing in NJ and Federal courts

Do you have any experience in using, creating, or maintaining systems that preserve documents?

see above

Do you have any experience in using, creating, or maintaining systems that secure documents?

see above

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

The federal documents are available to the public

Request for Comment Submission 05

Do you have any experience accessing New York State electronic legal materials?

NONE

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

N/A

Have you experienced any negative impacts using New York State electronic legal materials currently available?

N/A

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)?

NONE

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)?

NONE

Do you have any experience in using New York State electronic legal materials?

NONE

Have you had any positive experiences in using New York State electronic legal materials?

N/A

Have you had any negative experiences in using New York State electronic legal materials?

N/ANONE

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)?

NONENONE

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)?

NONE

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

NONE

Do you have any experience in using, creating, or maintaining systems that preserve documents?

I HAVE CREATED MY OWN DATABASE TO PRESERVE ANY RELEVANT LEGAL MATERIALS FROM LEGAL PUBLICATIONS ON LINE, E-MAILS AND VARIED ON LINE DATABASES.

Do you have any experience in using, creating, or maintaining systems that secure documents?

NONE

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

NONE

Request for Comment Submission 06

Do you have any experience accessing New York State electronic legal materials?

Yes. Many many hours reading RPTC and NYSEDU. Found that most property tax laws are fraud and theft of life. Found that , besides being totally unlawful, the NYS EDU law,(Commissioners edicts), state that a child need only prove to have the reading and writing ability of a 5th grader, therefore after that is proved EDU has no authority over our lives.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

The fact that NYS declares law is an absurdity. Plus the fact that it says that NYS are extremely complex, is a declaration of war to the inhabitants of this land. I was arrested for claiming to be a human being with human rights.

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)?

yes. Alaska.

Have you had any positive experiences in using New York State electronic legal materials?

Hell no, so much backward thoughts and suspension of disbelieve, clearly demonstrating that the creators of these claims of law need to be executed by the law of the land.

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)?

[blank]

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

no

Do you have any experience in using, creating, or maintaining systems that secure documents?

no

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Absolutely not, 99% of NYS “Laws” are executive orders, which are unlawful by the law of the land, all who practice this form of law should face death, by the Real Law.

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)?

?

Do you have any experience in using New York State electronic legal materials?

Yes, I have used materials to prove to the “local” central school district, that all their acts are in violation of our human rights, and that no human “must” be in school unless they are a nuisance to the public or attempting to obtain a working permit for a job that requires one. The school filed a physical abuse report to the state, totally in violation of every fiber of our being.

Have you had any negative experiences in using New York State electronic legal materials?

Hell yes, so much backward thoughts and suspension of disbelieve, clearly demonstrating that the creators of these claims of law need to be executed by the law of the land.

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)?

[blank]

Do you have any experience in using, creating, or maintaining systems that preserve documents?

no

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

no

Request for Comment Submission 07

Do you have any experience accessing New York State electronic legal materials?

Yes. For the last 2 years i have been trying to ascertain my rights and the law re the violation of my civil rights due process notificstion illegal improper siezure false imprisonment re an improper invalid out of state used vehicle sale where transfer of OWNERSHIP and registration does not comply with NYS s regulation. subsequently as per nys owner ship defaults back to previous owner. Registration also invalid liability also nj dealership to say nothing of the fraud. Multiple agency visits non including judges aware of law protecting me absolvong ne and assigning liabity to nj toyota dealership taxes penalties and fine as well as tollls 2yrs 20k+ illegally demanded and paid to nys lic suspensions admin appeals seeing evidence and denies federally mandated adherenxe to civil protections and processes be observed in any state process yet difficulty in citing ir even ur agencies knowledge of laws is criminally negligent in my opinion!

Have you experienced any negative impacts using New York State electronic legal materials currently available?

Too difficult stats and data too complicated to even request specific dara set not complicated blacks buying vehicles blacks in neighborhood a. Whites buying cars cyclists issued tickets cyclist disputed not dismissed white cyclist breaking law cyclust etc insread its so complicated cant pull up number s

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)?

I am not sure

Have you had any positive experiences in using New York State electronic legal materials?

No still no change

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)?

Idk

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

Yes

Do you have any experience in using, creating, or maintaining systems that secure documents?

Yes

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes and no ehuke i was able to find some vindication on a persobal level and havw piinted to regulations to absolve me totsl lack of cohesion and actionable processes online to find reluef

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)?

Idk

Do you have any experience in using New York State electronic legal materials?

Yes but again too hard to put unto actionsble reluef

Have you had any negative experiences in using New York State electronic legal materials?

Yes u yr s pointless if there are no practical axessible avenues of relief for residents that doesnot involve civil lawduit also impossible

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)?

Thats not the point if other states implement problem is total di dd's cobnect from people to agency worker knowledge or assistanc er legal or otherwise

Do you have any experience in using, creating, or maintaining systems that preserve documents?

Yes

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

Yes for a hedge fund among other entities

Request for Comment Submission 08

Do you have any experience accessing New York State electronic legal materials?

Yes, I have accessed legal documents filed in state cases and other state regulatory and agency materials when doing legal research.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

When the materials are not electronically available, hidden in obscurity or require special and multiple indirect steps or barriers to obtain a paper document it has delayed responses, frustrating and can end in not getting the needed materials at all.

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)?

Yes, the experience varies. Getting to the correct location online may not be obvious or straight forward. Once on a retrieval or search page format may be unfamiliar and not uniform to other states, some courts only allow access to a limited level then require a paper request in the end.

Have you had any positive experiences in using New York State electronic legal materials?

When available, it has been helpful.

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)?

No

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No

Do you have any experience in using, creating, or maintaining systems that secure documents?

Commercial legal databases.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Having the ability to access any documents directly, when accessible, has been positive.

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)?

I am not certain if I have been able to access electronic legal materials in other states that have passed UELMA.

Do you have any experience in using New York State electronic legal materials?

Yes, for legal research.

Have you had any negative experiences in using New York State electronic legal materials?

When researching materials and cut off at the step that a paper request must be made it interrupts the research process. Making access only about a specific document and withholding the ability to search across documents in fielded search has also been a barrier.

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)?

Yes, it is equally difficult.

Do you have any experience in using, creating, or maintaining systems that preserve documents?

Subscription legal databases.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

No

Request for Comment Submission 09

Do you have any experience accessing New York State electronic legal materials?

Yes. As a New York resident, attorney, librarian, and adjunct professor, I have had countless occasions to access electronic legal materials from New York state.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

The law that's been published online has been unreliable in many ways. The statutory code has been out of date. Cases have been absent or organized in unsearchable formats. Citations have been inconsistent. Bills have been inconsistent depending on which government website was used to access them. The regulations were especially unreliable. We often had to resort to cumbersome print sources and expensive commercial alternatives to ensure reliable access to our own laws.

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)?

Yes. I have researched law in those states, as well as instructed and assisted others in researching law in those states. What was found could not be considered reliable. We often had to resort to cumbersome print sources and expensive commercial alternatives to ensure reliable access to our own laws.

Have you had any positive experiences in using New York State electronic legal materials?

When New York's law has been published online, I have been grateful. My students appreciated it. I could point clients and researchers to the law directly, without having to worry about a paywall. They have been useful.

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)?

Yes. I have researched law in those states, as well as instructed and assisted others in researching law in those states. The reliability of an official online source of law in those states was useful and valued.

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

My understand is that UELMA-adopting states implement best practices for authenticating documents. I would suggest looking at those states for the appropriate systems for authenticating documents.

Do you have any experience in using, creating, or maintaining systems that secure documents?

My understand is that UELMA-adopting states implement best practices for securing documents. I would suggest looking at those states for the appropriate systems for securing documents.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

When New York's law has been published online, I have been grateful. My students appreciated it. I could point clients and researchers to the law directly, without having to worry about a paywall.

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)?

Yes. I have researched law in those states, as well as instructed and assisted others in researching law in those states. The reliability of an official online source of law in those states was useful and valued.

Do you have any experience in using New York State electronic legal materials?

Yes. As a New York resident, attorney, librarian, and adjunct professor, I have had countless occasions to use electronic legal materials from New York state.

Have you had any negative experiences in using New York State electronic legal materials?

The law that's been published online has been unreliable in many ways. The statutory code has been out of date. Cases have been absent or organized in unsearchable formats. Citations have been inconsistent. Bills have been inconsistent depending on which government website was used to access them. The regulations were especially unreliable. We often had to resort to cumbersome print sources and expensive commercial alternatives to ensure reliable access to our own laws.

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)?

Yes. I have researched law in those states, as well as instructed and assisted others in researching law in those states. What was found could not be considered reliable. We often had to resort to cumbersome print sources and expensive commercial alternatives to ensure reliable access to our own laws.

Do you have any experience in using, creating, or maintaining systems that preserve documents?

My understand is that UELMA-adopting states implement best practices for preserving documents. I would suggest looking at those states for the appropriate systems for preserving documents.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

My understand is that UELMA-adopting states implement best practices for securely providing access to documents to the general public. I would suggest looking at those states for the appropriate systems for securely providing access to documents to the general public.

Request for Comment Submission 10

Do you have any experience accessing New York State electronic legal materials?

I regularly access session laws, statutes, bill jackets and legislative history materials, NYS Register and administrative codes for my work as a legal researcher.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

[blank]

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)?

[blank]

Have you had any positive experiences in using New York State electronic legal materials?

[blank]

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)?

[blank]

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that secure documents?

[blank]

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

It is very helpful to have older bill jackets online

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)?

It is very easy to do legislative history research in states such as PA or CT where all legislative materials produced in the course of bill consideration are preserved online

Do you have any experience in using New York State electronic legal materials?

I often use online legislative materials to construct legislative histories of state code sections, or uncover intent behind proposed and adopted regulations

Have you had any negative experiences in using New York State electronic legal materials?

[blank]

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)?

[blank]

Do you have any experience in using, creating, or maintaining systems that preserve documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

[blank]

Request for Comment Submission 11

Do you have any experience accessing New York State electronic legal materials?

Among other things, I have experience researching Public Employment Relations Board decisions.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Public Employment Relations Board decisions are difficult to find and search.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

No

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)?

No

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)?

I use Public Employment Relations Board decisions to evaluate cases. I currently use Westlaw to research the cases because the PERB site and Cornell site are very difficult to search. Also, the Governor's Executive Orders are difficult to research as well.

Do you have any experience in using New York State electronic legal materials?

No

Have you had any positive experiences in using New York State electronic legal materials?

No

Have you had any negative experiences in using New York State electronic legal materials?

Yes. I find researching PERB decisions and Governor's Executive Orders is extremely difficult.

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)?

No

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)?

No

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No

Do you have any experience in using, creating, or maintaining systems that preserve documents?

No

Do you have any experience in using, creating, or maintaining systems that secure documents?

No

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

[blank]

Request for Comment Submission 12

Do you have any experience accessing New York State electronic legal materials?

1. I access NYS electronic legal materials at the Senate website and through third party providers (eg. Westlaw).

Have you experienced any negative impacts using New York State electronic legal materials currently available?

3. Yes, after-hours (after 5pm, weekends, etc.) data can be inaccessible or slow to populate on the browser.

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)?

5. Unknown.

Have you had any positive experiences in using New York State electronic legal materials?

7. Yes, the rapid acquisition of up-to-date information is helpful

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)?

9. Not to my knowledge.

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No

Do you have any experience in using, creating, or maintaining systems that secure documents?

No

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

2. Positive impacts experienced include rapid acquisition of needed information.

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)?

4. Unknown.

Do you have any experience in using New York State electronic legal materials?

6. Yes, I use them in support of my daily work in the legal profession. I use them for legal research, briefings, etc.

Have you had any negative experiences in using New York State electronic legal materials?

8. Unsure.

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)?

10. Not to my knowledge.

Do you have any experience in using, creating, or maintaining systems that preserve documents?

No

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

No

Request for Comment Submission 13

Do you have any experience accessing New York State electronic legal materials?

Yes, I use the NYS Library, NYS Courts, NYS and NYC legislative sites and other none government sits.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

When documents are not online, I need to purchase them or not obtain them.

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)?

I use the NYS Library online site for documents. The NYS Legislative sites for laws and legislative intent.

Have you had any positive experiences in using New York State electronic legal materials?

On a few instances I was not able to locate the documents. The user interface could be improved.

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)?

NO

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

NO

Do you have any experience in using, creating, or maintaining systems that secure documents?

[blank]

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes, NYS documents are an important part of my work.

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)?

No comment

Do you have any experience in using New York State electronic legal materials?

Yes, I found important documents using the online sites, and it was at no cost.

Have you had any negative experiences in using New York State electronic legal materials?

NO

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)?

NO

Do you have any experience in using, creating, or maintaining systems that preserve documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

[blank]

Request for Comment Submission 14

Do you have any experience accessing New York State electronic legal materials?

Yes, as chair of NY County Law Association Law and Tech Committee we pretty much exclusively use and our comfortable with electronic legal materials

Have you experienced any negative impacts using New York State electronic legal materials currently available?

No

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)?

No

Have you had any positive experiences in using New York State electronic legal materials?

Yes, it speeds up the process and adds multiple efficiencies

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)?

Yes, it speeds up the process and adds multiple efficiencies

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

Yes we use DocuSign and other similar tools and we are starting to use Smart Contracts

Do you have any experience in using, creating, or maintaining systems that secure documents?

Yes we use DocuSign and other similar tools and we are starting to use Smart Contracts

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes, it speeds up the process and adds multiple efficiencies

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)?

No we operate

Do you have any experience in using New York State electronic legal materials?

Yes, it speeds up the process and adds multiple efficiencies

Have you had any negative experiences in using New York State electronic legal materials?

No

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)?

No

Do you have any experience in using, creating, or maintaining systems that preserve documents?

Yes we use DocuSign and other similar tools and we are starting to use Smart Contracts

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

Yes we use DocuSign and other similar tools and we are starting to use Smart Contracts

Request for Comment Submission 15

Do you have any experience accessing New York State electronic legal materials?

YES - everyday, all the time. I am an attorney and obtain / access information from the Court system and conduct searches on state agency websites for information, rules and regulations. Obtaining informative and accurate information is extremely important and I appreciate being able to obtain online rather than through the mail.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Certainly, the Court system has made great strides in providing access to information, calendaring of events and receiving decisions. I have been practicing law for 40 years and the "good old days" were not good at all when it came to access to the Courts, getting decisions and determining the calendar. Getting information from agencies was painful.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

None that comes to mind

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)?

None

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)?

none

Do you have any experience in using New York State electronic legal materials?

I routinely download PDF documents during the investigation into cases I handle, and the sharing of knowledge is a very positive development.

Have you had any positive experiences in using New York State electronic legal materials?

Not sure how to answer this question

Have you had any negative experiences in using New York State electronic legal materials?

None

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)?

None

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)?

None

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

Yes - police reports mostly

Do you have any experience in using, creating, or maintaining systems that preserve documents?

YES - every document that comes into this office or is generated by us is stored in digital format and has been so for the last decade. Every matter / case is given its own distinct "folder" and everything on that matter is stored there. When the case is closed it is archived and saved in "the cloud"

Do you have any experience in using, creating, or maintaining systems that secure documents?

Yes our clients require, and we are given special access to their portal to upload files / information needed to perform our tasks.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

Not really - only in our use of the Court system State and Federal.

Request for Comment Submission 16

Do you have any experience accessing New York State electronic legal materials?

Yes, I use the NYS Uniform Court System to electronically file and read legal documents such as pleadings, answers, decisions of the court

Have you experienced any negative impacts using New York State electronic legal materials currently available?

Negative impact is that certain documents are not available on line.

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)?

no

Have you had any positive experiences in using New York State electronic legal materials?

material is there to review at anytime

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)?

no

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

no, I am an attorney and use the services of the municipality's IT department

Do you have any experience in using, creating, or maintaining systems that secure documents?

no, see answer to #11 above

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Positive impact is that when I am working remotely I can access documents and I can cut down on paper usage.

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)?

No

Do you have any experience in using New York State electronic legal materials?

yes, matters that I am defending municipality.

Have you had any negative experiences in using New York State electronic legal materials?

negative experience is sometimes documents are difficult to read

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)?

no

Do you have any experience in using, creating, or maintaining systems that preserve documents?

no, see answer to #11 above

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

no, see answer to #11 above

Request for Comment Submission 17

Do you have any experience accessing New York State electronic legal materials?

Yes. I use lexis for sole practitioners but the data base is limited so I often times use google to search specific laws and rules and regulations in the NYCRR. It would be extremely helpful if NYS had a publicly accessible data base where these materials could be accessed in one web site.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

There isn't enough non-pay means to access NYS legal materials which make it very difficult to locate these materials.

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)?

Yes. By googling other states for legal issues which can be unreliable and confusing

Have you had any positive experiences in using New York State electronic legal materials?

No

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)?

No

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No

Do you have any experience in using, creating, or maintaining systems that secure documents?

No

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes. Through tortured research I recently discovered the penalties for a parkway violation on behalf of one of my clients. It would have been extremely useful if there was one electronic location where points and penalties for vehicle and traffic law as well as violations of other regulations pertaining to motor vehicles could be found

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)?

No.

Do you have any experience in using New York State electronic legal materials?

Yes. Lexis advanced for solo legal practitioners.

Have you had any negative experiences in using New York State electronic legal materials?

Difficult to locate and access

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)?

No

Do you have any experience in using, creating, or maintaining systems that preserve documents?

Office server

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

No

Request for Comment Submission 18

Do you have any experience accessing New York State electronic legal materials?

Yes - through NYSCEF

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes - much easier to access, file and exchange legal papers

Have you experienced any negative impacts using New York State electronic legal materials currently available?

Yes - despite electronic filing of motions, affirmations/ affidavits and exhibits, most courts still require service of hard/working copies

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)?

No

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)?

No

Do you have any experience in using New York State electronic legal materials?

Yes - through NYSCEF

Have you had any positive experiences in using New York State electronic legal materials?

Yes - much easier to access, file and exchange legal papers

Have you had any negative experiences in using New York State electronic legal materials?

No

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)?

No

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)?

No

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No

Do you have any experience in using, creating, or maintaining systems that preserve documents?

No

Do you have any experience in using, creating, or maintaining systems that secure documents?

No

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

[blank]

Request for Comment Submission 19

Do you have any experience accessing New York State electronic legal materials?

Yes, I have used the prisoner lookup system, I regularly use the real property records search and real property tax search systems, and have had to file online for my NY withholding tax when I had employees. I have also used the legislative history search and bill search systems, as well as performed searches for Unclaimed funds linked from the Comptroller's site, and for the corporate status of many businesses in NY. I have also used the county GIS system for mapping in real estate.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

So far, the negative impacts have been: the limitations of material available for electronic search, some of the clunky search mechanisms which are not user-friendly, and some systems don't allow you to print proof of the search performed (which makes it difficult to authenticate later)

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)?

I have done online searches in NJ, which have been fairly limited because most of my practice is in NY now

Have you had any positive experiences in using New York State electronic legal materials?

Yes, getting information quickly is vastly improved now, if the information is available online.

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)?

not yet

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

Not from a technology standpoint. I'm older, and my efforts to get people to continue to use the CPLR 4518 certificate to authenticate copies of business records for use in trials has become far more difficult when dealing with records which a clerk has obtained electronically.

Do you have any experience in using, creating, or maintaining systems that secure documents?

Just the password required for access to the Synology NAS server documents, and I'm just learning how to encrypt emails using Virtru (no one liked the Gmail encryption system)

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

So far, the best experience is the speed with which results may be obtained, if it is possible to conduct a complete search

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)?

not yet

Do you have any experience in using New York State electronic legal materials?

Using the materials is easy if I just need the information. The problem comes when I have to prove to a court how I received the materials, and need to verify that it is complete. I have been able to solve this problem only when the site allows me to take a screenshot or other download of the search done (including all names, time period, and items being searched).

Have you had any negative experiences in using New York State electronic legal materials?

Authenticating the source of the materials, and getting verification that the search was complete, is difficult when the site doesn't provide a mechanism for capturing the search done. If a screenshot works, I've been able to get around this problem, but some sites don't print from screenshots clearly (there are overlapping items, obscuring some of the content, or they are sized in a way that the screenshot is not complete)

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)?

just in NJ, and not enough to give useful feedback (limited so far to searching real estate records and real estate tax assessor records)

Do you have any experience in using, creating, or maintaining systems that preserve documents?

I just use the Synology NAS server for my private solo practice, and make duplicate copies periodically to be kept in a remote location.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

No

Request for Comment Submission 20

Do you have any experience accessing New York State electronic legal materials?

The Constitution of the State of New York
The Laws of the State of New York
The Rules and Regulations CPLR
VTL Court Rules

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes, to the point of reviewing and obtaining copies of rules and statutes.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

NKA

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)?

No.

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)?

NKA

Do you have any experience in using New York State electronic legal materials?

Using for research purposes

Have you had any positive experiences in using New York State electronic legal materials?

Yes, to the point of reviewing and obtaining copies of rules and statutes.

Have you had any negative experiences in using New York State electronic legal materials?

NKA

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)?

No.

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)?

NKA

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No.

Do you have any experience in using, creating, or maintaining systems that preserve documents?

No.

Do you have any experience in using, creating, or maintaining systems that secure documents?

No.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

No.

Request for Comment Submission 21

Do you have any experience accessing New York State electronic legal materials?

I frequently look up statutes on the site Judicia (I believe).

Have you experienced any negative impacts using New York State electronic legal materials currently available?

No.

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)?

No

Have you had any positive experiences in using New York State electronic legal materials?

See answer to question 2

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)?

No

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No

Do you have any experience in using, creating, or maintaining systems that secure documents?

No

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

I am able to access and copy the statutory sections.

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)?

No

Do you have any experience in using New York State electronic legal materials?

See answer to question 1.

Have you had any negative experiences in using New York State electronic legal materials?

See answer to question 3.

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)?

[blank]

Do you have any experience in using, creating, or maintaining systems that preserve documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

No

Request for Comment Submission 22

Do you have any experience accessing New York State electronic legal materials?

yes. I often research bills, laws, cases

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

yes. I find research of NYS materials easy and less complicated than other legal research sites.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

I find the senate and assembly bills, the way they are worded, complicated and hard to understand drafts, changes, final versions. They should try to use English, rather than statute-ese

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)?

yes

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)?

all

Do you have any experience in using New York State electronic legal materials?

none

Have you had any positive experiences in using New York State electronic legal materials?

[blank]

Have you had any negative experiences in using New York State electronic legal materials?

[blank]

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)?

[blank]

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)?

yes

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that preserve documents?

yes

Do you have any experience in using, creating, or maintaining systems that secure documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

[blank]

Request for Comment Submission 23

Do you have any experience accessing New York State electronic legal materials?

Yes. I use electronic filing in my litigation practice

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes. It is much easier to access documents filed earlier in the case. Also to file motions is much easier

Have you experienced any negative impacts using New York State electronic legal materials currently available?

Yes. I did an emergency osc along with commencement of declaratory judgment action. The system said the cost was 350. Actually it was 305 but the point is the court did not process the osc because of the overpayment

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)?

No

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)?

No

Do you have any experience in using New York State electronic legal materials?

Yes in my litigation practice

Have you had any positive experiences in using New York State electronic legal materials?

Yes makes system user friendly

Have you had any negative experiences in using New York State electronic legal materials?

Yes. Papers not processed due to overpayment

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)?

No

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)?

No

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No

Do you have any experience in using, creating, or maintaining systems that preserve documents?

No

Do you have any experience in using, creating, or maintaining systems that secure documents?

No

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

No

Request for Comment Submission 24

Do you have any experience accessing New York State electronic legal materials?

Yes, I access it for my job on a daily basis, through the website.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

Yes, the format is not secured and the State is still using Windows 7 as its operating system. The website itself would be easily hackable by someone with more computer savvy than I.

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)?

No

Have you had any positive experiences in using New York State electronic legal materials?

Able to access general legal information, such as NY PAUSE, electronic dashboard, etc

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)?

No

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

I have used systems for document authentication

Do you have any experience in using, creating, or maintaining systems that secure documents?

Not really

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

It has made it easier to review case law

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)?

No

Do you have any experience in using New York State electronic legal materials?

Daily use through the web site

Have you had any negative experiences in using New York State electronic legal materials?

Unable to find specific answers to basic questions, like when will NY State agencies reopen from PAUSE

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)?

No

Do you have any experience in using, creating, or maintaining systems that preserve documents?

I have used systems that maintain documents, but am not capable of creating or maintaining same.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

Not really

Request for Comment Submission 25

Do you have any experience accessing New York State electronic legal materials?

Yes. Trials. Conferences. Review of court files.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

Yes, certain computers programs are not compatible with my computer system, and I have had to spend a lot of money on upgrades. Also unwelcome is the linking of my "personal computer" to New York State Courts ... and what that entails. Finally, NYSCEF is not compatible with the Surrogate Court's own "ADB" system, and documents E-Filed in "NYSCEF" must be transferred to ADB manually to be received by the Clerks in those Courts and filed for judicial review. That could take days or weeks in a large NYC County with tens of thousands of filings.

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)?

N/A

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)?

N/A

Do you have any experience in using New York State electronic legal materials?

Yes. Trials. Conferences.

Have you had any positive experiences in using New York State electronic legal materials?

No, I would not call it a "positive impact."

Have you had any negative experiences in using New York State electronic legal materials?

Yes, it has been later-discovered that some evidence that appeared to be "originals" was not, and were mere photocopies...and thus, not "Best Evidence." An attorney verification was during on-line proceedings - I'd rather see the original. For instance, some "electronic" documents that can not be properly inspected/scrutinized for signatures, raised seals, ink-type utilized, changes additions made after the documents was executed, staple holes ..., such as WILLS, TRUSTS, acknowledgments and "checked boxes" on Powers of Attorney etc...

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)?

N/A

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

Yes, using a system - data input.

Do you have any experience in using, creating, or maintaining systems that secure documents?

N/A

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

No, I would not call it a "positive impact." It serves a utilitarian function which "might be" positive, depending upon the purpose for which the documents are being accessed. For instance, the ability to review the contents of the court file while working "remote" appears to be welcome by attorneys and some court employees. It does provide ease-of-use for certain trials and hearings in a court proceeding...at least to the extent such documents are easily accessed and not otherwise contested for authenticity. Electronic legal materials, however, can be also be a "regressive" experience for Court employees and attorneys charged with reviewing papers for content and sufficiency. Problems arise when one presumes that all proceedings can be reduced to a single properly "populated" electronic form. Factual variances are innumerable, and uploaded files still need human-review at some point. Concerning review of voluminous records: Thousands of pages of motion papers and exhibits, while it may take 2 seconds and little cost for a paralegal or attorney to upload from their own home, can not reasonably be expected to be reviewed properly for substance on a 15 inch LED screen - or two screens for that matter . . . mainly because the person charged with reviewing those document is doing that job for 7-8 hours a day on hundreds of other cases. The eyes simply can not tolerate that voluminous exposure to LED screens. Further, digital access to the document can become an "inconvenient necessity" when one's computer is being utilized simultaneously for many other purposes - such as simultaneous legal research, word processing and writing decisions or briefs . . . while utilizing .pdf copies of documents, maintaining access to e-mail, recorded transcripts of court proceedings and having several other "APPS" open at once. In fact, there are far too many "APPS" on the computer being utilized while multi-tasking a compound assignment. In these instances, it is far easier to simply have paper documents ready at one's fingertips - where they can be easily accessed and flipped through while using the computer for other and better, necessary purposes.

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)?

N/A

Do you have any experience in using, creating, or maintaining systems that preserve documents?

N/A

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

Yes, using a system - data input.

Request for Comment Submission 26

Do you have any experience accessing New York State electronic legal materials?

Yes. I practiced as an attorney from January 2009 to March 2020, and regularly used the web to conduct my legal research.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

In its current state, the material is not easily accessed. For example, to access the CLS, the official option is only available on a web page that is difficult to navigate, especially with limited vision. Official PDF downloads of the materials would be much better and simpler. Also, PDF's would make it easier to compare changes in the law from prior years. Case law research from New York Official Reports is rudimentary, but usable. The "unofficial" register hosted by Westlaw is serviceable, but also should be more easily obtained for offline use.

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)?

No.

Have you had any positive experiences in using New York State electronic legal materials?

Yes, principally through the resources of the New York State Library. As a solo practitioner, I was able to conduct most, if not all, of my research to win motions and cases using the available tools.

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)?

no

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

Yes. I worked as a solo, and filed many appeals with the Third Department, including electronically. I also worked for four years as an Assistant District Attorney dealing with computer related crimes.

Do you have any experience in using, creating, or maintaining systems that secure documents?

Yes. In addition to what I noted above, I also worked in IT for the magazine industry for almost ten years, and securing systems and documents was part of that work.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

I worked as a solo practitioner, and the electronic resources saved me a lot of time from having to go to Supreme Court libraries.

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)?

I don't know what the UELMA is, but again, I have yet to find PDF's of anything other than the rules for parole hearings.

Do you have any experience in using New York State electronic legal materials?

Yes. As noted above. In addition, i extensively relied on the resources of the New York State Library, especially while it still had access to the Lexis "State Capital Universe", which was essentially their annotated statutes and bill histories.

Have you had any negative experiences in using New York State electronic legal materials?

Yes, when the State Library lost it's contract for State Capitol Universe, I had to spend much more time at the Supreme Court Libraries doing my legal research. Also, there's no way for me to get a PDF or ebook of the statutes without having to pay a third party company an exorbitant fee.

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)?

no

Do you have any experience in using, creating, or maintaining systems that preserve documents?

Yes. To keep my overhead small, I work almost exclusively electronically, including the scanning of all materials related to my practice.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

Yes. Regularly I have to transmit PDF's of private information to others, and I've relied on the password protection and encryption built into those documents.

Request for Comment Submission 27

Do you have any experience accessing New York State electronic legal materials?

Public access NYCRR, statutes

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes - it is much quicker to locate generally than logging into Westlaw / Lexis, and doesn't require paying a fee, as compared with Westlaw / Lexis

Have you experienced any negative impacts using New York State electronic legal materials currently available?

Inability to tab through the statutory parts. (The regulations when uploaded to the relevant state website are generally easier to navigate - table of contents, hyperlinked, section headings visually dividing sections, etc.)

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)?

no

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)?

no

Do you have any experience in using New York State electronic legal materials?

yes see above

Have you had any positive experiences in using New York State electronic legal materials?

yes see above

Have you had any negative experiences in using New York State electronic legal materials?

yes see above

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)?

no

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)?

no

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

no

Do you have any experience in using, creating, or maintaining systems that preserve documents?

using - all documents within our firm are scanned into an electronic document management database

Do you have any experience in using, creating, or maintaining systems that secure documents?

n/a

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

prior work with the Legal Information Institute run by Cornell - its a huge undertaking

Request for Comment Submission 28

Do you have any experience accessing New York State electronic legal materials?

Yes, I am a Law Librarian in the Albany Supreme Court and consistently access NYS electronic legal materials in response to questions by library patrons.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

I am sometimes unsure whether the electronic legal materials are current or authenticated. For example, the NYS Code of Rules and Regulations available online are for informational purposes only and specify that they may not be the most current available. Likewise, I am not sure when accessing agency legal materials, whether or not the resources provided online are the most up to date or authenticated.

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)?

No.

Have you had any positive experiences in using New York State electronic legal materials?

See reply to Question 2, above

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)?

No.

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No.

Do you have any experience in using, creating, or maintaining systems that secure documents?

No.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes, I have used and been satisfied with the access the NYS Laws on the NYS Senate website.

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)?

No.

Do you have any experience in using New York State electronic legal materials?

See above, Question 1.

Have you had any negative experiences in using New York State electronic legal materials?

See reply to Question 3, above.

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)?

No.

Do you have any experience in using, creating, or maintaining systems that preserve documents?

No.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

No.

Request for Comment Submission 29

Do you have any experience accessing New York State electronic legal materials?

Yes. I regularly use information from the NYS library relating to legislative history. I also use the Senate and Assembly websites to access in process bills as well as finalized legislation. I also consult the Governor's site to access Executive Orders. I also consult the NY Register for Administrative materials and the NYCRR for free. I also use the NY courts website to find information on in process cases as well as access to recently issued opinions.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

The only negative impacts are when information is not available or is listed as being unofficial and not for use. Materials on government sites should be official and thus usable in court.

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)?

Yes. Usually the issue is that I cannot fully rely on what I have found and need to go to an official source. This can be particularly difficult if the materials are not widely held.

Have you had any positive experiences in using New York State electronic legal materials?

see answer in 2

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)?

See answer in 4

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No.

Do you have any experience in using, creating, or maintaining systems that secure documents?

No.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Absolutely! I am a law librarian at a law school in NY and I like to be able to show the students how they can access legal information for free. This can be important for solo practitioners and small law firms. Additionally, members of the public do sometimes use our library and I need to be able to show them how to access information without having large legal databases to use.

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)?

I have. I often have to look for materials in some other states and knowing that the online information is as official as the print makes my job a lot easier.

Do you have any experience in using New York State electronic legal materials?

see answer in 1

Have you had any negative experiences in using New York State electronic legal materials?

See answer in 3

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)?

See answer in 5

Do you have any experience in using, creating, or maintaining systems that preserve documents?

Yes. I have experience using perma to ensure that links to materials are permanently available.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

Yes. I upload papers to my school's institutional repository. This makes the papers available for free to anyone in the world.

Request for Comment Submission 30

Do you have any experience accessing New York State electronic legal materials?

Yes. I have extensive experience accessing New York State electronic legal materials online. In fact, and this is the most important thing, there is a six to seven year delay in the printing of the Laws of New York. In March, my library, which is a New York depository library just received the 2013 volumes. In September of 2019, I went to the New York Legislative Library. The most recent volumes the New York Legislative Library, the library supporting the New York State Legislature, had were from 2012. Those bound volumes make up the official legislation of the state of New York. There was a period of seven years where there was no official legislation. When I mentioned it to the librarians there, they told me that New York was having issues with its bindery. As such, in order for me to access New York session laws, I would have to get it electronically. I access New York electronic legal materials on a weekly, if not daily basis. I have accessed such materials through Westlaw, through Lexis, through HenOnline, through Bloomberg Law, through the New York Legislative Information website. I have access New York legal materials online in HTML and PDF formats.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

No.

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)?

Yes. I cannot say that the experience is different in use, but the difference is the stamp of approval UELMA states place on the material they post. This is important.

Have you had any positive experiences in using New York State electronic legal materials?

Yes. I love them. Their existence is great, but add on the ability to copy and paste, the experience is delightful.

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)?

I have read them. I have sent them to other people. I have cited them I had directed others to access, contemplate, quote and cite them.

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No.

Do you have any experience in using, creating, or maintaining systems that secure documents?

No.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes, as described above, in many cases I can only receive some of the information in electronic form.

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)?

Yes. I direct an academic law library. We cannot collect the session laws or regulations of all fifty states. We rely on electronic access to legal materials of all states including Arizona, California, Colorado, Connecticut, Delaware, Hawaii, Idaho, Illinois, Iowa, Maryland, Michigan, Minnesota, Nevada, North Dakota, Ohio, Oregon, Pennsylvania, Texas, Utah, Washington, and West Virginia.

Do you have any experience in using New York State electronic legal materials?

Yes. I have used New York State electronic legal materials. I have read them. I have sent them to other people. I have cited them I had directed others to access, contemplate, quote and cite them.

Have you had any negative experiences in using New York State electronic legal materials?

Not really.

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)?

I have read them. I have sent them to other people. I have cited them I had directed others to access, contemplate, quote and cite them.

Do you have any experience in using, creating, or maintaining systems that preserve documents?

Yes. I direct an academic law library. Our principle function is to maintain and preserve documents. If you mean electronic materials, I use Perma.cc and direct other to use Perma.cc regularly. For more on Perma.cc, go to Perma.cc.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

No.

Request for Comment Submission 31

Do you have any experience accessing New York State electronic legal materials?

Yes, as a student and as a reference librarian at a NY law school. My experience is primarily with legislative history as contained in bill jackets, using my local library's holdings and the NYS archives digitized collection, which runs from 1995 onwards.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

Hard to find older material and also the addition of recent legislation can be slow.

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)?

No.

Have you had any positive experiences in using New York State electronic legal materials?

No

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)?

no

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

I use the systems other institutions provide to secure their documents; otherwise, no.

Do you have any experience in using, creating, or maintaining systems that secure documents?

[blank]

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

I have successfully answered legislative history questions for issues 1995 and later. For older research I must search elsewhere and it is very difficult to find bill information outside of the bill jackets.

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)?

No.

Do you have any experience in using New York State electronic legal materials?

Only as outlined about, to answer academic or reference questions. I do not practice law. The materials I have accessed have been legible and provide basic legislative history.

Have you had any negative experiences in using New York State electronic legal materials?

No.

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)?

I work as a librarian, so we use a variety of electronic and archival systems to preserve documents.

Do you have any experience in using, creating, or maintaining systems that preserve documents?

I use public systems to access documents, such as the NY archives.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

[blank]

Request for Comment Submission 32

Do you have any experience accessing New York State electronic legal materials?

Yes - As a law librarian in the New York State court system I access electronic legal materials on a daily basis.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

One negative impact I've noticed is that the online version of the New York State statutes can be difficult to search and navigate.

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)?

No

Have you had any positive experiences in using New York State electronic legal materials?

Yes - one of the biggest impacts is the ease in which I can provide members of the public with the information they need, especially now in the midst of a pandemic.

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)?

No

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

Yes - I have experience scanning NY Supreme Court level decisions and documents for archiving in County Records

Do you have any experience in using, creating, or maintaining systems that secure documents?

No

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes - one of the biggest impacts is the ease in which I can provide members of the public with the information they need, especially now in the midst of a pandemic.

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)?

No

Do you have any experience in using New York State electronic legal materials?

Yes - As a law librarian in the New York State court system I access electronic legal materials on a daily basis.

Have you had any negative experiences in using New York State electronic legal materials?

One negative impact I've noticed is that the online version of the New York State statutes can be difficult to search and navigate.

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)?

No

Do you have any experience in using, creating, or maintaining systems that preserve documents?

No

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

No

Request for Comment Submission 33

Do you have any experience accessing New York State electronic legal materials?

The New York State Library has been a repository for New York State government documents since its creation in 1818. A primary service of the NYS Library is to facilitate access to electronic resources including New York State electronic legal materials. Librarians at the New York State Library have experience accessing electronic legal materials and understand the user experience when it comes to accessing them. Typically, a patron asks for assistance/guidance finding material from a Librarian in the Reference Unit. Materials needed vary depending on the patrons' inquiry and experience. Some patrons request materials with little knowledge of New York State Government while others are practicing law in the state. Patrons may also need help navigating the platform.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

Official electronic legal material can be difficult to navigate because collections are scattered, publication titles change, and platforms that host the materials are not user friendly. Paid services provide a more user-friendly digital environment when it comes to navigating and searching legal materials, but most people don't have access to paid services and work to navigate any freely available collections. Authenticity is also a concern because not all freely available electronic legal materials are authenticated. Many electronic legal materials are not authenticated unless it's purchased and may only be available in tangible format.

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)?

Not that I am aware of.

Have you had any positive experiences in using New York State electronic legal materials?

Electronic legal materials are more widely accessible than tangible materials. They are accessible regardless of geographic location and more accessible for users with a visual or physical disability who are unable to use standard print materials. The availability of electronic legal materials also supports efficiency for researchers and for government agencies or law libraries. For the researcher, the availability of legal materials in electronic format means less waiting. For the government entity or library hosting the items, researchers' requests are, at times, fulfilled with little or no staff time. The researcher can access the materials with minimal staff support and staff do not have to scan an item and send a digital copy to the researcher which takes additional time and may add additional costs to their research.

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)?

Yes, the U.S. Government Publishing Office (GPO).

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No.

Do you have any experience in using, creating, or maintaining systems that secure documents?

The New York State Library manages a secure location on a server managed by the New York State Education Department to host digital copies of born digital publications from New York State government agencies and digital copies of items scanned to be uploaded our digital collections. Access to the server is limited to managers who oversee digitization and digital preservation.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Electronic legal materials are more widely accessible than tangible materials. They are accessible regardless of geographic location and they are more accessible for users with a visual or physical disability who are unable to use standard print materials. Electronic legal materials support efficiency for researchers and libraries. For the researcher, the availability of legal materials in electronic format means less waiting and no additional fees. For the government entity or library hosting the items, researchers' requests that are fulfilled with freely available legal materials require less staff time than if the item was available within a subscribed resource or in tangible format.

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)?

Yes, the U.S. Government Publishing Office (GPO).

Do you have any experience in using New York State electronic legal materials?

The NYS Library has been a repository for New York State government documents since its creation in 1818. With that in mind, a primary service of the New York State Library's Research Library is to facilitate access to these publications and support end users and researchers in their use of the materials. We are very experienced in the use of New York State electronic legal materials and are attuned to the user experience when it comes to using them.

Have you had any negative experiences in using New York State electronic legal materials?

Official electronic legal material can be difficult to navigate because collections are scattered, publication titles change, and platforms that host the materials are not user friendly. Paid services provide a more user-friendly digital environment when it comes to navigating and searching legal materials, but most people don't have access to paid services and work to navigate any freely available collections. Authenticity is also a concern because not all freely available electronic legal materials are authenticated. Most authenticated content is only available if it's purchased and may only be available in tangible format creating barriers to access including geographic location, fees, and accessibility for those living with a visual or physical disability.

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)?

Not sure.

Do you have any experience in using, creating, or maintaining systems that preserve documents?

The New York State Library manages a secure location on a server managed by the New York State Education Department to host digital copies of born digital publications from New York State government agencies and digital copies of items scanned to be uploaded to our digital collections. The copies scanned by the New York State Library are preservation quality images and the born digital copies are stored in their original format (PDF or PDF/A). As the State Repository for this type of document, the New York State Library is committed to preserving these documents in perpetuity and is working to implement preservation standards.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

The New York State Library's Digital Collections is accessible to the public without any login credentials or need to create an account to support users' privacy. While the Library's website does not support HTTPS, the Digital Collections supports HTTPS to ensure a secure connection for the end user.

Request for Comment Submission 34

Do you have any experience accessing New York State electronic legal materials?

Yes statutory materials

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes the legislation digital resources are fantastic.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

No

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)?

Yes

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)?

New Jersey

Do you have any experience in using New York State electronic legal materials?

Yes legislative

Have you had any positive experiences in using New York State electronic legal materials?

Yes Chapter laws

Have you had any negative experiences in using New York State electronic legal materials?

No

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)?

Pa

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)?

Yes NJ

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that preserve documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that secure documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

[blank]

Request for Comment Submission 35

Do you have any experience accessing New York State electronic legal materials?

Staff from the New York State Archives staff make regular use of electronic forms of New York state statutes and regulations through publicly available web-sites and through online databases operated by vendors.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

None at this time.

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)?

Staff at the New York State Archives make regular use of electronic forms of New York state statutes and regulations through publicly available web-sites and through online databases operated by vendors. This use is made in the development of retention and disposition rules for State agency and local government records. The use enables staff to determine applicable laws and regulations that govern the creation and retention of records as well as legal restrictions on access and use of records.

Have you had any positive experiences in using New York State electronic legal materials?

None at this time.

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)?

The New York State Archives, to fulfill our mandate to support records management in State agencies and local governments, provides advice and guidance to State government agencies on policies, practices and technologies for the creation of electronic records that can be legally admissible. This advice and guidance is in the form of publications, training and direct technical assistance.

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

The Preservica digital repository operated by the State Archives is fully OAIS compliant. Therefore, the system securely maintains records that contain sensitive or restricted information. Information in the repository is encrypted and access to the repository requires multiple levels of authentication. The State Archives maintains a body of practice for the review and redaction of digital and paper-based materials to ensure that restricted information is not released.

Do you have any experience in using, creating, or maintaining systems that secure documents?

[blank]

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Electronic legal materials online significantly improves accessibility and efficiency of staff research.

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)?

State Archives staff make limited use of legal materials from other states.

Do you have any experience in using New York State electronic legal materials?

Electronic legal materials online significantly improves accessibility and efficiency of staff research.

Have you had any negative experiences in using New York State electronic legal materials?

State Archives staff regularly rely on electronic copies of the Federal register, United States Code and the Code of Federal Regulations to conduct their analysis of recordkeeping requirements or rules governing access to records.

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)?

The New York State Archives operates and maintains an Open Archival Information System (OAIS) compliant digital repository for preservation of records in digital form. The State Archives' current repository vendor is Preservica. The State Archives has been acquiring and preserving digital records, including records that are born digital and records that are made digital through scanning, since 1995. These materials are made accessible through the State Archives web site.

Do you have any experience in using, creating, or maintaining systems that preserve documents?

The New York State Archives maintains and operates, through its web site, a publicly accessible system to provide access to materials in electronic form. These materials include Legislative Bill and Veto Jackets that have been digitized as well as photographs, maps, plans and other documents, approximately 100,000 unique items are currently available online. The system is publicly accessible and is not secured. The State Archives provides secure access to materials, through on-site use of our public research room.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

[blank]

Request for Comment Submission 36

Do you have any experience accessing New York State electronic legal materials?

Yes. The Law Library Association of Greater New York (LLAGNY), and the Association of Law Libraries of Upstate New York (ALLUNY), are chapters of the American Association of Law Libraries (AALL) and are both New York based non-profit organizations established in 1938 and 1954 respectively. Jointly, these organizations represent over 800 legal information professionals drawn from law firms, academic institutions, state and federal courts, bar associations, corporate law offices, and the vendors who provide products and services to the legal profession. All our members, access New York State electronic legal materials on a daily basis to help meet the needs of our patrons/users.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

Yes. While New York's efforts have been admirable, key gaps in information and resources accessibility do exist that greatly inhibit the free and easy access to information that is a critical pillar of democracy. Specific gaps include access to New York Appellate Division Records and Briefs, New York Bill Jackets, and New York Municipal Court Decisions.

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)?

Yes. As an organization catering to legal information professionals drawn from law firms, academic institutions, state and federal courts, bar associations, corporate law offices, and the vendors who provide products and services to the legal profession, our members research the law of other jurisdictions on a daily basis. This includes the remaining states that have not adopted a version of UELMA. The challenges presented by searching for legal electronic materials online are many and include: no access, incomplete access, link rot, lack of authentication, and lack of regular updates—just to name a few. This lack of authoritative information leads our members to corroborate any information found with that of a subscription legal database is reserved to those who can pay for it.

Have you had any positive experiences in using New York State electronic legal materials?

Yes. New York has historically been a model for other states and municipalities to make electronic legal information available and easy to use. From Senate and Assembly Bills, to the New York State Code, to the New York Regulations and the New York Law Reporting Bureau's comprehensive access to the New York Unified Court System. The State has made most of the legal materials generated from the three branches of state government easy to access, readily updated, and free to use.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes. New York has historically been a model for other states and municipalities to make electronic legal information accessible. From Senate and Assembly Bills, to the New York State Code, to the New York Regulations and the New York Law Reporting Bureau's comprehensive access to the New York Unified Court System. The State has made most of the legal materials generated from the three branches of state government easy to access, readily updated, and free to use.

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)?

Yes. As an organization catering to legal information professionals drawn from law firms, academic institutions, state and federal courts, bar associations, corporate law offices, and the vendors who provide products and services to the legal profession, our members research the law of other jurisdictions on a daily basis. Included among these are the 22 states (including California, Illinois, and Texas) that have previously adopted a version of UELMA [available at: <https://www.aallnet.org/advocacy/government-relations/state-issues/uelma-resources/uelma-enactments/>].

Do you have any experience in using New York State electronic legal materials?

Yes. The Law Library Association of Greater New York (LLAGNY), and the Association of Law Libraries of Upstate New York (ALLUNY), are chapters of the American Association of Law Libraries (AALL) and are both New York based non-profit organizations established in 1938 and 1954 respectively. Jointly, these organizations represent over 800 legal information professionals drawn from law firms, academic institutions, state and federal courts, bar associations, corporate law offices, and the vendors who provide products and services to the legal profession. All our members use New York State electronic legal materials on a daily basis to help meet the needs of our patrons/users.

Have you had any negative experiences in using New York State electronic legal materials?

Yes. While New York's efforts have been admirable, key gaps do exist for users that greatly inhibit the free and easy access to information that is a critical pillar of democracy. Specific use issues include: different websites for different information, clunky search engines, lack of authentication impacting reliance on materials found, lack if uniformity with metadata fields, coverage confusion, and lack of update clarity.

Request for Comment Submission 36 (continued)

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)?

Yes. As an organization catering to legal information professionals drawn from law firms, academic institutions, state and federal courts, bar associations, corporate law offices, and the vendors who provide products and services to the legal profession, our members research the law of other jurisdictions on a daily basis. Included among these are the 22 states (including California, Illinois, and Texas) that have previously adopted a version of UELMA [available at: <https://www.aallnet.org/advocacy/government-relations/state-issues/uelpma-resources/uelpma-enactments/>].

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

Yes. As both LLAGNY and ALLUNY draw members from legal information vendors who provide products and services to the legal profession, some of our members do have experience authenticating documents. Moreover, our parent organization, the American Association of Law Libraries (AALL) maintains a UELMA Resource Center that provides links to Reports that discuss the issues and challenges related to creating or maintaining systems that authenticate documents [available at <https://www.aallnet.org/advocacy/government-relations/state-issues/uelpma-resources/>].

Do you have any experience in using, creating, or maintaining systems that secure documents?

Yes. As both LLAGNY and ALLUNY draw members from legal information vendors who provide products and services to the legal profession, some of our members do have experience securing documents. Moreover, our parent organization, the American Association of Law Libraries (AALL) maintains a UELMA Resource Center that provides links to Reports that discuss the issues and challenges related to creating or maintaining systems that secure documents [available at <https://www.aallnet.org/advocacy/government-relations/state-issues/uelpma-resources/>].

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)?

Yes. As an organization catering to legal information professionals drawn from law firms, academic institutions, state and federal courts, bar associations, corporate law offices, and the vendors who provide products and services to the legal profession, our members research the law of other jurisdictions on a daily basis. This includes the remaining states that have not adopted a version of UELMA. The challenges presented by searching for legal electronic materials online are many and include: no access, incomplete access, link rot, lack of authentication, and lack of regular updates—just to name a few. This lack of authoritative information leads our members to corroborate any information found with that of a subscription legal database that is reserved to those who can pay for it.

Do you have any experience in using, creating, or maintaining systems that preserve documents?

Yes. As both LLAGNY and ALLUNY draw members from legal information vendors who provide products and services to the legal profession, some of our members do have experience preserving documents. Moreover, our parent organization, the American Association of Law Libraries (AALL) maintains a UELMA Resource Center that provides links to Reports that discuss the issues and challenges related to creating or maintaining systems that preserve documents [available at <https://www.aallnet.org/advocacy/government-relations/state-issues/uelpma-resources/>].

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

Yes. As both LLAGNY and ALLUNY draw members from legal information vendors who provide products and services to the legal profession, some of our members do have experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public. Moreover, our parent organization, the American Association of Law Libraries (AALL) maintains a UELMA Resource Center that provides links to Reports that discuss the issues and challenges related to creating or maintaining systems that cater to the general public [available at <https://www.aallnet.org/advocacy/government-relations/state-issues/uelpma-resources/>].

Request for Comment Submission 37

Do you have any experience accessing New York State electronic legal materials?

Yes, I have a great deal of experience accessing all types of New York State electronic legal materials including statutes, regulations and legislative documents to name a few. I have been a law librarian working in private firms since legal materials began to be digitized and made available in searchable databases largely by private publishers and always for a fee. I have seen the evolution of search functionality from dial-up databases with proprietary software to information made publicly available via the Internet. Over my long career, since the mid-eighties, I have witnessed the trend of governments both state and federal to move the publication of their primary legal information to publicly available sites on the Internet. Using the example of federal electronic materials, this trend has made it possible libraries and research centers to stop collecting official documents in print and free up their time and space for other activities. Most researchers would welcome this trend on a state level.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

I can't speak to the accuracy of the materials or if they are up to date. The Consolidated Laws of New York does not include revision dates which is a negative. A major drawback to using these resources is that attorneys do not find them authoritative, so I have to locate the information in an alternative source. Also if you google official state code INPUT_STATE_NAME, you usually receive good results unless that state is New York. To me it is odd and confusing that McKinney's is the official print source for the statutes, while Lexis is the source of the electronic version that the legislature hosts online. I wish the state would take this over completely as the New York State Law Revision Commission approves the publication of the legislation anyway.

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)?

search online state legal materials on an ad hoc basis. The majority of times, I need to look at a court rule or state statute and can generally find reliable looking versions by googling. If the information is not authenticated or doesn't provide version dates, I will seek an alternative source in a commercial database. Because I work for a private law firm, I have access to commercial databases; but if I were a regular member of the public or working in a pro bono environment, I would have a much more difficult time getting a reliable answer.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

Yes, if I want to check pending or recent legislation in New York State, I will always check the materials available on either <https://www.nysenate.gov/legislation> or <https://nyassembly.gov/> I usually search free, public sites first before going to any commercial database. New bills and chapter laws are easily found. I also appreciate the level of state court docket information that is available and hope this trend will continue.

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)?

Yes, one of the states that I check online regularly is Delaware. The official website <https://delcode.delaware.gov/> provides an authenticated PDF of the statute section which I can provide to a lawyer. The Delaware code is easy to find with a simple google search.

Do you have any experience in using New York State electronic legal materials?

Yes, I have experience using all types of New York state electronic legal materials include statutes, regulations and legislative documents to name a few. I have been a law librarian working in private firms since legal materials began to be digitized and made available in searchable databases largely by private publishers and always for a fee. Sometimes I am looking for information in order to find an answer posed by an attorney so I use key word searching and will read the law for relevancy to the question. I also look for and research electronic legal information to further my knowledge on legal issues. The majority of the time I am looking for specific law and only need to retrieve a copy.

Have you had any negative experiences in using New York State electronic legal materials?

I generally need to check the NY State Register once or twice a year. The online version is found at <https://www.dos.ny.gov/info/nycrr.htm> Per the website, the sourced is annotated with the statement "VIEW THE UNOFFICIAL NYCRR ONLINE HERE." If the print version can be official, why can't the online version as it is still produced by New York State. An online authenticated pdf version would most likely be less expensive and make this easier for the public to access. Another issue is that all the electronic legal materials seem to be spread out among various agencies and websites rather than residing in one main area for electronic legal information with the agencies and entities linking back to the main repository. While this is an organizational problem rather than an authentication problem, it still impedes the public's access to the state's legal authority and guidance. If you google "official state code new york" you will not get the best place for the New York's statutes, as you will by repeating the same search for other states. Finally there is countless agency information, such as NYC Housing Court decisions, that is difficult to find, and should be hosted by a state agency rather than a private source or educational institution.

Request for Comment Submission 37 (continued)

Have you had any positive experiences in using New York State electronic legal materials?

The most positive research experiences I have is when I am searching bills and pending legislation. I find the materials well organized and find it easy to find the recent actions. Many of the NYS courts are also provide positive interfaces for retrieving legal information.

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)?

I research state electronic legal materials on an ad hoc basis. As mentioned in my response to question 4, Delaware lays out its legal information online in a very approachable and easy-to-find manner. They are clear as to what versions are authoritative. The only do a good job with their court decisions, specifically the Delaware Chancery Court. Delaware is not the only state I search. Whether I will access a state's materials depends on the needs of the firm's clients, and I don't have any specific research examples to detail. However, I can say that my general impression is the New York is not at the forefront of making primary legal materials easily accessible and publicly available.

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

In the law firm, we use a DMS (Document Management System) The DMS allows us to preserve all versions, track all changes back to each user, and provide different levels of rights to access and change documents. You can also finalize a document so no further changes can be made. Documents can only be deleted by authorized users.

Do you have any experience in using, creating, or maintaining systems that secure documents?

Same answer as Question 10 and 11.

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)?

Yes, in my capacity of a researcher, I research the electronic legal materials of a variety of states many of which have not adopted UELMA. Often it is not readily discernible if a state has adopted UELMA. However, I look for notes and descriptors that will let me know when the information was last updated, if it has been authenticated, etc. If the information does not provide any guidance as to the currency and reliability of the information, I consult only to get an idea of the topic. Then I will go to a commercial database to verify. This is a luxury that the general public does not have. Also, as mentioned before, the attorneys do not want to receive copies of electronic legal information unless it is authoritative and can be cited to in a brief, memo, or other official document.

Do you have any experience in using, creating, or maintaining systems that preserve documents?

Same answer as Question 11. In addition we SharePoint to store documents such as our Office Procedure Manual. Our OPMs are numbered and will receive revisions regularly. Via SharePoint you can see the latest version.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

No

Request for Comment Submission 38

Do you have any experience accessing New York State electronic legal materials?

Yes! As a law librarian I use all NYS Legal material and all 50 states. I use commercial and state produced material. I use dockets through ECF and Scroll. I use Court-Pass for Court of Appeals briefs. I use Law Reporter and court websites for decisions. I use the Senate and Assembly Websites for legislation and New York State Library for historic legislative material.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

I've had a commercial publisher tell me that they make mistakes on purpose. Since I work in a prosecutor's office, these errors have the potential of sending people to jail. Lexis was sued by a law firm because the "tan" book (compilation of New York real estate laws). I post errors I find in commercial publishers (Lexis, Westlaw and Bloomberg). In addition to typos the most common mistake I find, is that the publisher does not have the current version of the statute. Just today one of the commercial publishers did not report a SUNSET provision in Penal 70.06(3)

Have you experienced any negative impacts using New York State electronic legal materials currently available?

Yes, I have experience using UELMA material. I use legal material for all 50 states.

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)?

Many attorneys and pro-se litigants use Google to find statutes. It is impossible to know if the legislation is current if the state is not UELMA certified.

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)?

Yes! As a law librarian I use all NYS Legal material and all 50 states. I use commercial and state produced material. I use dockets through ECF and Scroll. I use Court-Pass for Court of Appeals briefs. I use Law Reporter and court websites for decisions. I use the Senate and Assembly Websites for legislation and New York State Library for historic legislative material.

Do you have any experience in using New York State electronic legal materials?

I haven't but it is obvious that the Queens DA did not have the current statute in January/February 2019 when they incorrectly charged a man who the police say fatally stabbed his former girlfriend when she was 14 weeks pregnant after the Reproductive Health Act was passed.

Have you had any positive experiences in using New York State electronic legal materials?

When you print a California statute from the state's website, there is an indication that the material has been authenticated and is current.

Have you had any negative experiences in using New York State electronic legal materials?

Attorneys will pull cases from the internet that are not current or who need a historical statute and can't find it.

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)?

[blank]

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)?

[blank]

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that preserve documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that secure documents?

[blank]

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

[blank]

Request for Comment Submission 39

Do you have any experience accessing New York State electronic legal materials?

Yes, but the definition of “legal material” should encompass judicial materials as well as legislative and executive materials. As a reference librarian at a law firm, I routinely access legal materials, including case law (often via <http://www.nycourts.gov/reporter/Decisions.shtml>) and case filings (often via <https://iapps.courts.state.ny.us/nyscef/CaseSearch>) and statutes (often via <http://public.leginfo.state.ny.us/>) and bill jackets (<http://digitalcollections.archives.nysed.gov/index.php/Detail/collections/7782>) and NYCRR provisions (often via <http://government.westlaw.com/linkedslice/default.asp?SP=nycrr-1000>) and NYS Register releases (<https://www.dos.ny.gov/info/register.htm>).

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

New York statutes available via <https://www.nysenate.gov/legislation/laws/CONSOLIDATED> and <http://public.leginfo.state.ny.us/> should include enactment history.

Have you experienced any negative impacts using New York State electronic legal materials currently available?

No

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)?

No

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)?

No

Do you have any experience in using New York State electronic legal materials?

No

Have you had any positive experiences in using New York State electronic legal materials?

No

Have you had any negative experiences in using New York State electronic legal materials?

No

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)?

No

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)?

No

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

No

Do you have any experience in using, creating, or maintaining systems that preserve documents?

No

Do you have any experience in using, creating, or maintaining systems that secure documents?

No

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

No

Request for Comment Submission 40

Do you have any experience accessing New York State electronic legal materials?

[blank]

Have you experienced any negative impacts using New York State electronic legal materials currently available?

[blank]

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)?

Yes, I have accessed electronic legal materials in many states that have not passed a version of UELMA. I have accessed Kansas statutes online; the statutes are available electronically on the Kansas State Legislature website, but the electronic versions of the statutes are not authenticated. The website states: Note: To access the Kansas Statutes Annotated which have been authenticated in accordance with the law, see the current printed bound volumes of the Kansas Statutes Annotated and the current printed volumes of the Cumulative Supplement to the Kansas Statutes Annotated as published by the Office of Revisor of Statutes. What this means is that if I needed to access authenticated legal materials, I would need to visit a law library in the state of Kansas. I have also accessed electronic legal materials in Missouri through the Missouri Revisor of Statutes website. The website does provide electronic access to all statutes in Missouri but does not provide access to authenticated electronic legal material. The website provides the following disclaimer: (not included here) If I needed an authenticated copy of a statute enacted in Missouri, I would have to visit a library that had copies of the Revised Statutes of Missouri. In both Kansas and Missouri, I must visit different websites for different legal materials. Kansas statutes are available on the legislature's website, the Kansas Constitution is available on the Kansas State Library website, and administrative rules are found on the Kansas Secretary of State website. In Missouri statutes and the Missouri Constitution are available on the Revisor's website, but administrative rules and regulations are found on the Secretary of State's website. In Minnesota, all legal materials covered by UELMA are found on the Minnesota Revisor's Office website. In California, all legal materials covered by the state's enactment of UELMA are found on the California Legislative Information website.

Have you had any positive experiences in using New York State electronic legal materials?

[blank]

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)?

See answer to Question 4.

Have you experienced any positive impacts accessing New York State electronic legal materials currently available?

[blank]

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)?

Yes, I have used the Minnesota Revisor's Office website on numerous occasions to gain access to authenticated electronic legal materials. The website is easy to navigate, provides access to all statutes, laws, rules, court rules, and the Constitution of the State of Minnesota. <https://www.revisor.mn.gov/>. From the home page of the Minnesota Revisor's Office website I can select the legal material I am looking for (in this case I chose statutes), then I can choose the chapter and then section I need. Once I choose the section, I can see the current text of the statute in my web browser. If needed I can authenticate the statute, I am viewing by clicking the "Authenticate" button in the top right corner of the screen. This shows me the directions I need to follow to authenticate the electronic legal material. I have also accessed state statutes, the California Constitution, and the California Codes on the California Legislative Information website. This website is also easy to navigate and provides access to authenticated electronic versions of the California Constitution, statutes, and the California Codes. <http://leginfo.ca.gov/faces/home.xhtml>. From the home page of the California Legislative Information website I can select the legal material I am looking for (in this case I chose the Constitution of the State of California), then I can choose the article I need. This shows me the entire article of the Constitution in my web browser. If I click on the hyperlink for the section, I need I am directed to a new webpage showing the text of that section in my web browser. If needed I can click "PDF" on the top middle/right of the window which will download a PDF of the article. At the top of the PDF there is a stamp that says "State of California Authenticated Electronic Legal Material".

Do you have any experience in using New York State electronic legal materials?

[blank]

Have you had any negative experiences in using New York State electronic legal materials?

[blank]

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)?

See answer to Question 5.

Request for Comment Submission 40 (continued)

Do you have any experience in using, creating, or maintaining systems that authenticate documents?

Yes. The Minnesota implementation creates and stores a hash from every published document. This hash technically is a SHA-2 (256) “digest” that is analogous to a fingerprint that uniquely identifies the published document. A person with an electronic copy of law can upload their copy to the Revisor’s web site, and the web server will hash the file and search for a matching digest in the database of law. If a match is found, the person is notified that their copy of law is an authentic publication, and if the record is older or erroneous, the person is given a link to the newest version of that publication. The structure of Minnesota law publications has an elaborate hierarchy (example: Statute publication contains statute “parts” which contain “chapters” which contain “sections” which may contain “subdivisions”. Both sections and subdivisions may contain paragraphs or clauses). Authenticated documents are available only for chapter-level documents and section-level documents.

Do you have any experience in using, creating, or maintaining systems that preserve documents?

Yes. The Minnesota implementation ensures the preservation of documents using numerous, overlapping methods. All published matter is stored in a database. The storage is configured such that the law document records are immutable. Once created, they cannot be overwritten. Only publishing newer versions can superseded existing publications. It is possible, however, that database administrators will have access that allows them to circumvent this safety precaution. A separate archive of published material is also maintained. Nightly, processes run that check for new publications created during the day. New publications are added to this second archive. Another nightly process validates the live database content and the archive, ensuring that both are in sync and have matching copies of all content. Access to this archive is limited. The intent of this system is to provide notice within one day that publications records have been compromised. Backups of all Revisor systems ensure that recovery is possible should systems fail for whatever reason. Disk backups are the first stage in the Revisor’s backup plans. These backups are fast and allow recovery of data going back months. This backup data is kept on premise and restoring this data is fast. Less frequently, tape backups are created. These are slower to create and to restore. Their strength is that they go back many years and are shipped out of state for extra safety.

Do you have any experience in using, creating, or maintaining systems that secure documents?

Yes, the Minnesota system securely stores its documents. Only an internal drafting/editing/publishing system has access to place documents into the publication tables in the office’s database. As mentioned in the section above. Measures are taken such that these database records are mostly immutable. Still, there is always a chance that these safeguards are not enough. As mentioned above, there is a nightly syncing process with a separate, standalone archive which will detect alterations made in either the database or the archive. We feel confident the system will catch unwanted changes to the publications. It once caught a database administrator attempting to incorrectly add a historical, book-scanned publication documents to the database.

Do you have any experience in using, creating, or maintaining systems that securely provide access to documents to users including the general public?

Yes, The Minnesota Revisor’s web site uses HTTPS. Any attempt to view or download published documents from this web site is as safe and secure as HTTPS allows. For 3rd party vendors that wish access to Revisor publications, Revisor staff “push” publications to them, typically through sFTP, a secure File Transfer Protocol, directly to storage on their corporate systems.

Endnotes

- 1 “Directs the Department of State to Conduct a Study on the Use of Legal Material in an Electronic Format and Access to Such Legal Materials, 2019 Laws of New York, Chapter 575” as amended by “Directs the Office of Information Technology Services to Conduct a Study on the Use of Legal Material in an Electronic Format and Access to Such Legal Materials, 2020 Laws of New York, Chapter 15”; available at 2019 Bill Text NY S.B. 7164
- 2 UELMA, with Prefatory Note and Comments, available at <https://www.uniformlaws.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=325397ba-6fc7-ae8e-3e2f-3a8e5796898c&forceDialog=0>, last accessed Oct. 7, 2020.
- 3 See e.g.; Cal. Office of Legislative Counsel, Authentication of Primary Legal Materials and Pricing Options (Dec. 2011), available at <https://ccusl.ca.gov/sites/ccusl.ca.gov/files/Doc1.pdf>, [last accessed Oct 21, 2020]; Emerson, Amy, Legal Research – The Uniform Electronic Legal Material Act in New York, New York State Bar Association Journal, January 2015, Vol. 87, 44-46; Minnesota Historical Society, Preserving State Government Digital Information (Feb 29, 2012), available at https://www.mnhs.org/preserve/records/legislativerecords/carol/docs_pdfs/MHS-NDIIPP_FinalReport02_29_2012.pdf [last accessed Oct 21, 2020]; UELMA Preservation Group, Preservation of Electronic Legal Materials [April, 2018], available at <https://www.uniformlaws.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=2a6d997d-9285-5629-e550-7025971f91d1&forceDialog=0>, [last accessed Oct. 21, 2020]; U.S. Gov’t Printing Office, Overview of GPO’s Authentication Process 1-2, available at <https://www.govinfo.gov/media/authenticationoverview.pdf>; [last accessed Oct 21, 2020]
- 4 UELMA, with Prefatory Note and Comments, page 10, available at <https://www.uniformlaws.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=325397ba-6fc7-ae8e-3e2f-3a8e5796898c&forceDialog=0>, last accessed Oct. 7, 2020.
- 5 Senator Mayer and Assemblyperson Lifton sponsored the legislation. see NYS Bill Jacket L.2020 ch 15.
- 6 See, Appendix I
- 7 See Appendix II
- 8 See, Appendix III
- 9 See, Appendix III
- 10 Information on contracts entered into by the State of New York are made publicly available on the Office of the New York State Comptroller’s Open Book site available at <https://wwe2.osc.state.ny.us/transparency/contracts/contractsearch.cfm>
- 11 See, website for NY Department of State, available at <https://www.dos.ny.gov>, last accessed Oct 7, 2020. the New York Department of State provides access through its website to electronic legal materials including the NYS Constitution, the New York Code of Rules and Regulations (NYCRR), and the NY State Register, yet, the authenticity standards and method of access to each of these materials is different. The NYS Constitution is provided as an indexed html document; the NYCRR is provided via a link to a third-party site (Thompsons West); and the State Register is provided, issue by issue, as a .pdf file. None of these materials are labeled as the “official” version, although users clicking on the link to the NYCRR are expressly told that the version provided through the link is “unofficial.” Users navigating that link to the public Thompson West NYCRR site see the following disclaimer: “to ensure accuracy and for evidentiary purposes, reference should be made to the official NYCRR which is available from Thomson Reuters” (emphasis supplied). A user navigating the hyperlink to the official Thomson Reuters NYCRR, finds a prompt to login or subscribe to access the official version.

- 12 "The links to the various Parts of our regulations go to a compilation on the WestlawNext website. While they are believed to be accurate, they are not certified copies of the regulations and therefore should not be relied upon for legal interpretation. Also, DEC's website contains links to various guidance documents and summaries of regulations that are not the regulations themselves. The official written regulations published by the Department of State are the official source for NYSDEC regulations. To ensure that you are viewing the most current regulations, check the weekly New York State Register for recent rule adoptions that have not yet been published in the unofficial online NYCRR." New York State Department of Environmental Conservation, Regulations, available at <https://www.dec.ny.gov/regulations/regulations.html#disclaim> (last accessed October Oct. 21, 2020)
- 13 UELMA, with Prefatory Note and Comments, at 10
- 14 Id., at 2
- 15 Emerson, Amy, "The Uniform Electronic Legal Material Act in New York," NYSBA Journal, p. 45, January 2015.
- 16 UELMA, with Prefatory Note and Comments
- 17 Id.
- 18 Id.
- 19 Citations to sections of law of states that implemented UEMLA: Ariz. Rev. Stat. § 41-5501 et seq, Cal. Gov't Code, § 10290 et seq, Colo. Rev. Stat. § 24-71.5-101 et seq, Conn. Gen. Stat. § 1-330 et seq, Del. Code Ann. tit. 1, § 401 et seq, Haw. Rev. Stat. Ann. § 98-1 et seq, Idaho Code § 60-301 et seq, 5 Ill. Comp. Stat. Ann. § 180/1 et seq, Iowa Code § 2B.31 et seq, Md. Code Ann., State Gov't § 10-1601 et seq, Mich. Comp. Laws Serv. 4.1121 et seq, Minn. Stat. Ann. § 3E.01 et seq, Nev. Rev. Stat. Ann. § 721.010 et seq, N.D. Cent. Code § 46-03.1-01 et seq, Ohio Rev. Code Ann. 149.21 et seq, Or. Rev. Stat. Ann. § 192.715 et seq, 44 Pa. Cons. Stat. Ann. § 701 et seq, Tex. Gov't Code § 2051.151 et seq, Utah Code Ann § 46-5-101 et seq, Wash. Rev. Code Ann. § 1.70.070 et seq, D.C. Code § 2-651.01 et seq, WVa Code § 39-6-1 et seq
- 20 UELMA, § 7.
- 21 UELMA, § 8.
- 22 UELMA, with Prefatory Note and Comments, at 15.
- 23 UELMA, with prefatory note, Section 2(2) (states adopting UELMA will need to identify in the definition of "legal material" the proper name or title of other legal materials the enacting statute chooses to include in the act's coverage.) In at 2019 Bill Text NY S.B. 7164, "legal material" means "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."
- 24 American Association of Law Libraries, Uniform Electronic Legal Material Act Enactments available at <https://www.aallnet.org/advocacy/government-relations/state-issues/uelpa-resources/uelpa-enactments/> (last accessed Oct. 22, 2020)
- 25 Id.
- 26 See Section 4, below. New York law mandates the print publication of many legal materials.
- 27 See Appendix III, "DOCCS is committed to providing the incarcerated population the appropriate level of access to legal materials. Given the security concerns in our facilities, all digital content and the source from which they are retrieved requires strict monitoring which may in certain circumstances limit the types of digital offerings available within our facilities."
- 28 The "Legal Research Portal" provides a free, convenient and fairly comprehensive compendium of

- New York electronic legal materials. Unified Court System Law Reporting Bureau, Legal Research Portal available at <http://www.nycourts.gov/reporter/research.shtml> (last accessed on Oct. 16, 2020)
- 29 New York State Office of Information Technology Services, Request for Public Comment: Study of Electronic Legal Materials for New York State, July 3, 2020
- 30 The New York State Legislature and its constituent bodies all have their own websites with legislative and statutory information: New York State Assembly Website available at <https://nyassembly.gov>, New York State Senate Website available at <https://www.nysenate.gov>, New York State Legislature <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO> (last accessed Oct. 22, 2020)
- 31 New York State Unified Court System, NYCourts.gov available at <http://www.nycourts.gov> (last accessed Oct. 22, 2020)
- 32 Examples of NYS agency websites that provide electronic legal materials include; <https://its.ny.gov/laws-regulations-and-notices>, <https://health.ny.gov/regulations/>, https://www.health.ny.gov/health_care/medicaid/decisions/, <https://perb.ny.gov/nys-perb-board-decisions/>, <https://www.dta.ny.gov>,
- 33 The official website for the Governor of New York State is available at <https://www.governor.ny.gov/> [last accessed Oct 22, 2020].
- 34 New York State Unified Court System Law Reporting Bureau, New York Official Reports available at <http://www.nycourts.gov/reporter/> (last accessed Oct. 22, 2020)
- 35 New York State Unified Court System, Court PASS available at <https://www.nycourts.gov/ctapps/courtpass/> (last accessed Oct. 22, 2020)
- 36 One of the effects of authentication is that an authenticated record is presumed to be accurate for other jurisdictions that have also adopted the Model Act.
- 37 Cal. Office of Legislative Counsel, Authentication of Primary Legal Materials and Pricing Options (Dec. 2011), available at http://hapax.qc.ca/CA_Authentication_WhitePaper_Dec2011.pdf
- 38 Id.
- 39 Jennifer L Wondracek, The E-FAC: One Year Later, 89 Fla. Bar J. 18 available at <https://www.floridabar.org/the-florida-bar-journal/the-e-fac-one-year-later/> (last accessed Oct. 27, 2020)
- 40 Compare California’s Keyword Tracking with the “Bill Status Alerts” system offered by the New York State Senate, available at <https://www.nysenate.gov/citizen-guide/bill-alerts> (last accessed Oct 21, 20). Subscribers for the Bill Status Alert receive notifications based on the bill number only, not by the subject of the bill.
- 41 <http://www.thruway.ny.gov/about/rulesregs/index.html>
- 42 Minnesota Office of the Revisor of Statutes, Document Authentication, available at <https://www.revisor.mn.gov/authenticate/> (last accessed Oct. 21, 2020)
- 43 Id.
- 44 California Legislative Information, Electronic Legal Materials Authentication and Preservation FAQ available at <http://leginfo.legislature.ca.gov/faces/home.xhtml#> (last accessed Oct 22, 2020)
- 45 California Legislative Information available at <http://leginfo.legislature.ca.gov/> (last accessed Oct 22, 2020)
- 46 Cal. Office of Legislative Counsel, Authentication of Primary Legal Materials and Pricing Options (Dec. 2011), available at http://hapax.qc.ca/CA_Authentication_WhitePaper_Dec2011.pdf (last accessed Oct 22, 2020)
- 47 California Legislative Information, Electronic Legal Materials Authentication and Preservation FAQ

- 48 Preservation of Electronic legal Materials, Uelma P UELMA Preservation Group, Preservation of Electronic legal Materials white paper updated April 2018, available at <https://www.aallnet.org/wp-content/uploads/2018/04/Preservation-of-Electronic-Legal-Materials-White-Paper.pdf> (last accessed Oct. 22, 2020)
- 49 Id.
- 50 Colorado Secretary of State, Administrative Rules of State Agencies available at <https://www.sos.state.co.us/pubs/CCR/CCRHome.html> (last accessed Oct. 22, 2020)
- 51 Id.
- 52 Iowa Code § 2B.32
- 53 The Iowa Legislature, Document Authentication, available at <https://www.legis.iowa.gov/law/authenticate> (last accessed Oct 22, 2020)
- 54 The Iowa Legislature, Document Authentication Disclaimer, available <https://www.legis.iowa.gov/law/disclaimer> [last accessed Oct 22, 2020]. The disclaimer on the site states:
- “The Purpose of Website and Disclaimer: The purpose of this Iowa General Assembly website is to provide a starting point for access to legislative-related information. The information constitutes an invaluable resource in researching Iowa law, public policy, and the process of enacting legislation. Although the accuracy and timeliness of the information provided is excellent, some information is provisional and all information is provided “as is” and without any express or implied warranty. If information on this website may affect your legal rights, refer to the official version of the information in print, DVD, or Internet publications and contact legal counsel of your choice.
- Official and Unofficial Editions of Legal Publications: This website contains official editions of legal publications produced as copies in a PDF format. This website also contains unofficial editions of legal publications produced in a PDF format and any other formats, including current and archival legislation, many with electronic links to other legislative documents. A user may also authenticate certain official editions of legal publications electronically.
- 55 Open Law Library available at <http://www.openlawlib.org/> (last accessed Oct. 22, 2020)
- 56 Id. See also Vincent Chuang and David Greisen, A Digital Publication and Archival Platform For Legal Documents available at <https://www.aallnet.org/wp-content/uploads/2018/04/Preservation-of-Electronic-Legal-Materials-White-Paper.pdf> (last accessed Oct. 22, 2020)
- 57 Open Law Library, Open Law Platform, <http://www.openlawlib.org/platform/> (last accessed Oct 22, 2020)
- 58 Council of the District of Columbia, Legislation & Laws, available at <https://dccouncil.us/legislation/> (last accessed Oct 22, 2020)
- 59 US Government Printing Office, GovInfo.gov available at <https://www.govinfo.gov/> (last accessed Oct. 22, 2020)
- 60 The Supreme Court publishes its own opinions electronically almost immediately as “slip” opinions. These are not official opinions and the later printed version is “official” unless the electronic version is “revised” after the print version is published in which case the electronic copy is the “official” copy. United State Supreme Court, Opinions available at <https://www.supremecourt.gov/opinions/opinions.aspx> (last accessed Oct. 22, 2020)
- 61 [GovInfo.gov](https://www.govinfo.gov)
- 62 FedSys launched 2009, GovInfo launched 2016 <https://www.govinfo.gov/>

- 63 US Government Printing Office, FDsys Retirement and Transition to govinfo available at <https://www.govinfo.gov/about#fdsys-transition> (last accessed Oct. 22, 2020)
- 64 International Organization for Standardization, Space data and information transfer systems — Audit and certification of trustworthy digital repositories available at <http://www.iso16363.org/standards/iso-16363/> (last accessed Oct. 22, 2020)
- 65 [GovInfo.gov](https://www.govinfo.gov)
- 66 44 USC §§1901-1916.
- 67 US Government Printing Office, Federal Depository Library Program available at <https://www.fdlp.gov/> (last accessed Oct. 22, 2020)
- 68 FDsys Retirement and Transition to govinfo
- 69 US Government Printing Office, GovInfo System Design and Documentation available at <https://www.govinfo.gov/developers/system-design> (last accessed Oct. 22, 2020)
- 70 US Government Printing Office, GovInfo About SiteMaps available at <https://www.govinfo.gov/sitemaps> (last accessed Oct. 22, 2020)
- 71 US Government Printing Office, DIGITAL PRESERVATION AT THE U.S. GOVERNMENT PRINTING OFFICE: WHITE PAPER available at https://www.govinfo.gov/media/preservation-white-paper_20080709.pdf (last accessed Oct. 22, 2020)
- 72 West Publishing Group, New York Codes, Rules and Regulations available at <https://govt.westlaw.com/nycrr/Index?transitionType=Default&contextData=%28sc.Default%29> (last accessed Oct. 22, 2020)
- 73 West Publishing Group, New York Official Reports Service <https://govt.westlaw.com/nyofficial/Index> (last accessed Oct. 22, 2020) sourced from New York Official Reports
- 74 <http://www.wcb.ny.gov/content/main/Decisions/board-decisions.jsp>
- 75 <https://www.dta.ny.gov/>
- 76 <https://perb.ny.gov/nys-perb-board-decisions/>
- 77 https://www.health.ny.gov/health_care/medicaid/decisions/
- 78 <http://www.wcb.ny.gov/content/main/Decisions/board-decisions.jsp>
- 79 <http://www.wcb.ny.gov/content/main/wclaws/3005rul.jsp>
- 80 NY Tax Law § 2006 (9)
- 81 <https://www.dta.ny.gov/>
- 82 Id
- 83 <https://omig.ny.gov/>
- 84 https://www.health.ny.gov/health_care/medicaid/decisions/
- 85 <http://www.thruway.ny.gov/about/rulesregs/index.html>
- 86 <http://www.wcb.ny.gov/content/main/wclaws/regs.jsp>
- 87 <https://parks.ny.gov/inside-our-agency/rulemaking.aspx>
- 88 Title 9 of the New York Codes, Rules and Regulations (NYCRR)
- 89 <https://dos.ny.gov/state-register>
- 90 Preservica available at <https://preservica.com/> (last accessed Oct. 22, 2020)
- 91 New York State Archives, Bill and Veto Jackets: Legislative Bill and Veto Jackets available at <http://digitalcollections.archives.nysed.gov/index.php/Detail/collections/7782> (last accessed Oct. 22,

2020)

- 92 The New York State Archives has made Legislative Bill and Veto Jackets starting from 1995 available online. The jackets may be accessed by year and chapter as well as through a keyword search of the bill number and brief title available at <http://digitalcollections.archives.nysed.gov/index.php/Detail/collections/7782> (last accessed Oct. 22, 2020)
 - 93 Executive Orders from the Office of the Governor are available at <https://www.governor.ny.gov/executiveorders> (last accessed Oct. 22, 2020)
 - 94 NY St Print § 4 requires printing of "bills of the legislature, amended bills of the legislature, journals, session laws, state of New York legislative digest; and other legislative documents as may be ordered by the legislature through the commissioner.
 - 95 New York State Law Reporting Bureau, Legal Research Portal, <http://www.nycourts.gov/reporter/research.shtml> [last accessed on Oct 22, 2020]. This valuable compendium of links also contains the New York Official Reports Legal Research Portal.
 - 96 New York State Unified Court System Law Reporting Bureau, New York Official Reports Official User Guide available at <http://www.nycourts.gov/reporter/ElectronicResourcesUserGuide.pdf> (last accessed Oct. 22, 2020)
 - 97 Legislative Law § 44 " The temporary president of the senate and the speaker of the assembly or a person or persons designated by each legislative leader shall annually cause the session laws to be printed in a bound volume or volumes as soon as possible after the adjournment of the legislature. Each such law shall be printed in the same form as the official copy of the bill which became such law except that line numbers, the printed number of the bill and explanatory matter shall be omitted"
 - 98 New York State Library, Bill, Veto and Recall Jackets available at <http://www.nysl.nysed.gov/billjack.htm> (last accessed Oct. 22, 2020)
 - 99 New York State Archives, Bill and Veto Jackets
 - 100 New York State Assembly, Advanced Legislation Search available at <https://nyassembly.gov/>
 - 101 Electronic Version: The New York State Senate publishes bills on its website.[1] Bills are provided online and are available to download as a pdf file or to "share" by email, Facebook or Twitter. [2] The search engine allows searching by year, print number, title, sponsor, status or issue. There is also a list of New York Laws accessible from the website which can be downloaded as PDF files. The PDF files contain searchable metadata and the State Senate has its own webmaster.
- NY Senate Rule 8 §3(b) (2021) requires that after a third reading, the bill be "jacketed." Those Jackets are preserved in both paper (baseline copy) and electronic format by the NYS Archives and New York State Library.[3]
- [1] [Bill Search and Legislative Information | New York State Assembly \(nyassembly.gov\)](#)
 - [2] [Advanced Legislation Search | NY State Senate \(nysenate.gov\)](#)
 - [3] [Bill, Veto and Recall Jackets: Research Library: NYS Library \(nysed.gov\)](#)
- [leg/?sh=advanced](#) (last accessed Oct. 8, 2020)
- 102 Consolidated Laws of New York available at <https://www.nysenate.gov/legislation/laws/CONSOLIDATED>
 - 103 NY Senate Rule 8 §3(b) (2021)
 - 104 New York State Library, Bill, Veto and Recall Jackets
 - 105 New York State Assembly, Bill Search available at <https://nyassembly.gov/leg/> (last accessed Oct. 22, 2020)

- 106 However the link is available from the New York State Law Reporting Bureau, Legal Research Portal as well as from the Assembly site
- 107 New York State Bill Drafting Commission, New York State Legislature available at <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO> (last accessed Oct. 9, 2020)
- 108 Laws of New York State, hosted by the New York State Library available at <http://www.nysl.nysed.gov/scandocs/laws.htm> (last accessed Oct. 9, 2020)
- 109 New York Official Reports (Unreported, New York Official Reports - Appellate Motion Decisions (Unreported), New York Official Reports - Front Matter, New York Official Reports - Table of Cases, New York Official Reports - Table of Cases Affected, New York Official Reports Digest (First Series), New York Official Reports Digest (Second & Third Series), New York Law Reports Style Manual, Court of Appeals of New York - New Filings
- 110 New York State Unified Court System Law Reporting Bureau, New York Official Reports Decisions available at <http://www.nycourts.gov/reporter/Decisions.shtml> (last accessed Oct. 22, 2020)
- 111 New York State Law Reporting Bureau (New York Official Reports Electronic Resources User Guide, Fall 2020) available at <http://www.nycourts.gov/reporter/ElectronicResourcesUserGuide.pdf>
- 112 Id at 1
- 113 <https://www.govinfo.gov/media/authenticationwhitepaper2011.pdf>

