



# Law Librarians of New England

A chapter of the American Association of Law Libraries

DATE: May 27, 2015

BILL: H.43 (Massachusetts Electronic Legal Material Act)

COMMITTEE: Joint Committee on the Judiciary

POSITION: Support H.43

Chairman Brownsberger, Chairman Fernandes, Vice Chair Keenan, Vice Chair Cronin and members of the Committee:

My name is Barbara Morgan. I am the Law and Government Information Research Librarian at the University of Massachusetts Amherst and a member of the Government Relations Committee of the Law Librarians of New England. Our members work in college and university libraries, law schools, law firms and trial court libraries throughout New England.

The Law Librarians of New England strongly urges the Committee to approve H.43, the Uniform Electronic Legal Material Act or UELMA. It will ensure that Massachusetts' online legal materials deemed official will be preserved and made permanently available to the public in unaltered form. UELMA furthers Massachusetts' state policies of accountability and transparency in providing legal information to the public.

As a law librarian, I am concerned about access to both current and historic Massachusetts legal material. If you visit a Massachusetts law library, you'll find the General Laws of Massachusetts available in print. It's easy for me to provide access by placing these books on a shelf and it's easy for me to preserve access to past laws by keeping the older volumes. It's also easy for someone using these volumes to tell that they're looking at an authentic text by inspecting the title page. I don't currently have the same ability with electronic versions of legal materials.

Fortunately, UELMA will ensure that if an online version is deemed official, it will guarantee the same level of trustworthiness traditionally provided by print legal publications. UELMA provides for a technology neutral, outcomes based approach that

will give Massachusetts flexibility in making sure that official legal material, solely available online will be authenticated, preserved and made permanently available to the public.

In addition to the Law Librarians of New England, UELMA is supported by the Massachusetts Library Association, the American Association of Law Libraries, the American Bar Association, and the Uniform Law Commission. Many other stakeholders—including the U.S. Government Publishing Office, the National Archives and Records Administration, the Society of American Archivists, the National Center for State Courts and the Association of Reporters of Judicial Decisions—were all observers to the Uniform Law Commission’s drafting committee.

UELMA has already been adopted by twelve states, most recently Delaware, Illinois and Pennsylvania; Connecticut passed UELMA in 2013. The Law Librarians of New England strongly urges you to support H.43 and establish Massachusetts as a leader among states that have recognized that official, electronic legal material must be authenticated, preserved and made permanently available.

Thank you for your consideration of this important bill. I’m happy to answer any questions the Committee might have.