One Mississippi Library’s Experience in Opening up the State Judiciary to Greater Access by the Library Patron

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One Mississippi Library’s Experience in Opening up the State Judiciary to Greater Access by the Library Patron

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Introduction

Legal materials such as case reporters and case digests can be quite expensive and burdensome for libraries to acquire, due to little use for such materials. Online legal sources such as Westlaw and LexisNexis are rarely an option for these libraries because of their tremendous costs. However, most libraries face legal-related questions from patrons, and librarians lack easily accessible materials to provide the patron an answer.

The staff at Mississippi College School of Law Library decided to do something about this problem by creating a program to provide complete access to the appellate courts of the state of Mississippi freely available online to legal practitioners as well as the general public. The end result was the launch of the Mississippi College School of Law Judicial Data Project ("JDP") in 2010. Located at http://judicial.mc.edu, the JDP includes court opinions, appellate briefs related to the opinions, video of oral arguments, and case summaries of all cases that have been handed down by either the Mississippi Supreme Court or the Mississippi Court of Appeals within a certain time frame. Admittedly, the JDP is not as grand in scope as some other online sources; however, we at the Mississippi College School of Law Library are excited about this project and its ability to put the necessary components of the appellate judicial process in the state of Mississippi at the people’s fingertips. It is our hope that this article might inspire others in the library community to consider establishing a similar product in states across the region.
History of the JDP

In 2007, the staff at the Mississippi College School of Law Library began what was then named the Mississippi Appellate Court Video Archive. Prior to this, Mississippi Supreme Court and Court of Appeals oral arguments were not being archived and made available to the public. In an effort to archive these videos for public access, the Library sought and received permission to archive the videos on a website hosted by the Library from the Mississippi Supreme Court. Collecting and presenting online video files of oral arguments before both courts, the Video Archive served as a useful tool to those in the Mississippi legal community. Having access to such videos, legal practitioners were able to gain insight into the manner in which these oral arguments are held before the courts as they prepared for their own appellate arguments.

Separately from the Video Archive, Mississippi College School of Law was also providing the Mississippi Law Institute Bulletin which began in 2000. The Bulletin is a weekly summary of all published Mississippi Supreme Court and Court of Appeals opinions. Mary Miller, Assistant Dean for Information, Technology and Legal Research for the Mississippi College Law Library, compiles the summaries and emails them to subscribers typically the day after the decisions have been handed down. The facts and legal analysis provided by the summaries allow an attorney to quickly determine if the case is one which is pertinent to his or her practice.

With the success of the Video Archive and MLI Bulletin, the Library began to think of ways to improve. A decision was made to seek permission from the Mississippi Supreme Court to create an appellate brief archive that would be used in conjunction with the Video Archive. The Library would incur all expenses involved in obtaining the briefs each week from the Clerk’s office. Permission was granted, and the Library began uploading briefs to the site in 2007. In the interest of privacy, it was decided that attorney bar numbers would be redacted from all briefs as well as any name of a
minor or sexual abuse victim that might be in an appellate brief. Along with each case brief, the Library included the MLI Bulletin case summary and a link to the opinion once it had been handed down.

The final addition to this exciting project was the introduction of the statistical data component. The Library created a database that permits the extraction of statistics for legal practitioners, researchers, and the general public. When each decision is handed down, we glean information, such as the opinion author and vote total, and key it in to various fields which allow all data sets to be cross-referenced. The Library went live with this feature in 2010 with the newly titled Judicial Data Project which brought together the video and brief archives, case summaries, and statistical data into one complete product.

Combining the Video Archive, Brief Archive, MLI Bulletin case summaries, and statistical data, the JDP is currently the only comprehensive online source to view Mississippi cases from beginning to end. It is still a work in progress as we add new cases and information weekly. Also, improved features of the JDP are imported on a regular basis, including the addition of trial court information and judicial biographies.

**Components of the JDP**

Librarians stand in a position to serve the greater community by being an intermediary between the patron, whether that patron is a legal practitioner or a member of the general public, and the information he or she seeks. As a result, the Law Library made the decision to develop a new and improved way to gather and present the many components of the appellate process. Our desire and commitment to provide the best product ultimately led to the creation of the JDP which, as described above, launched in 2010. To better understand the various components of the JDP, a brief summary along with a few screen shots is provided below.

**The JDP’s Brief Archive**

The Brief Archive is constantly expanding. The brief collection dates from 2007 to the present day. The Archive currently has over 4,500 briefs. Per its agreement with the Administrative Office of Courts, the Library is able to upload briefs onto the JDP within two weeks of a final ruling by the courts. The Archive is easily accessed as users can simply access it from the JDP’s homepage by selecting “Videos and Briefs,” imputting the necessary information to find a specific case, and clicking on the link to the various briefs associated with that case in PDF format.
Users are able to input information they may already have such as the Docket Number in order to access the desired brief.

Once a user selects the desired case, he is provided with a synopsis of the case and all briefs associated with it. To access any brief, he or she can simply click on the brief link.
Once the desired brief is selected, the user is provided with a pdf version of the brief. For privacy purposes, Attorney bar numbers are blacked out in each brief.

If a specific brief is not desired or the user simply does not know where to start, a more generalized search is available through the use of a Google-powered search box that searches all the briefs in the database. This is an excellent tool that utilizes top-notch search technology to comb through approximately twenty million words from all of the briefs to assist the user in finding briefs that contain certain specific words. As an example, if a user is looking for briefs that involve the issue of capital murder, he or she can simply type in the term “capital murder” in the search box and be provided all court briefs since 2007 that contain that term. This option provides the user the capability to find a case that fits his or her needs and allows him or her to take the next step in the research process by taking note of the authorities cited in those briefs.
The Google-powered text search boxes are located at the bottom of the Videos and Briefs search page. Users are given the option to search in both briefs and opinions for certain key words which fit the user’s research needs. Here, the term “capital murder” is entered into both search boxes.

Upon running a search for the term “capital murder,” users are provided a listing of all briefs that contain “capital murder.” Users can then click on the links to the briefs to access a PDF version.
The JDP’s Video Archive

The Video Archive of the JDP currently contains over 670 videos of oral arguments before both the Mississippi Supreme Court and Court of Appeals. Utilizing the technological benefits of Windows Movie Maker, we at the Library are able to edit each video by including a title screen shot detailing the case name, the case docket number, and the date of oral argument. We also cut out any portion at the beginning of the video wherein nothing pertaining to the argument is occurring. By editing the videos in this fashion, we are able to present the best product to legal practitioners and the public by making accessible the portions of the argument that truly matter, information on the case and the oral argument itself.

This provides an excellent benefit to all. Legal practitioners are able to view videos of oral arguments as they perhaps prepare for their own oral argument. Taking note of the types of questions the judges have asked in previous cases, a practitioner can adequately prepare for his or her own day before the court. The general public also receives a benefit from these videos being made public as they are able to access the videos and see the legal system at its finest as aggrieved parties are able to present their case before the court.

The Video Archive begins in 2004 and is current through the last complete sitting of both the Mississippi Supreme Court and Court of Appeals. Similar to searching for briefs, videos may be searched for by numerous means including by case docket number and case party name, among many other options. Once the specific video is found, users can click on the video link and watch the video in its entirety in most internet browsers.

Similar to briefs, videos can be searched for in a variety of ways. Users can search by Docket Number, Date Range, Party Name, etc.
Once the case is found with the desired video, the user is provided with the case summary and the briefs associated with the case. If a video file is available, the video icon will appear with the case summary. To view the video, the user can simply click on the video icon and view the video in its entirety.
The MLI Case Summaries

Each week as the Supreme Court and Court of Appeals hand down their opinions, MLI case summaries are prepared and distributed to subscribers. The summaries are also added to the JDP each week. Each summary provides topic words, summary of the facts, and summary of the court’s opinion analysis for each case. Currently, the JDP contains case summaries back to 2006, and the plan is to add case summaries back to 2000 when the MLI Case Summaries subscription service first began.

The JDP’s Statistical Research

The newest and perhaps most useful resource of the JDP is the database that permits the extraction of statistics for legal practitioners, researchers, and the general public. The database currently provides over thirty searchable fields that allow for referencing and cross-referencing any number of possible data sets involving Mississippi appellate cases. Data for the purposes of the statistical analysis aspect of the JDP is available for Supreme Court and Court of Appeals cases for the years 2006-2010. We continue to input and make available data from cases handed down by both courts in 2011. Our goal for the JDP is to work back to the year 2000 in order to provide an even greater benefit to the community and provide a more complete view of how the state law has evolved over the past decade as defined by the state judiciary.

The flexibility of searches using the JDP can be illustrated by some examples:

The case summary provides users with the topic of the case as well as a summary of both the facts and opinion analysis.
Example #1 Searching for all case opinions authored by Chief Justice Waller of the Mississippi Supreme Court and concurred with by Justice Kitchens for the timeframe of 2009-2010 yields twenty-four cases which are listed for the user. This search result is obtained simply by filling out the necessary information in the search fields. “Waller” is typed into the “Opinion Author” field. “Kitchens” is typed into the “Justices Concurring” field, and the date range for Supreme Court cases is set to include cases from 2009-2010. Before the JDP was available, gathering information on this search was very difficult. Those interested in the answer would have had to go back and look at each case in the desired time frame and look at the voting statistics of each individual case. The JDP, on the other hand, can do the counting for you. Additionally, the JDP can tell you if any briefs and oral argument videos for those specific cases are available.

To run a statistical search, a user can fill in the appropriate search fields with the information he or she would like to analyze. For this example, “Waller” is typed in the “Opinion Author” field and “Kitchens” in the “Justices/Judges Concurring” field. The date range is set to retrieve cases from only the years 2009-2010.
Example #2: If a user of the JDP wishes to see how many cases were appealed from the Circuit Court of Hinds County, Mississippi, only to be reversed and remanded by the Mississippi Supreme Court in the years 2008-2010, all he or she would need to do is enter the required information into the database’s search fields. In this instance, the user can set the date range to find cases handed down between 2008 and 2010. In the data box labeled “Supreme Court Holding,” the user can type in “reversed and remanded.” In the data box labeled “Trial Court Appealed From,” the term “Hinds County Circuit Court” is typed in. Once these data fields are selected, the user can then search the archive and find twenty-three cases that fit the search query. The list of cases advises that it has appellate briefs for sixteen of the twenty-three cases as well as five oral argument videos.
For this example, the Date Range is set to find Supreme Court cases handed down from 2008 to 2010. “Reversed and Remanded” is typed into the “Supreme Court Holding” field, and “Hinds County Circuit Court” is typed into the “Trial Court Appealed From” field.

Running this statistical search yields twenty-three cases that fit with the chosen search queries. The Database list provides the Docket Number, Date of Judgment, and Case Title of all twenty-three cases. The user can then peruse the case list and select any case he or she might wish to view in order that he or she can access the case summary, briefs, and video that might be associated with that case.
Conclusion

The Law Library is proud of the JDP, which provides the bench, bar, media, and the general public with a freely available resource that allows for broad access to the appellate process of the state of Mississippi. The JDP opens the state judiciary to greater transparency by putting all components, from court briefs to videos, out in the open. In today’s fast-paced environment, a quick and easy-to-use tool such as the JDP is highly beneficial. By giving users numerous options such as the full text Google-powered search of briefs and case opinions, the JDP grants everyone the opportunity to apply pre-determined keywords to search the database and its many documents to satisfy their individual research needs.

The creation of the JDP reflects the spirit of librarianship. It allows law librarians to serve as the intermediary between the patrons and the information they seek by utilizing the latest innovations in technology. We can provide the necessary components of the appellate judicial process in the state of Mississippi to legal practitioners and the general public at the touch of their fingertips.