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## Public Access to Legal Resources on the Internet

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# Public Access to Legal Resources on the Internet

Alice M. McCanless

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In the not so distant past, before the Internet, doing legal research necessitated access to either a substantial law collection or one of the expensive legal databases, Lexis-Nexis or Westlaw. That limited legal reference to law librarians, some special librarians and reference librarians at large university or public libraries. The Internet has changed all of that, giving any library with an Internet connection access to a wealth of current law, especially at the state and federal level.

This article is based on a presentation at the Joint Conference of the Georgia Council of Media Organizations and Southeastern Library Association on October 12, 2000. The purpose was to present free legal web sites available online in an organized manner. It included an annotated outline of legal primary sources divided into three sections, with a fourth section for miscellaneous secondary legal materials, such as dictionaries and directories. All of the links provided are to free web sites, usually maintained by government agencies or law schools. The criteria for inclusion were that the web sites be from a reliable source, such as a law school and easy for the non-lawyer to use. As with all sites on the Internet, there are no guarantees that these addresses will be valid in the future, but the great majority of them have been stable over the past few years.

For those who are new to legal research or need to update skills in this area, there are several books on the topic, including the three titles listed in the References below, by Coco, Cohen and Olson. Also, state and local library associations often offer workshops on how to do legal research. For a more indepth outline, check out "Legal Reference: An Annotated Outline with Internet Links" at: <http://adinservices.clayton.edu/mccanless/legal.htm>.

Library personnel providing legal reference must understand the unauthorized practice of law (UPL.) A librarian may show a patron where the legal materials or sites are and how to use them. Beyond that, the patron needs to decide on his or her own whether the laws they find pertain to their information needs. An attempt to interpret or explain a law constitutes the unauthorized practice of law and may result in the librarian being sued. However, guiding the patron to a specific legal citation, with the title, volume, page, etc., or finding it for them is acceptable. For more information on UPL, the article by Arant offers some guidelines.

**I. LEGISLATIVE LAW** - is passed by an elected body, such as a legislature, board of commissioners or council.

A. **Federal** - available online at **Thomas** (<http://thomas.loc.gov>) the Library of Congress site for U.S. Congress. Contains laws made by the U.S. Congress with input from the U.S. President. A bill passes the House of Representatives, then the Senate, before being sent to the President. The President may sign the bill into law; or veto the bill, requiring a 2/3 Congressional vote to override the veto; or do nothing for ten days, in which case the bill becomes law automatically unless Congress adjourns during those ten days; then the bill is automatically vetoed (pocket veto.) These laws are published as:

1. **Slip Laws** - the first official text of a new law (*online at Thomas*). They are numbered chronologically, in the order passed for each two-year congressional session. Example: *Public Law 81-1* was the first law passed by the 81st session of Congress.

2. **Statutes at Large** - bound slip laws (*online at Thomas*) for each session of Congress, published by the Government Printing Office (GPO.)
3. **United States Code (U.S.C.)** - (<http://uscode.house.gov> or [www.nsulaw.nova.edu/library/ushouse/16.htm](http://www.nsulaw.nova.edu/library/ushouse/16.htm)) public laws codified. The statutes are arranged by subject order, into 50 titles, which are divided into chapters and subdivided into sections.

**B. State** - follows a similar process to federal statutes and codes for most states. For example, in Georgia the legislative body is called the General Assembly, a bicameral body with a Senate and a House of Representatives.

1. **Statutes** – ([www.prairienet.org/~scruffy/f.htm](http://www.prairienet.org/~scruffy/f.htm) or [www.washlaw.edu/uslaw/statelaw.html](http://www.washlaw.edu/uslaw/statelaw.html))
2. **Uniform Laws** - laws proposed by the **National Conference of Commissioners on the Uniform State Laws**,
  - a. (<http://law.upenn.edu/bll/ulc/ulc.htm>) which encourages all states to adopt these laws to promote uniform legislation on certain topics.
  - b.
  - c.
- a. **Uniform Commercial Code** - adopted by virtually every state. The **Uniform Commercial Code Locator** (<http://www.law.cornell.edu/uniform/ucc.html>) links to state statutes that correspond to Articles of the **Uniform Commercial Code**.
  - d.

### C. Local Codes and Ordinances

<http://www.municode.com> / *under Free Resources - Online Codes*) county and city codes passed by the local legislative bodies, usually elected councilmen or commissioners. At this time, some are posted on the Internet.

**II. ADMINISTRATIVE LAW** - rules, regulations, reports or opinions promulgated by government agencies under the aegis of the executive branch.

**A. Federal**- the rules and regulations passed by federal agencies are found in the **Code of Federal Regulations (CFR)**

[www.access.gpo.gov/su\\_docs/index.html](http://www.access.gpo.gov/su_docs/index.html)

The CFR is the annual collection of executive-agency regulations published in the daily Federal Register, including all the previous regulations still in effect. They are arranged in subject order, most corresponding to the same fifty titles as the United States Code.

**B. State**-([www.prairienet.org/~scruffy/f.htm](http://www.prairienet.org/~scruffy/f.htm))

**C. City and County** - check with city or county clerk.

**III. CASE LAW** is the opinion or decision of a court. The decision is the final result of the court trial. The judicial branch interprets or construes the laws made by the legislative and executive branches. To decide a case, judges abide by the decisions made by previous courts, either in their jurisdiction or a superior jurisdiction. This is called "stare decisis" and is the basis of our common, or case law.

### A. Federal

(<http://serv5.law.emory.edu/FEDCTS/>)

1. **U.S. Supreme Court** – “court of last” the Supreme Court is the final court of appeals in the United States. As the final arbiter of interpreting the Constitution, it decides less than 100 cases a year, leaving the final appeals of many issues to the federal and state appeal courts.
2. **U.S. District & Circuit Courts** - have a limited jurisdiction that includes the interpretation of the U.S. Constitution and the federal statutes, or cases that involve citizens from different states.

### B. State Courts

(<http://guide.lp.findlaw.com/11stategov/>) - interpret state law. Trial courts are the first level and depending upon the state, there are one or more levels of appellate courts. The courts go by different names in different states; for example, in New York the general trial court is called the Supreme Court. The decisions of many state appellate courts can be found online but currently it is less common to find trial court decisions online.

#### **IV. SECONDARY ONLINE LEGAL RESOURCES**

- the online resources listed below are limited and cannot replace the commercial subscriptions available via Lexis-Nexis, Westlaw, etc. but, they do provide free, public access to some useful resources.

**A. Legal Periodicals** - law reviews and professional legal journals

<http://www.usc.edu/dept/law-lib/legal/journals.html>

1. **Contents Pages from Law Reviews, etc.** (<http://tarlton.law.utexas.edu/tallons/contentsearch.html>) updated daily, this keyword-searchable database contains the tables of contents of more than 750 law reviews and journals in the University of Texas Law School's Tarlton Law Library Collection, current three months only.
2. **Legal Periodicals** - (<http://stu.findlaw.com/journals/>) Electronic full text of a few law reviews and other scholarly or professional publications that pertain to law.
3. **Basic Legal Citation, 2000-2001** - aka the "Bluebook" (<http://www.law.cornell.edu/citation/citation.able.html>) the standard for how to cite legal resources.

**B. Dictionaries** - Online legal dictionaries are country specific. For example, the legal term "voir dire" is defined differently in Canada than the United States, so it is important to verify the online legal dictionary's country of origin.

1. **Real Life Dictionary of Law** (<http://dictionary.law.com>)
2. **Merriam-Webster's Dictionary of Law** - on FindLaw site (<http://dictionary.lp.findlaw.com/>)

**C. Lawyers.com** (<http://www.lawyers.com/>) offers the layperson an online version of the Martindale-Hubbell Law Directory to help the consumer to find a lawyer, learn about the law and what legal options are available.

While the Internet enables the library with few legal materials to access a multitude of free legal resources, it is not a replacement for a law library. The Internet is a good starting place for legal research; there are three general sites you may want to check out. **American Law Sources Online** ([www.lawsource.com/also](http://www.lawsource.com/also)) describes itself as "a comprehensive, uniform, and useful compilation of links to freely accessible on-line sources of law for the United States, Canada, and Mexico." Helpful features on this site are the tutorials for first time users. **First Gov** (<http://firstgov.gov>) is another, "one-stop" starting point for federal government sites, including legal. A nice feature is that it includes links to state sites as well, so that a search for "code" in the state of Georgia resulted in a link to Georgia's **Official Code - Unannotated**. **Findlaw** (<http://findlaw.com>) is probably the most known of the three, having been around for several years. At one time it was unwieldy to use, but this site has evolved to become user friendly and easy to maneuver. Findlaw is a good example of how sites on the Internet continue to evolve, with better content and newer navigation aides. As exciting as these developments are though, they cannot replace the fact that there will always be situations that require a legal professional. For times like these it is a good idea to have the phone numbers of groups, such as the local bar association, that offer a lawyer referral service.

## References

- Arant, Wendi & Carpenter, Brain B. "Where is the line? Legal reference service and the unauthorized practice of law (UPL) some guidelines that might help." *Reference & User Services Quarterly* 38 (3) (Summer 1999): 235-9.
- Coco, Al. *Finding the Law: a Workbook on Legal Research for Laypersons*. Buffalo, N.Y.: William S. Hein & Co., 1986.
- Cohen, Morris, et. al. *How to Find the Law*. St. Paul, MN: West Publishing Co., 1989.
- Lance, Kathleen. "Basic legal resources: making sense of the literature of the law." *Reference Services Review* 21 ( 1993): 91-6.
- McCanless, Alice. *Legal Reference: an Annotated Outline with Internet Links*. [online] Morrow, GA: Clayton College & State University, Library, 2000. [cited 18 June 2001]. Available from World Wide Web: (<http://admins-services.clayton.edu/mccanless/legal.htm>)
- Olson, Kent C. *Legal Information: How to Find It, How to Use It*. Phoenix: Oryx Press. 1999.

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