



American Association of
Law Libraries

**Oral Statement of
Darcy Kirk
Immediate Past President
American Association of Law Libraries**

**Joint Committee on Judiciary Public Witness Hearing
February 13, 2013**

Senator Eric D. Coleman
Co-Chair, Judiciary Committee
Legislative Office Building Room 2500
Hartford, CT 06106

Representative Gerald M. Fox
Co-Chair, Judiciary Committee
Legislative Office Building 2502
Hartford, CT 06106

Senator John A. Kissel
Ranking Member, Judiciary Committee
Legislative Office Building Room 3400
Hartford, CT 06106

Representative Rosa C. Rebimbas
Ranking Member, Judiciary Committee
Legislative Office Building Room 4200
Hartford, CT 06106

Chairman Coleman, Chairman Fox, Ranking Member Kissel, Ranking Member Rebimbas, and members of the Committee.

On behalf of the American Association of Law Libraries (AALL), I would like to thank you for the opportunity to testify in support of SB 235, *An Act Concerning the Adoption of the Uniform Electronic Legal Material Act*. AALL strongly urges the Committee to approve the *Uniform Electronic Legal Material Act* (UELMA), which will ensure that Connecticut's online state legal material deemed official will be preserved and made permanently available to the public in unaltered form.

I am AALL's immediate past president and a constituent of Chairman Coleman. AALL is a nonprofit educational organization with over 5000 members nationwide. The Association represents more than 80 members in Connecticut who serve the information needs of the legal community and the public at academic, firm, state, court and county law libraries. AALL's mission is to promote and enhance the value of law libraries, to foster law librarianship and to provide leadership and advocacy in the field of legal information and information policy.

UELMA addresses the urgent problem, first identified in AALL's 2007 *State-by-State Report on Authentication of Online Legal Resources*, that an increasing number of states are eliminating their print legal resources in favor of online-only, without assuring trustworthiness and reliability. UELMA provides an outcomes-based approach to ensuring that Connecticut's online legal material is guaranteed the same level of trustworthiness traditionally provided by print publication. SB 235 covers a range of primary legal materials including the Constitution of the State of Connecticut; the General Statutes of the State of Connecticut; the Regulations of Connecticut State Agencies; and the reported decisions of the Supreme Court, the Appellate Court and the Superior Court.

The General Assembly recently passed P.A. 12-92, *An Act Transitioning the Regulations of Connecticut State Agencies to an Online Format*. This new law shifts responsibility for publication of regulations from the Connecticut Judicial Branch Commission on Official Legal Publications to the Executive Branch Office of the Secretary of the State. In addition, the official publication will become electronic-only as of July 2013. *Now is the time to act* to ensure that the online regulations -- and *all* official online primary legal materials -- are authenticated, preserved, and made available for permanent public access.

Last year, UELMA garnered the full support of this Committee as well as the full Senate, which voted 36-0 in favor of adoption. I thank the committee for its strong support and understanding that Connecticut's online official legal material must be available for all who need access. The bill ultimately stalled in the General Assembly not because there was any opposition to UELMA -- in fact, there was none -- but because of issues with another uniform act to which UELMA was attached. I am hopeful that the act will be adopted this year.

UELMA is supported by AALL, the Connecticut Bar Association, the Southern New England Law Librarians Association, the Uniform Law Commission (ULC) and the American Bar Association. Many other stakeholders -- including the U.S. Government Printing 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 observers to the ULC drafting committee.

AALL strongly urges you to support SB 235. By adopting UELMA, Connecticut will establish itself as a leader among states understanding that official, electronic legal material must be authenticated, preserved and made permanently available to the public. Thank you very much for your consideration of this important matter. I would welcome any questions.