

SNELLA Southern New England Law Librarians Association

S.B. 235

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

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

Good Afternoon Chairman Coleman, Chairman Fox, Ranking Member Kissel, Ranking Member Rebimbas, and distinguished Members of the Judiciary Committee.

I am Nancy Marcove, Past President of the Southern New England Law Librarians Association and a law librarian for over 20 years. SNELLA, a regional chapter of the American Association of Law Libraries, is grateful to the committee for this opportunity to support passage of Senate Bill 235, *An Act Concerning the Adoption of the Uniform Electronic Legal Material Act*.

This occasion offers opportunity to discuss the unique nature of electronic legal materials and—thereby—demonstrate why passing UELMA has special urgency. The electronic medium, providing rapid access to information, has been perceived as superior to print. Its multiple advantages, however, mask the complexity of electronic. Here are at least four major concerns.

Firstly, electronic materials—distinguished from print—are easily manipulated. Data can vanish, become inaccurate, or be corrupted. Passage of UELMA would correct these perils by mandating authentication.

Secondly, electronic materials—distinguished from print materials which emerge at fixed points in time—are fluid. They change seamlessly with each new incarnation. Hence, historical materials can go inadvertently missing. There is no assurance that previous versions of primary legal resources will be long-termed preserved. Passage of UELMA would correct this danger by mandating long-term preservation.

Thirdly, electronic materials are not tangible things. We never own them in the fixed way we own print. That, again, threatens historical retention of earlier versions. It breaks the sure continuity between what was, what is, and what shall be. Passage of UELMA, again, corrects this defect by mandating electronic archives equivalent to what we have always

had in print. It insures that—in a new medium—we shall still own past, present, and future.

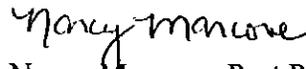
Fourthly, taking legal material electronic does not assure open public access. It can have the opposite effect. Government websites are often obscure. They often lack sophisticated indexing, field or truncated searching, and multiple good printing options. These and other problems often make electronic information unwieldy and inaccessible. UELMA, if passed, would address such concerns by mandating public accessibility.

Transitioning legal information to electronic format does not guarantee its authenticity, historicity, or universal access to all people. Only enforceable standards—arising from careful thought and planning—can assure these goals. Passing UELMA would require that those enforceable standards are in place.

The Southern New England Law Librarians Association, therefore, asks your support in passing Senate Bill No. 235, *An Act Concerning the Adoption of the Uniform Electronic Legal Material Act*.

Thank you very much for your consideration of this important matter.

Sincerely,



Nancy Marcove, Past President
Southern New England Law Librarians Association