

On Thursday, November 6, 2008, at the historic New York County Lawyers' Association Building in Manhattan, The Law Library Association of Greater New York (LLAGNY) and the Electronic Legal Information Access and Citation Committee of AALL (ELIAC) presented a program entitled: "Authentic Legal Information In the Digital Age: Is Online Legal Information Trustworthy?" The program was moderated by Mr. David Badertscher the Principal Law Librarian of New York Supreme Court, First Judicial District, Criminal Term Law Library. The guest speakers included Ms. Mary Alice Baish who serves as the acting Washington Affairs Representative of the American Association of Law Libraries, Ms. Anita Postyn who serves as a law librarian of the New York City Civil Court and participated in the AALL State-by-State Survey and Report on Authentication of Online Legal Resources, Mr. James Leary who serves as an attorney with the New York State Department of State, Office of Legal Counsel, and Mr. Gary Spivey who serves as the New York State Reporter.

Ms. Baish articulated AALL's vision and core values regarding authentication of online legal materials. These include to ensure equitable and permanent public access to authentic legal information and that government information intrinsically is a valuable public good created at tax payer expense that should be trustworthy, reliable, permanently preserved, and accessible as well as being "official" through designation by statute or rule. She discussed the AALL 2006 State Authentication Survey and the key findings of the report. She noted the trend that states are discontinuing print official resources and substituting online official sources. Examples of this include the fact that five states give official status to their online legal resources, but none are authenticated thereby undermining the trustworthiness of the resources. Moreover ten states and the District of Columbia designated as official one or more of their online primary legal resources. Furthermore, she commented that eight states present resource that have indicia of being official (i.e. "official traits"), but there is conflicting evidence as to the actual status of the resource. Lastly, Ms. Baish voiced some of AALL's major recommendations. These include a clear statement of the official status and source of authority be given, use of the term "official" should be used carefully to avoid confusion, and that titles for print and online resources should be used consistently.

Mr. Leary spoke on behalf of New York State's Department of State which is charged with oversight of the Official Compilation of Codes, Rules, and Regulations. He spoke about some of the practical issues involved in governmental publication and oversight of such a massive resource (approximately 56,000 pages). These include contractual issues and updating of new regulations by a small staff of only two typists. Significantly, he mentioned the real world confusion created by a publication which has "official" in its title and where the official version is print as compared to its online version which is not official but similarly has the word official in its title. Thus, the complete unofficial, Official Compilation of Codes, Rules, and Regulations of the State of New York is now available online at: <http://www.dos.state.ny.us/info/nycrr.htm>. Ms. Postyn's comments supported this real world view and were derived from her observations of the problematic and poor nature of states' authentication of online legal resources when she assisted in the AALL's State-by-State Survey and Report on Authentication of Online Legal Resources. Yet, Mr. Leary expressed admiration for the goals and values as set forth by Ms. Baish and expressed his hope that in the future the New York State Department of State would achieve them.

Mr. Spivey spoke on behalf of the New York Law Reporting Bureau. The Law Reporting Bureau is the New York State agency responsible for publishing the decisions of the New York courts in the Official Reports. He is a public servant whose primary responsibility is to oversee the publication of New York State official opinions and judgments of appellate and other courts. He noted the process in which the court's submitted version must go through a rigorous review process that ultimately ends in certification prior to publication in either print or electronic format. The New York Law Reporting Bureau posts cases on its website at: <http://www.courts.state.ny.us/reporter/>. The Internet site provides access to the New York Official Reports Service with text of all decisions published or abstracted in the Official Reports from January 1, 1995 through the latest Advance Sheet. Additionally, the Official Reports Service Archive provides the text of landmark and other notable decisions published in the Official Reports prior to January 1, 1995. Furthermore, the New York Slip Opinion Service provides access to recently released decisions prior to publication in the Official Reports, together with an electronic citation for each decision. Opinions selected for on-line publication only are also available. There is no charge for this service.

The panel discussion received very favorable feedback from the attending group which numbered approximately fifty information professionals. The presentation was coordinated by LLAGNY's Education Committee which is co-chaired by Ms. Debbie Melnick, Principal Law Librarian of the New York City Civil Court Law Library and Ms. Margaret Beirne, Principal Law Librarian of the New York Supreme Court in the Bronx, working with the AALL Electronic Legal Information Access and Citation Committee and the AALL Washington Affairs Office. We would like to express our gratitude for their work and to LLAGNY in bringing this panel discussion to fruition.