

Legal Information on Government Websites

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Government websites satisfy two of the three typical needs for legal information from general library users, students, and the public. One is the need for information about the legal system and how laws are made. The second is locating the language of a statute, rule, regulation, court rule, or court decision. Satisfying the third need – locating the legal information required for presentation before a court or other adjudicative body – is more complicated and cannot be done with government sources only.

Online government resources can be useful sources of free legal information for librarians, students, and the public. They reliably provide thorough, informative, and authoritative information about the legal system, how governing bodies work, and how laws are made. They provide full-text access to some laws. They may help individuals understand legal matters, if not resolve them. In addition, U.S. federal, state, and local government websites are generally designed for a public audience. This means that they avoid the 'legalese' language that can frustrate non-lawyers.

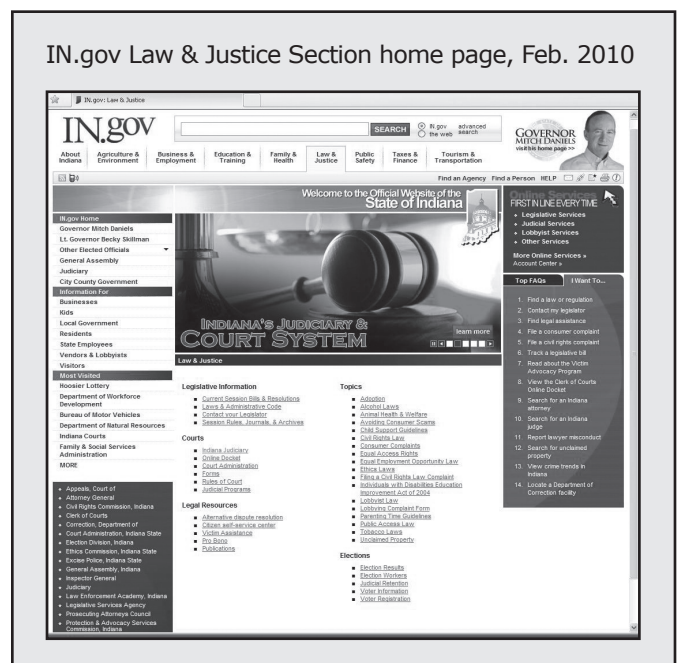
However, there are significant limitations to their comprehensiveness and practical value. Usually they do not contain much in the way of analysis or the practical application of laws and the procedures required to enforce those laws. Another significant disadvantage is that these free websites are not annotated with cross-references to other relevant legal sources. The challenge of locating all relevant law and fully understanding the implications of specific laws is great. And the risk of using out-of-date or incomplete legal information cautions against using only free sources in actual legal disputes.

This article focuses on the availability of free, full-text, primary law on the State of Indiana's

website and three main U.S. federal websites. The three types of primary law are: (1) legislative law; (2) rules and regulations (i.e., administrative law); and (3) judicial law (i.e., court decisions). Although these online collections are maintained by government institutions, specific resources may contain disclaimers that the electronic information presented is unofficial or 'non-legal.' Official versions typically are located in print collections. There are also many excellent websites published by educational institutions and organizations that are beyond the scope of this article. The online government information described in this article is suitable for library websites, pathfinders, reference, and instruction in academic, public, and school libraries.

Indiana Government Information Online

The official website of the State of Indiana is IN.gov, <http://in.gov>. The home page links directly to the three branches of state government responsible for making law: General Assembly (legislature), Governor and



agencies (executive), and Judiciary (courts). However, the state's portal for Indiana legal information is linked from the home page under the topic Law & Justice. Law & Justice, <http://in.gov/core/law.htm>, features sections on Legislative Information, Courts, Topics, Legal Resources, and Elections.

The section Legal Resources provides information concerning specific legal issues, and references to relevant laws mostly organized by topic such as child support and parenting time guidelines, filing a civil rights complaint, animal health and welfare, and adoption. Agency links may be helpful to the extent they further provide explanations of legal issues, links to selected primary law (typically statutes and regulations), and/or forms and instructions. The topics under Legal Resources also may contain links for FAQs which direct users to information but do not provide legal analysis or legal advice. The sections under Law & Justice on Legislative Information and Courts link to primary law and are described in this article under the heading Indiana Administrative Law Online.

Indiana Legislative Information Online

Legislation, statutes, codes, bills, acts, and public laws are terms that are synonymous with the laws considered by a legislature, at some stage of their existence, whether or not passed. Once passed, public laws are 'codified' into one or more of the 36 topical 'titles' that address specific areas of Indiana law. In Indiana, the set of titles comprising statutory law is titled the Indiana Code (IC or Code). The Code is updated as laws are passed; at any level of government only the current code includes laws-in-force and is typically what the public will find on a government website.

For legal reference, librarians should remember to remind the user about the importance of consulting cross references in the Code. Especially for the legal researcher, it is important to ensure that all relevant laws are located. Despite the topical organization of statutory law, sections from one title may be cross-referenced or adopted by reference in connection with another title. These incorporations may include important procedural requirements and legal definitions, as well as provisions relating to causes of action, time limitations, penalties, and fines.

The current Indiana Code can be found directly on the Law & Justice page under Laws and Administrative Code. (This heading also contains links to the Indiana Constitution and Indiana regulatory law.) The Code is searchable by citation or by keyword. Complete titles as well as individual statutory sections are available in HTML and PDF formats for downloading and printing. A Table of Citations Affected is provided for the current Code and each legislative session. This critical resource for updating statutory research indicates whether a section was added, amended, or repealed during the latest legislative session.

The Laws and Administrative Code pages also provide access to current legislative activity, such as full-text bills and resolutions, through the Legislative Services Agency. Bills and resolutions are searchable by bill number or keyword. An alphabetical subject list serves as an index and an archive contains the text of the Acts and Public Laws for sessions 2000 to the present. Session rules and session journals archived back to 1997 are also available, as well as information about the members and committees of the legislature.

Indiana Administrative Law Online (Executive Branch and Agencies)

Administrative law includes law made by the executive branch (e.g., executive orders) and governmental agencies (i.e., rules, regulations, and agency decisions). Indiana administrative law is located on the Indiana Law & Justice page, <http://in.gov/core/law.htm>, under the legislative information heading. This Web structure is logical because much agency law is made through the promulgation of rules and regulations that give practical effect to broadly written legislation. In sum, the statutory provisions (laws) are found in the Indiana Code, and the specific rules (regulations) are published in the Indiana Register (IR) and the Indiana Administrative Code (IAC).

The *Indiana Register* (IR) is a daily publication which provides notice of administrative activity including proposed new rules and regulations. The IAC contains the rules and regulations as codified. The scope of the combined database on In.gov includes: IAC, 2003–current; IR, 2000–current. The database is searchable by keyword or a variety of citation formats, and

the site provides a user's guide.

The Indiana Governor website does not link to legal information, so the Find an Agency link, persistent across pages on In.gov near the top, is the best way to locate legal information via state agencies. Find an Agency contains a dropdown menu of fifteen general categories. It also contains an alphabetical index of more than 100 Indiana agencies, bureaus, boards, commissions, councils, and authorities. Agency websites vary greatly in the amount of primary law, general legal information, practical guidance, and form or application materials they provide. In general, those agencies with significant public contact (e.g., Bureau of Motor Vehicles, State Department of Health, and Indiana Protection & Advocacy Services) provide the most explanation of rights and legal issues, commonly used forms and documents, and relevant Code sections and regulations for the benefit and convenience of the public.

Although not commonly known, much legal information may also be found on the agency websites of the Attorney General and Secretary of State. The Attorney General represents the state in legal matters. Accordingly, the agency's website contains information on issues in which the State represents the interest of citizens: consumer protection, patient abuse and neglect, Medicaid fraud, public access ('open door' laws), etc. Advisory opinions of the Attorney General (2001 to current) are available on the website.

Indiana Courts Information Online

Under the Courts heading on the Law & Justice page, <http://in.gov/core/law.htm>, there are links to the Indiana judiciary, online docket information, court administration information, selected forms, court rules, and the special programs of the court system. The first link, Indiana Judiciary, opens to the Indiana Courts website, www.in.gov/judiciary/. This article addresses two of the seven organizational sections, Law Library and Courts, which provide access to judicial decisions (cases) and individual court websites.

The Law Library includes links to the Supreme Court's online catalog, forms, court rules, judicial opinions and orders, the primary

law previously discussed (Indiana Code and Indiana Administrative Code), and a few other legal websites. The Courts section provides access to individual court pages: Indiana Supreme Court, Indiana Court of Appeals, Indiana Tax Court, Indiana trial courts, and the federal courts in Indiana (U.S. Court of Appeals for the 7th Circuit, U.S. District Courts, U.S. Bankruptcy Courts, and the U.S. Probation Office). Each of these Court websites also links the user to judicial opinions — the same 'judicial opinions' page prominent under the Law Library section.

Judicial opinions also are referred to as cases, decisions, or orders. The 'judicial opinions' found on In.gov Web pages provides access to the published cases from each of these Indiana courts: Supreme Court, Court of Appeals, and Tax Court. Current opinions from each court, for the previous week, are posted separately from older cases. Under Archived Opinions, non-current cases back to mid-2005 are grouped by court. The charts for each court list cases by the date published in reverse chronological order, as well as the case name (parties to the case), and both the lower court and the appellate court case numbers (i.e., docket number). A separate link on the Archived Opinions page provides access to cases going back from mid-2005 to 1998/1999. These older files, in both HTML and Word Perfect formats, also are listed in reverse chronological order and provide the court docket numbers. Although there is no search feature for Indiana judicial opinions, users may search Web pages with keywords if the publication date of the decision is unknown. There is also a link for Supreme Court Oral Arguments online, both live and archived.

Legal Forms and the Self-Service Legal Center

Information ... For Citizens under the Judiciary link provides access to the self-service legal center, online services, and more court system information at www.in.gov/judiciary/citizens/. The Indiana judiciary's website contains two sites for forms. The more comprehensive group, Indiana Court Forms, provided at www.in.gov/judiciary/forms/, is primarily for use by attorneys and judges. These forms cover a broad array of legal matters: appeals, domestic violence and protective orders, post-conviction

relief, alternative dispute resolution, and basic procedural requirements.

The Self-Service Legal Center, www.in.gov/judiciary/selfservice/resources.html, contains forms packages for citizens handling selected legal matters on their own. For these packages, the court provides instructions on how to complete and file the forms. Also important, this page contains a disclaimer about the unauthorized practice of law and the recommendation to consult an attorney, if appropriate. These pages contain information about the court system and legal assistance, and links to agency websites that may contain additional helpful information. Also provided is a glossary of legal terms and a link to an online legal dictionary.

U.S. Federal Government Information Online

Generally, the three branches of government at both state and federal levels are organized similarly and create the same types of law — statutes, administrative law, and cases. Unlike state materials, which typically use a single portal, full-text access to federal legal information is available on several government websites. This section describes three major online resources, USA.gov; GPO Access; and THOMAS, and the availability of full-text primary laws via each.

USA.gov is the U.S. government's official Web portal, making information available to answer a wide variety of needs. On the home page, patrons can find government information by topic (e.g., Family, Home and community; Jobs and education; Benefits and grants). Although varied from topic to topic, each of these links provides some legal information. Also, information can be viewed as tailored for specific audiences (e.g., government employees, citizens, visitors to the U.S.). Select 'More audiences' to find the link for Librarians and researchers. Under this heading, the section Reference Center contains laws, regulations, and general reference resources. Audience pages contain links to websites for federal, state, local and tribal levels of government. There is also an A-Z index of federal departments and agencies. Under the federal link, separate sub-headings for the branches of the federal government provide information about each branch. Although these

pages do not contain the full-text of laws, they provide links to other sites. The topical pages may also help individuals navigate legal terrain by providing background on legal issues or access to forms (e.g., social security benefits, small business regulation, and international adoption). A general search feature can be used to search the 'government Web' or USA.gov and there is a site index.

The role of GPO Access, a service of the U.S. Government Printing Office (GPO), is to disseminate online information from the three branches of the federal government.¹ Thus, it provides full-text or access to much free online federal law. The home page features resources organized by branch of government (legislative, executive, judicial). On subsequent GPO Access pages, tabs for the three branches appear at the top of the pages. Each of these contains links to the law created by that branch. The home page also provides an A-Z Resource List, an alphabetical list of permanently publically accessible GPO Access Online Resources. GPO Access also features a search across multiple databases on this page.

On the GPO Access home page under Federal-wide Resources *Core Documents of U.S. Democracy* provides direct online access to selected basic and/or historical federal government documents, which often have legal significance. Compared to the general search feature of USA.gov, GPO Access offers more complex search options for locating the law and other related documents.

The GPO Access home page also links users to a Louisiana State University Libraries Federal Agency, a search service that links users directly to Federal agency websites via an index of agencies. Its list of agencies reflects the structure of the government as identified in the primary reference source, the *U.S. Government Manual*.

THOMAS is the main source for all legislative information relating to the work of the U.S. Congress. Due to the highly specialized nature of the website, THOMAS is discussed only in the section relating to legislative information.

U.S. Federal Legislative Information Online (The U.S. Code and Other Congressional Materials)

Comprised of 50 topical titles, the U.S. Code contains the federal statutory law currently in effect. The GPO Access home page contains a direct link to the searchable full-text of the 2006 U.S. Code, the most current edition, which includes the general and permanent laws in effect as of January 3, 2007. In between editions, annual cumulative supplements are published in order to present the most current information. A browse by U.S. Code title (topic) feature also is available on GPO Access, and previous editions and supplements from 1994 forward can be searched.

Although the strength of THOMAS is in the other legislative materials it offers, it also provides access to the full-text of the current U.S. Code, via the Office of the Law Revision Counsel. Prior editions and supplements from 1988 forward can be searched and downloaded from this site.

THOMAS, <http://thomas.loc.gov>, was launched in 1995 to make federal legislative information freely available to the public. In fact, THOMAS provides much more online full-text primary law than just the current U.S. Code. It is helpful for a user to understand a little of the background on how a bill becomes law — there are several stages of consideration and revision before a law becomes effective. Often several bills are introduced on the same topic and any of these may be revised, consolidated, or abandoned before passage. In addition, there are other kinds of information that are not in the statutory text but which relate to the 'legislative history' of a law. The daily record of Congress and the activities of committees are important. THOMAS contains links to historical information, explanations of how laws are made, and the composition of the legislature, meeting a variety of information needs. For example, THOMAS provides teacher resources which link to more background on the legislative process, including to the Center on Congress at Indiana University's "Learn About Congress: Legislative Process guide" available at http://congress.indiana.edu/learn_about/topic/legislative_process.php.

The section About THOMAS provides a description

and the scope of coverage for every type of information on the entire website. This article will discuss the access to statutory law provided on the home page and under the Bills, Resolutions link.

The quick links on the home page of THOMAS include an option to search current bills by word/phrase, bill number, or a specific House Representative or Senator. The archived materials from previous legislatures include options to search multiple Congresses (1989–), appropriations bills (1998–), or Public Laws (1973–). Other legislative activity is available in the Congressional Record (1989–) and committee reports (1995–). Reviewing the advanced search templates actually may help a novice legislative researcher understand the stages in which laws are made and the way legislative information is organized and indexed in the databases.

Under the 'Bills, Resolutions' heading, the options Search Bill Text and Search Multiple Congresses provide two ways to search the full-text of bills introduced since 1989. The third option, Search Bill Summary & Status, available for the years from 1973 to the present, searches everything except the text of bills. This page also offers browsing by, for example, the popular names of laws, bills that have been vetoed, or specific types of House and Senate documents. Search results typically include the full-text of the law (including multiple versions introduced), its sponsors, the recent acting committees involved, separate links to major and to all congressional actions taken on it, and the index terms assigned to the law.

GPO Access divides a voluminous collection of legislative materials into three topical areas under the Legislative Resources section. The Legislative Process contains links to the full-text of U.S. statutory law and related materials. These include the U.S. Code, bills, reports, Congressional Record, public and private laws, and statutes at large. The coverage for each source varies. For example, Congressional bills can be searched or browsed from 1993–current; public and private laws are available from 1995–current. Other headings, like Congressional Materials and Legislative Resources, include information about committees and procedures, reports,

and directories. There is also a link to recent Congressional Conference Reports.

Although not restricted to legislative information, Congressional Research Service (CRS) Reports can be very useful in identifying the laws that govern particular issues. CRS is the nonpartisan research service of the U.S. Congress. Each year, CRS researchers write or update thousands of reports that provide members of Congress with analyses of significant domestic and international issues. Although these reports are not compiled officially, a number of organizations maintain such projects on a more or less topical basis. Several of these collections are suggested in Stephen Young's *Guide to CRS reports on the Web* (2006), www.llrx.com/features/crsreports.htm, but researchers also can use a search engine ["CRS" + topic/keywords] to locate relevant reports. Many academic institutions provide access to a collection of CRS reports and permit interlibrary loan. Finally, reports may sometimes be found on individual congressperson's websites, or be requested directly from them. Purdue University maintains a portal to some online CRS reports at www.lib.purdue.edu/govdocs/leg.html.

USA.gov does not provide any full-text access to legislation, but it links users through to the resources that do. The Web portal offers easy access to information about Senate and House members, commissions and task forces, how laws are made, and agencies that support Congress, including the Library of Congress and CRS.

U.S. Administrative Law Online (Executive Branch and Agencies)

GPO Access executive branch resources include the online Code of Federal Regulations (CFR), the rules promulgated by federal agencies and organized into 50 'titles.' The database, covering the period 1996–current, can be browsed or searched. Also provided are the daily Federal Register (1994–current) and the List of CFR Sections Affected (1986–current), essential for updating CFR research. The electronic CFR (e-CFR) is a regularly updated but 'unofficial, non-legal' edition. Presidential documents include executive orders, proclamations, state of union addresses, and the federal budget. Under Federal-wide Resources, the site provides an external link to a federal agency directory maintained through

a government-university partnership.

USA.gov does not provide direct links to any administrative law. Instead, the majority of information provided is organizational. The home page includes a comprehensive A-Z Index of U.S. government departments, agencies, councils, commissions, bureaus, and other bodies (referred to collectively as agencies). The link to federal government resources includes a heading for the executive branch, with selected agencies listed. Since the links are to the agencies' own websites, neither the organization of the pages nor the legal information provided is consistent. Thus, in addition to searching in the full-text of the FR or CFR, or as a beginning point, researchers might explore specific agency websites for administrative law.

U.S. federal agency websites also may be useful because agencies undertake significant rulemaking and regulatory activity in addition to issuing administrative decisions. An agency is likely to provide some direct links to the legislative (U.S. Code) and administrative law relevant to its responsibilities. Although topical headings also may lead to the text of administrative law on agency websites, researchers should look for the following headings or links: rules, rulemaking, regulations, decisions, compliance, law, or a law/research guide. Forms and guidance documents designed to assist those governed by the law in complying with its requirements may be available. Other site features may include news releases, FAQs, pending regulations, administrative decisions, statistics, and reports. Site maps, topic lists, and A-Z indexes are helpful.

U.S. Federal Courts Online Information

The federal court system includes the U.S. Supreme Court, an appellate system of thirteen circuit courts, the district courts in each state, and courts of specific jurisdiction (e.g., bankruptcy and tax). The official U.S. Supreme Court website, www.supremecourt.us.gov/, provides the full-text of opinions 1991–current. Other information includes oral argument information, the court's automated docket (a case tracking system), and court rules, which have the force of law. Other databases of Supreme Court decisions (1937–1975 and 1992–2000) are available on

GPO Access under judicial branch resources. Many of the special jurisdiction courts include opinions on their websites.

GPO Access and USA.gov provide access to insufficient case law to serve as online resources for serious researchers. Both contain information about the judicial branch and its administration, as well as links to court support organizations and the courts. Similarly, the Federal Judiciary (Administrative Offices of the U.S. Courts), www.uscourts.gov, provides maps, court links, and general information.

The vast majority of case law is decided by the circuit and district courts and these decisions are not available on court websites. However, almost a dozen initiatives are developing to provide free or low-cost electronic access to case law. The scope of the databases and usability varies, but these projects will make significant collections of circuit and district court opinions as well as Supreme Court decisions available to users in the future.

Conclusion

Librarians in Indiana can help users find access to free Indiana and U.S. primary law on online government websites, including legislative, administrative (rules and regulations), and judicial (courts and cases) information. The Indiana and three U.S. resources described provide access to full-text information and user guides appropriate for general library users, students, and the public. In assisting legal researchers, however, librarians should be aware that most of these resources are not the official law and should not be used for legal citation or for reliance in litigation. These online government websites and resources are suitable for library websites, pathfinders, reference, and instruction in academic, public, and school libraries.

Notes

¹ "GPO Access is being replaced with the Federal Digital System (www.gpo.gov/fdsys). The migration of information from GPO Access is ongoing and will be complete in 2010" (U.S. Government Printing Office, 2010). In addition to enhancements to the public search system, this project also includes behind the scenes improvements for content intake, information

management, and authentication and preservation of electronic documents.

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About the Author

Debra Denslaw, Reference and Circulation Librarian at the Indiana University School of Law-Indianapolis, has presented educational programs on free and low-cost legal resources for the Indiana Library Federation and the National Business Institute. Currently, she is chair of the ILF Interlibrary Loan and Circulation Division and a member of the Ohio Regional Association of Law Libraries' program committee. Previously, she worked for the Chicago Public Library.