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### Scoping Out Uncle Sam: Federal Legal and Government Resources

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# **Scoping out Uncle Sam: Federal Legal and Government Resources**

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# Federal Legal and Government Resources

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# Federal Legal and Government Resources

## I. Introduction

The Federal government (at least the executive and the legislative branches) began making substantial volumes of legislative and regulatory materials available freely on the Web as early as the late 1990's. While the resources provided directly by the U.S. government have not always been the most user friendly, they have always been truly rich in content. After a decade, today the interfaces have improved vastly and the content has grown exponentially. Current legislative and regulatory material is routinely available, as well as many historical items of importance.

Fully useful collections (which, of course, must include a broader date range) of judicial materials and court decisions (with the exception of U.S. Supreme Court decisions) have been slower to become widely available on the Web. This is because the Government Printing Office has spearheaded electronic access to Federal materials, and the GPO has never published any court decisions other than those from the Supreme Court. The GPO has worked tirelessly to get the materials it has traditionally published onto the Web, but it has not attempted to obtain opinions from the circuit or district courts. Recent decisions of these courts have been available, usually from law school libraries or from the courts themselves, but these collections online rarely include opinions from earlier than the mid 1990's. However, a couple of exciting projects are underway that hold the promise of changing this state of affairs.

The first few sections that follow will try to give you a couple of sources for most of the federal legal and government material available on the Web. Those sections will simply be organized by the type of material. Following the lists of sources, I will offer a collection of

services that enable you to track developments, search federal web sites, and obtain up to the minute news about federal legal and governmental action. At the conclusion of this paper, I will outline the ongoing projects that promise to make court decisions much more widely available than they have been.

## **II. Federal Legislation**

### **A. U.S. Constitution**

Many web sites offer the full text of the U.S. Constitution. Some of these sites are well formatted and quite easy to read. However, only the two sites listed below also include U.S. Supreme Court case law annotations for the U.S. Constitution.

#### 1. GPO Access

<http://www.gpoaccess.gov/constitution/browse.html>

In addition to a literal print of the text of the Constitution, GPO Access includes an analysis and interpretation of the U.S. Constitution prepared by the Library of Congress' Congressional Research Service. This database includes editions and supplements from 1992 forward.

#### 2. FindLaw

<http://www.findlaw.com/casecode/constitution>

The FindLaw version of the Constitution is easily navigated. The document can be either searched or browsed. Annotations to each article or amendment are found following a hyperlink at the top of the individual bit of text. If there are many annotations, they are organized into smaller subjects.

### **B. U.S. Code**

The text of the U.S. Code is made available by the Office of Law Revision Counsel of the U.S. House of Representatives. I find the Cornell site listed below offers the most easily navigated version of the Code. Since these sites offer the official U.S. Code, none of them offer a full text up-to-date version. Note, the U.S. House of Representatives version is the source for the printed version of the U.S. Code.

1. Cornell Law School's Legal Information Institute

<http://www.law.cornell.edu/uscode/>

This site contains the most recent version of the U.S. Code made available by the U.S. House of Representatives. Above the text of each section, is a link "How current is this?" If you follow that link, you get the currency of the section as published and a table showing the public law number of any legislation affecting the section, and linking to the its text. Cornell offers a well-formatted, easily searchable and navigable version of the U.S. Code. If one code section refers to another, there is a link to the referenced section. Another useful service provided with the Cornell version of the Code is the "Notes" section to the right of the text. Here you will find links to parallel administrative authority (C.F.R.)

2. House Internet Library

<http://uscode.house.gov/search/criteria.shtml>

Each section of the Code database contains a date in the top-right corner indicating that laws enacted as of that date and affecting that section are included in the text of that section. When a search is made for a specific section of the Code, as opposed to a search for certain words appearing in the Code, the hit list will include an "Update" item listing

any amendments not already reflected in the text of that section. The Classification Tables include Public Laws 109-170 to 109-172 and 109-174 to 110-180, approved January 8, 2008. The tables show where recently enacted laws will appear in the Code and which sections of the Code have been amended by those laws. They provide a separate method of identifying any amendments to a section not already reflected in the text of that section. There is not a link to the text of the public laws from this site.

### 3. GPO Access

<http://www.gpoaccess.gov/uscode/index.html>

The GPO Access site contains an archived version of the 1994 U.S. Code, with all of its supplements, as well as the 2000 Code and supplements.

### C. U.S. Public Laws

While Thomas has more extensive historical coverage of public laws than the GPO Access, the public laws at GPO Access are easily searched by keyword. Thomas provides more detailed information about the legislative action at each step in the passage of public laws. GPO Access formats the public law text exactly as it appears in *U.S. Statutes at Large*.

#### 1. Thomas - U.S. Public Laws

<http://thomas.loc.gov/bss/d100/d100laws.html>

While the title of this page is “View Public Laws for the 110<sup>th</sup> Congress”, the page also offers links to the full text of public laws from the 101<sup>st</sup> Congress (1989) to present, and summaries of public laws for the 93<sup>rd</sup> Congress (1973) to the 100<sup>th</sup> Congress(1988).

Thomas provides additional information about each public law such as Congressional Record page references, legislative tracking information, and links to selected

Congressional reports.

## 2. GPO Access - U.S. Public Laws

<http://www.gpoaccess.gov/plaws/index.html>

The GPO Access database of public laws can be accessed by public law number and is keyword searchable. This database contains the full text of public laws from the 104<sup>th</sup> Congress (1995) to the present in .pdf and text format. The format of the GPO Access site is the same as the *U.S. Statutes at Large* and includes page references to the *U.S. Statutes at Large*. In fact, if you view the .pdf format of a public law, it looks exactly like the page from *U.S. Statutes at Large*.

### **III. Federal Regulations**

The sites listed below for the Code of Federal Regulations and the Federal Register contain the complete text of all regulations, and proposed regulatory action. Remember too, though, that each federal agency maintains a Web site (usually easily found at [http://www..agency\\_acronrm.gov](http://www..agency_acronrm.gov).) Virtually all of these agency sites include the text of current regulations enforced by the agency, all regulatory proposals relevant to the agency, and the full text of recent administrative rulings made by the agency.

#### **A. Code of Federal Regulations**

Choosing which of the following two sites to use to access the current CFR is really just a matter of preference. Note, however, that only GPO offers access to archived copies of more than a decade of previous versions of CFR.

##### 1. GPO Access - Code of Federal Regulations (CFR) -

<http://www.gpoaccess.gov/cfr/index.html>



You can search the Code of Federal Regulations at GPO Access by keyword or you can browse the Code by title. This site provides archived copies of every version of the CFR beginning with 1996. You should also check out the *e-CFR* (<http://ecfr.gpoaccess.gov/>). The Electronic Code of Federal Regulations (e-CFR) is a currently updated version of the Code of Federal Regulations (CFR). It is not an official legal edition of the CFR, but an editorial compilation of CFR material and Federal Register amendments produced by the National Archives and Records Administration's Office of the Federal Register (OFR) and the Government Printing Office. The OFR updates the material in the e-CFR on a daily basis.

2. Cornell Law School's Legal Information Institute

<http://www4.law.cornell.edu/cfr/>

Cornell simply offers a front end to the exact text of the current CFR available at GPO Access. Like every offering from Cornell, this front end is very attractive and easy to navigate. The full text can be browsed by Title and Section, or searched by section headings.

**B. Federal Register**

1. Federal Register Online via GPO Access

<http://www.gpoaccess.gov/fr/index.html>

The GPO's database includes each volume of the *Federal Register* published since 1994 (volumes 59 - 73). The volumes are searchable by keyword, fields (such as rules, proposed rules, or notices) or date. You can also browse the Table of Contents for the volumes from 1998 forward.

## **IV. Federal Case Law and Court Rules**

### **A. Finding Courts and Court Decisions**

Sometimes the easiest way to track down the decisions of an individual court is to use a site that provides links to all of the courts. Although many courts (particularly the district courts) do not post opinions, quite a few have begun to make opinions available. The sources below are a few of the sites that offer links to every imaginable court.

#### 1. Federal Court Locator

<http://www.law.vill.edu/library/researchandstudyguides/federalcourtlocator.asp>

The Federal Court Locator is maintained by the Villanova University School of Law. This site offers easy connection to the U.S. Supreme Court, U.S. Circuit Courts of Appeals, U.S. District Courts, U.S. Bankruptcy Courts, United States Court of Appeals for the Armed Forces, U.S. Court of Federal Claims, U.S. Court of International Trade, Administrative Office of the U.S. Courts, Federal Judicial Center, U.S. Department of Justice and the U.S. Sentencing Commission.

#### 2. Emory Law Library Federal Courts Finder

<http://www.law.emory.edu/FEDCTS/>

Emory Law Library provides links to the following courts: U.S. Supreme Court, U.S. Court of Appeals for the Armed Forces, U.S. Court of Federal Claims, Federal Circuit, D.C. Circuit, First Circuit, Second Circuit, Third Circuit, Fourth Circuit, Fifth Circuit, Sixth Circuit, Seventh Circuit, Eighth Circuit, Ninth Circuit, Tenth Circuit and Eleventh Circuit. Links are arranged by Circuit or accessed by a clickable map of the United States.

### 3. The Federal Judiciary Home Page - Court Links

<http://www.uscourts.gov/allinks.html>

The Federal Judiciary home page is maintained by the Administrative Office of the U.S. Courts. This page links to U.S. Circuit Courts of Appeals, U.S. District Courts, U.S. Bankruptcy Courts, U.S. Court of International Trade, Federal Judicial Center, U.S. Court of Appeals for the Armed Forces, U.S. Sentencing Commission, and other sites of interest.

## **B. U.S. Supreme Court**

### 1. FindLaw - U.S. Supreme Court Decisions

<http://www.findlaw.com/casecode/supreme.html>

FindLaw offers Supreme Court decisions since 1893 (US Reports 150-). The database can be browsed by year and U.S. Reports volume number or searched by citation, party name, and full text. FindLaw includes U.S. Reports page breaks.

### 2. Cornell Law School's Legal Information Institute

<http://supct.law.cornell.edu/supct/>

The Legal Information Institute offers Supreme Court opinions under the auspices of Project Hermes, the court's electronic-dissemination project. This archive contains all opinions of the court issued since May of 1990. This site also has a collection of over 600 of the court's most important historic decisions. Here you can also find the current schedule of oral arguments, a biography and decision list for each of the current justices, and the text of the Court's rules. When you retrieve a U.S. Supreme Court case from Cornell, a pop-up dialogue box appears with links to related documents such as the

syllabus, dissenting and concurring opinions. In addition, the Cornell version of case decisions includes links to all U.S. Code sections and U.S. Supreme Court decisions cited in the decision.

### 3. The OYEZ Project

<http://www.oyez.org/>

The Oyez Project is a multimedia archive devoted to the Supreme Court of the United States and its work. It aims to be a complete and authoritative source for all audio recorded in the Court since the installation of a recording system in October 1955. The Project also provides authoritative information on all justices and offers a virtual reality 'tour' of portions of the Supreme Court building, including the chambers of some of the justices.

### 4. FindLaw - U.S. Supreme Court Briefs

[http://supreme.lp.findlaw.com/supreme\\_court/briefs/index.html](http://supreme.lp.findlaw.com/supreme_court/briefs/index.html)

FindLaw offers petitioner, respondent, reply and amicus briefs filed in Supreme Court cases beginning with the October 1999 term through the present.

## **B. Federal Circuit Courts**

### 1. Findlaw - Federal Circuit Court Opinions

<http://www.findlaw.com/casecode/courts/index.html>

Findlaw offers a searchable database of circuit court opinions for each circuit. The coverage is usually from the mid 1990's to the present. You can browse for opinions by date, or search by docket number, party name, or full text.

### 2. Individual Federal Circuit Courts:

1st U.S. Circuit since November 1995, from Emory School of Law

<http://www.law.emory.edu/1circuit>

2nd U.S. Circuit since January 1995, from FindLaw

<http://www.findlaw.com/casecode/courts/2nd.html>

(The court's website (<http://www.ca2.uscourts.gov/opinions.htm>) offers only the last 30 days of opinions.

3rd U.S. Circuit, since May 1994, from Villanova University School of Law

<http://vls.law.vill.edu/Locator/3/index.htm>

4th U.S. Circuit, since January 1995, from Emory School of Law

<http://www.law.emory.edu/4circuit>

5th U.S. Circuit, since 1992

<http://www.ca5.uscourts.gov/>

6th U.S. Circuit, since January 1995, from Emory School of Law

<http://www.law.emory.edu/6circuit>

7th U.S. Circuit, since January, 1999, from the court

<http://www.ca6.uscourts.gov/opinions/opinion.php>

8th U.S. Circuit, since October 1995

<http://www.ca8.uscourts.gov/opinions/opinions.html>

9th U.S. Circuit, since June 1995, from the court

<http://www.ca9.uscourts.gov/>

10th Circuit, since 1995, from the court

<http://www.ca10.uscourts.gov/clerk/casemanagement.php>

11th Circuit since 1995, from the court

<http://www.ca11.uscourts.gov/opinions/indexpub.php>

Federal Circuit, August 1995-August 2001, from Emory School of Law

<http://www.law.emory.edu/fedcircuit>

Federal Circuit, October 2004-present, from the court

<http://www.cafc.uscourts.gov/dailylog.html>

D.C. Circuit, official site, opinions since September 1997

<http://www.cadc.uscourts.gov>

### **C. Federal District Courts**

1. FindLaw - U.S. District Courts

[http://www.findlaw.com/10fedgov/judicial/district\\_courts.html](http://www.findlaw.com/10fedgov/judicial/district_courts.html)

Many District Courts have home pages, but very few of them offer the full text of opinions. FindLaw's list of Federal District Courts is annotated with information about what information each court web site offers.

## **IV. Federal Rules**

1. Federal Rules of Civil Procedure

<http://www.law.cornell.edu/rules/frcp/overview.htm>

2. Federal Rules of Criminal Procedure

<http://www.law.cornell.edu/rules/frcrmp/>

3. Federal Rules of Appellate Procedure

<http://www.law.cornell.edu/rules/frap/>

3. Federal Rules of Evidence

<http://www.law.cornell.edu/rules/fre/overview.html>

Each of the sets of federal rules available at the Cornell site appears as a hyperlinked table of contents. Following the link expands the selection to show the full text of that section of the rules.

## **V. Find Legislative History, Track Legislation and Regulation, Find Federal Web Sites and Keep Up with Court News**

### **A. Legislative History**

There are very few web sources that have compiled legislative histories. A few special interest groups compile the history of legislation that is of particular interest to their constituents, so it is always wise to at least try searching, usually using either the official or popular name of a statute of interest. However, for the most part, you will have to compile your own legislative history piece by piece using the following web sites:

#### 1. Thomas

<http://thomas.loc.gov/>

Thomas is maintained by the Library of Congress and is the best source for federal legislative information available on the Internet. From the bill text pages, you can link to *Congressional Record* references to the bill (from the 101<sup>st</sup> Congress, 1989 to present). From the “Bill Summary and Status” pages you can link to a detailed chronology of all Congressional action on a bill which includes roll call votes, and committee reports.

#### 2. GPO Access - United States Congress

<http://www.gpoaccess.gov/legislative.html>

GPO Access provides the full text of congressional bills, documents, hearings, reports,

the *Congressional Record*, public laws and committee prints, as well as bill summaries and status.

3. University of Michigan - Legislative Histories -

<http://www.lib.umich.edu/govdocs/legishis.html>

Begun in 1993 as a teaching guide for University of Michigan students, this site not only includes a guide to researching legislative histories, but links to available web resources and describes print resources as well.

**B. Track Legislation and Regulation**

Many interest and watchdog group provide public information about pending federal legislation and regulation. The sites below, however, are the most reliable and comprehensive site for obtaining information about current federal legislation.

1. Thomas

<http://thomas.loc.gov/>

Just as Thomas is a prime site for gathering material on the history of enacted legislation, it also provides the same information (relevant *Congressional Record* pages, and a detailed chronology of every congressional action) on proposed legislation.

2. GPO Access - United States Congress

<http://www.gpoaccess.gov/legislative.html>

Again, GPO Access provides the full text of congressional bills, documents, select hearings and reports, Congressional Record, and committee prints not just for enacted legislation, but for proposed legislation as well.

3. U.S. House of Representatives



<http://www.house.gov/>

The U.S. House of Representatives web site includes schedules such as a weekly list of items that the House intends to consider, matters currently on the House floor and up-to-date events on the House floor as they happen.

#### 4. U.S. Senate

<http://www.senate.gov/>

Like the House of Representatives, the U.S. Senate web site includes detailed schedules of events and issues of the Senate.

#### 5. FedNet

<http://www.fednet.net/>

FedNet provides live coverage of the floor of the United States Senate and House of Representatives along with gavel to gavel coverage of key Congressional Hearings.

#### 6. GPO Access listserv

<http://listserv.access.gpo.gov/>

Receive the daily Federal Register Table of Contents via e-mail.

#### 7. Regulations.gov

<http://www.regulations.gov/search/index.jsp>

Regulations.gov is your source for all regulations (or rulemakings) issued by U.S. government agencies. Regulations.gov includes regulations that are open for public comment (i.e., proposed) and closed for comment (i.e., final). Regulations.gov also includes other non-rulemaking documents, such as Federal agency notices, supporting materials, public comments, and Federal agency guidance and adjudications. Through

Regulations.gov you may also comment on proposed regulations open for comment and related documents.

### **C. Find Federal Government Sites**

#### 1. FedWorld

<http://www.fedworld.gov/>

FedWorld was established by the National Technical Information Service (NTIS). It offers links to Federal Government sites both by agency name and by general subject.

#### 2. First Gov

[http://www.usa.gov/Agencies/Federal/All\\_Agencies/index.shtml](http://www.usa.gov/Agencies/Federal/All_Agencies/index.shtml)

First Gov is the official U.S. Government portal to over 47 million pages of government information, services, and online transactions. This page of the site is an A-Z linked index of U.S. Government Departments and Agencies

#### 3. Library of Congress - Official Executive Branch Web Sites

<http://www.loc.gov/rr/news/fedgov.html>

The Library of Congress provides a well-organized list of links to executive branch government agencies.

### **D. Keep up with Court News**

#### 1. Washington Post - The Supreme Court Special Report

<http://www.washingtonpost.com/wp-srv/national/longterm/supcourt/supcourt.htm>

This site offers a compilation of news articles from the Post covering the court's current term, and a guide to the key cases on the docket.

#### 2. FindLaw - News and Analysis

<http://news.lp.findlaw.com/>

Findlaw offers not just a wide range of news stories on every conceivable legal topic, but when possible also links to the full text of documents relevant to the cases.

## **VI. A Couple of Recent Developments that Promise to Make Free Searching of Court Opinions More Widely Available**

One of the reasons that court opinions have appeared on the Web in such limited numbers is that the Federal Judiciary has never been responsible for publishing opinions, even when they appeared only in print. The Government Printing Office has historically published the opinions of the Supreme Court; but no other federal judicial opinions have been printed and made public by a government entity. The circuit court opinions that are available on the Web largely came to the Web because of efforts of Law Libraries. The mid 1990's dates from which these opinions appear mark the advent of the original opinions being produced by computer instead of typewriter. Once Law Libraries could obtain digital files of opinions from the courts, they were able to create Web sites featuring those opinions.

The current state of freely available federal court opinions has most of the Supreme Court opinions, a limited number (usually determined by date) of circuit court opinions, and few if any district court opinions on the Web. Generally speaking, these opinions are browsable only. Search capacities are limited, if present at all. Where search is possible, users generally can not search more than one court's decisions at a time. All of that may well change in the near future because of a few very promising projects which are detailed below.

### **A. In Re: State and Federal Cases and Codes**

This is a project of Public.Resource.Org. Their goal is to eventually create a full text,

unencumbered database of all state and federal cases and codes. In the short term, they are tackling the federal case law as it is found in Federal Reporter, Federal Supplement, and Federal Appendix. They are in the very beginning stages of this project, but have already received a commitment from Fastcase (a small fee based legal research company) to provide nearly 2 million pages of federal case law. The hope is that these files can be made available to sites like the Cornell Legal Information Institute, where search capacities can be developed. The first raw data can be accessed at: <http://bulk.resource.org/courts.gov/>.

**B. AltLaw - <http://altlaw.org>**

This site is a co-operative effort between Columbia and University of Colorado Law Schools. What they are trying to do is create an easy to use search utility for the full text of cases. A beta version is available and it allows searching across circuits or within selected circuits. Currently their coverage is limited to U.S. Supreme Court opinions from 1991 forward, and circuit court opinions from the early 1990's forward.. Still there are more than 184,000 cases in their database.

**C. PreCYdent - <http://62.149.169.159/>**

PreCYdent is another site building a search utility for case law and statutes. An alpha version is available that currently searches 334,949 opinions and 2501 statutes.