2-29-2008

Scoping Out Uncle Sam: Federal Legal and Government Resources

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Repository Citation
https://digitalcommons.law.uga.edu/speeches/43
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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

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 110th Congress”, the page also offers links to the full text of public laws from the 101st Congress (1989) to present, and summaries of public laws for the 93rd Congress (1973) to the 100th 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 104th 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). 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/).


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


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


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.ca7.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
11th Circuit since 1995, from the court

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

   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
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 101st 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.

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

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


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


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
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.