

(1)

Law.gov workshops  
Malarud talk at 10 AM  
Law.gov

- Convo for 6 mos
- workshops across the country

Summer

- Report for law.gov
- OGS system
- Registries -

Standard definition

- make an architecture
- ~~to~~ \$ market
- PACER 100 \$M revenue

Go Summer of Code

Phases:

1. Workshops
  2. Summer - report
  3. Go to Washington
- Get congressional action

Morning:

Legal

Afternoon:

Technical

Erika: Wayne

Inventories:

- Statutes
- Case law

"Primary Plus"

- Briefs
- Attorney work
- Filings
- testimony at congression
- court transcripts
- oral argument, audio
- private law
- building codes

Free Rules

Vicki: Retch

- gov doc in loc

Vicki:

What's provided by commercial?

What else?

- Point: UFF Librarian

- standardization + currency
- Authon

Paul  
Lomie

\$1 Billion savings come from commercial providers

Carl: Not aiming at ~~the~~ Commercial

Standardization  
- allows data algorithmic  
- allows VI  
- allows value add

~~Greg Titus~~

Steve Schultz

FCC's public comment of  
- allows mining  
+ Virginia web  
VIG

Tim Gaudin:

- legal publishers
- money spent just for docs
  - not value added features
- cuts deals for govt
  - put up handicapped version

→  
Most laws

Michigan -

no content requirement

- Inventors: forms

check Marcus:

- non binding evidence
- Currency and updating

GPO - sells information to Lexis -

└─┘

Caryanne EFF -

- complete database

- standing orders

- ~~complete~~ "New York is terrible" -

Ed Walters first case

- Don't consider this competition to westlaw
- This is public infrastructure

Carl -

"Triple keying" - typing books in three times

\$6.5 Million to buy the law

Ed

Think about it as public infrastructure

- stretch beyond what is provided
- What is "well grooved" is not telling.
- think beyond market
- innovation and "enabling"
- compete on service, not on data availability.

Erika: How do we organize this?

North for NOCALL

States claiming copyright on code is

Montana is shining beacon - no copyright

I think the elephant metaphor is apt here.

Carl: Sandboxes

- "Will give you money - 1 Billion Dollars"

- "Many states claim copyright on statutes"

— Is copyright valid?

✓ Carl: Terms of service

Citations —

Universal citation

— paragraph level in future

— historical injection a huge problem

law.gov —

— provide corpus

— who runs it?

New segment : Legal issues

# Segment 2: legal issues

Carl:

Copyright assertions  
Steven:

PACER

- curse and blessing

Blessing:

- standardized, canonical

Curse:

Behind a paywall.

PACER V2?

- doesn't look likely that they'll remove paywall

Primary materials-

Secondary materials.

CM/ECF ~~services~~ service

Donation of Pacer materials

Fee structure bad for democracy.

Pacer/CRS

E-Govt act of 2002

- space in legislation for fee for use

Revenue stream is 100M.

Lieberman - GOVT should only charge for cost

Ed -

Aggregate, and provide, to

- Role for government ~~to~~ provide infrastructure.
- Provide DATA - ~~with~~ UI &, but secondary

Carl -

1. Bulk data
2. API
3. Then website.

~~Step 1~~

Diane Rodriguez - File doc, summons - have to file with Westlaw

— cost for each action

Carl: If it's law, it's not copyrighted

Pam - Can a govt entity copyright code and, if so, when

Sam - Wheaton v Peters 1834

- Can a reporter claim copyright over opinions

~~or~~ Exceptions:

- when state active -

- Oregon still says copyright of Private entity claiming copyright

- Reporter:

- add value; then claims copyright

ie. page number

- are only source

2nd and 9th circuit

- Judges don't buy minor changes
- page numbers, etc

Incorporating code

Veck — 9th circuit 2002

- Incorporation by reference
- If law of land, should not be copyright
- building, plumbing, electricity contracted out

Oregon — Carl published, then got sued

~~McSherry~~

McSherry

Contract law is state

EULAs, license agreement



Ed  
Walters Think of statutes as dead poets —

— Compilation ~~of~~

— Poetry anthology example

Carl's  
point  
re:

LEXIS ~~the~~ claims compilation copyright  
If it's meant to be law, not copyrightable  
Legislative stamp makes it public domain

Veeth

"Enact this as positive law"

Copyright is reserved for persons

— Gov't not person for purposes of copyright

Only one copyright — federal

Private into issues.

— injection — can you — retract — law?

~~Public~~ Government digital signing.

Rathole: submitting something makes it public

Carl's opinion — you can only use it in domain

— no established law

the context of the

case. — can't pull it out

to abuse specifically.

# Public Session

Carl: Registry and Repository

- Primary legal materials

Fed gov

\$250 Mil a year, exec branch

PACER \$100 Million a year

~~PRIGS~~

PRIGS - can't afford \$6 a page

Yearlong process

Part 1

- 6 mos of workshops

- National inventory of legal materials

Part 2

- Report

- \$1 billion

Part 3:

Hit the govt

- Lieberman, Pelosi, Whitehouse

Anurag Acharya - Google

- Covered scholar's

Legal project

Jonathan Zittrain - Harvard Law

- Early stages
- Before realization of realities

Individuals with idea that move elsewhere

- simple ideas that then gain adoption

"fits and starts" —

even if this doesn't succeed, it seeds this effort.

Jonathan Zittrain names Archive and Books

- when brought to case, will be huge
- just ~~shows~~ the utility of it

Evangelical efforts of law.gov

- SSNs and privacy
- Privacy is a "known unknown"

Stay on in Broadcasting Prop 8 case

- Blocking video? How is this not open.
- "let it all out" isn't necessarily the best way to go

Q: diff's —

Raw diff's easy — effects hard

Q: Why'd we fail before?

# Technical discussion

(1)

~~7:30~~ 2 PM

Carl:

- SOC for law stuff.
- ~~the states as law~~ hire students to XMLize
- statutes

F

Tim Stanton

- work towards acquisition
- States compare with other states
- ~~overlap is~~ copy from neighbors, others
- they'd be interesting

Tagging - cross-state indexing.

- legislators would like this

- feedback - would garner support.

F USE the tool's utility to get states and legislatures to buy in.

Q's

~~Demo~~ Different fact

- demonstration of feasibility

- General Council of Twitter

~~A~~ - worth going after General Councils  
Hearts and Minds?

- XML -