

Prospecting for Digital Nuggets

Research Gems on the Web

By Jan Bissett and Margi Heinen

For some years now, the optimists among us have been saying that everything is on the web. The realists have pointed out that *not everything* is on the web. But ever so slowly more and more information has been digitized and added to library collections and websites. Many of these collections are “born digital”; others have been digitized from a variety of formats. Research material and collected works of interest to attorneys and legal researchers are included in this mix. But as befits the nature of the Internet, finding this information is not always straightforward. Highlights and a look at some selected digital special collections follow.

One area of interest to legal researchers is pre-enactment and enacted legislative documents at both the federal and state levels. While primary sources of law are readily available for the recent past and very early years, legislative researchers have struggled to find older congressional or state legislative materials on the web; thankfully, this information is now more likely to be online. The HathiTrust Digital Library,¹ a cooperative library initiative, contains millions of documents from member organizations covering all disciplines including law—illustrating the fascinating variety of legal information available in digital form. For those without access to ProQuest Congressional, LLMC, or HeinOnline’s Federal Legislative History Library, the HathiTrust website can be especially helpful for researching federal legislative history (the full text of congressional materials for older and newer laws is here) and determining if there is a publication on-topic.

Materials from member institutions can be found in a range of formats and publication dates. Members may download the full text of public domain documents, create compilations, and access in-copyright materials

in certain circumstances. Nonmembers may view public domain information, including more than 500,000 government documents. Copyrighted materials have limited viewing capabilities (search only).² The digitized text is searchable, so reading entire documents to determine if there is a relevant nugget within this large collection is not necessary.

For some time, researchers needing older state session law had to rely on HeinOnline (subscription required) or visits to a physical library with a well-curated collection. Recently, state session laws have begun appearing in digital collections at state university and government websites. For instance, University of Colorado’s law library has begun with the Territorial Laws of 1861³ and will move forward through the years in law within the next few months. The Governing Michigan⁴ digital works include the *Final Status of all Legislation* (1949–1981/1982) as well as selected Legislative Service Bureau bill analyses and executive analyses before coverage at the Michigan legislature⁵ website. This selected material consists of government information and legal collections, the latter including materials from the legislative, judicial, and executive branches such as bill analyses, court of claims opinions, and the 1944 and 1954 *Michigan Administrative Code and Supplements*. Links to frequently requested information and the ability to narrow a search by docket, bill or

public act number, party name, or issue date assists researchers with retrieval.

A warning for the researcher looking for state legal materials: while some states have well-developed archives, the archives are not uniform nationwide. For instance, Michigan’s archives are under the Department of Natural Resources⁶ while Colorado’s archives fall under the Department of Personnel and Administration.⁷ Additionally, each state has a different emphasis or scope of coverage in its archival collection. Remember to try individual agencies or government branch websites if you don’t find what you need at the archive sites.

Occasionally, researchers need to review the inception of certain institutions or track back to an agency that no longer exists. FRASER⁸ is the Federal Reserve archive with digitized documents going back to a report from 1790 by Alexander Hamilton that led to our nation’s first central bank. But this is not an archive frozen in time; it also includes past statements made by recently appointed Federal Reserve Chair Janet Yellen. The website has economic data, legislative history materials, and more from 1790 to the present. The Department of Transportation also offers its Online Digital Special Collections.⁹ It makes accessible superseded advisory circulars as well as historical railroad investigation reports, investigations of aircraft accidents from 1934 to 1965, Civil

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Aeronautics Board/Department of Transportation reports from 1971 to 1995, and historical Federal Acquisition Regulations.

The catalog of the National Archives and Records Administration¹⁰ provides searchable digitized information, including documents and photographs of law-related materials. Searching can sometimes be frustrating, but might result in some fascinating historical information, including documents from United States Supreme Court justices and agencies like the CIA. Researchers can expand beyond the U.S. in archival mode as well. Archives Portal Europe¹¹ provides interesting documents from around Europe although, fittingly, one may need to know the language.

For those interested in trial documents, the University of Minnesota Law Library's Legal History Research Guide¹² offers several links to interesting digital collected works including the St. Louis Circuit Court Historical Records Project,¹³ which provides access to unique judicial records. Featured are the Lewis & Clark Corps of Discovery, Native American Fur Cases, and Freedom Suits. If you are looking for a more local trial, *Anatomy of a Murder* author John D. Voelker's papers¹⁴ are archived at Northern Michigan University; they are not digitized, but selected photographs, including publicity shots from the movie, are available.

Digitized material from nongovernment sources is also available from libraries and educational institutions. For example, the Georgetown Law Library offers Digital Dictionaries: 1481–1891 among its works. These digitized forms of historical legal dictionaries from the library's rare book collection are made available to assist scholars with the development of legal language.¹⁵ Recent additions include *Bowyer's*, the *Law Glossary*, *Nomo-Lexikon*, *Dictionary of the Law*

of Scotland, *A New Law Dictionary*, and *A New Law Dictionary and Glossary*. This is an ongoing project available via the Digital Georgetown initiative.¹⁶

Archives and digital collections have made a variety of information more easily accessible to researchers. Materials in the public domain dominate our discussion, as copyright and licensing concerns and donor agreements still hold some documents in print or restricted mode. ■

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ENDNOTES

1. <<http://www.hathitrust.org/>>. All websites cited in this article were accessed February 16, 2014.
2. York, *Hathitrust: The Elephant in the Library*, 32 *Library Issues* 1 (January 2012), available at <<http://www.hathitrust.org/documents/Hathitrust-LI-201201.pdf>>.
3. <<http://lawlibrary.colorado.edu/colorado-session-laws/>>.
4. <<http://governingmichigan.org/>>.
5. <<http://www.legislature.mi.gov>>.
6. <http://www.michigan.gov/dnr/0,1607,7-153-54463_19313---,00.html>.
7. <<https://www.colorado.gov/archives>>.
8. <<http://fraser.stlouisfed.org/>>.
9. <<http://dotlibrary.specialcollection.net/>>.
10. <<http://www.archives.gov/>>.
11. <<http://www.archivesportaleurope.net/>>.
12. <<http://libguides.law.umn.edu/content.php?pid=422624&sid=3496931>>.
13. <<http://www.stlcourtrecords.wustl.edu/index.php>>.
14. <<http://archives.nmu.edu/voelker/index.html>>.
15. <<http://www.law.georgetown.edu/library/collections/legal-dictionaries/index.cfm>>.
16. *Digital Dictionaries: 1481–1891*, 12 *The Edward Bennett Williams Law Library Friends Newsletter* 1 (Fall 2013), available at <<http://www.law.georgetown.edu/library/visitors/friends/upload/Friends-of-the-Library-Newsletter-v12n2.pdf>>.

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