



November 9, 2020

Ms. Kristen Hickman
Chair, Committee on Judicial Review
Administrative Conference of the United States
1120 20th St NW, Suite 706 South
Washington, DC 20036

RE: Agency Litigation Webpages Project Draft Proposed Recommendations

Dear Ms. Hickman:

On behalf of the American Association of Law Libraries (AALL), an organization representing 4,000 law librarians and legal information professionals, I write to provide comments in response to the Administrative Conference of the United States' (ACUS) Committee on Judicial Review's "Draft Proposed Recommendations for Committee", dated October 30, 2020.

One of the primary roles of law librarians and legal information professionals is to assist faculty, attorneys, 0002L9903.3u(tede0)5((o)-3ts3)10(On)-5()-2(ia)doheuLi-audculty,

with case indexing and naming conventions, making a universal search cumbersome and often leading to inaccurate results.

- Lines 36-40: Paid databases make access cost prohibitive to many users, including members of the public.

AALL also recommends that the Committee adds a reference to the H.R. 8235. Similar to the _____, H.R. 1164 cited in footnote 4, the _____ modernizes the federal Judiciary's case management and electronic case filing system and eliminates the paywall that restricts access to court records through PACER. The U.S. House Judiciary Committee approved H.R. 8235 on September 15, 2020.

Comments on the Committee Recommendations

AALL understands that each agency may be impacted in different ways by this project depending on privacy concerns and costs that will be incurred. With this in mind, we offer the following suggested additions to the Committee's Recommendations:

- Lines 96-106: We encourage agencies to consider the cost of creating and maintaining agency litigation webpages, including the resources needed to keep the webpages up-to-date, when developing their agency budgets to support successful implementation.
- Lines 147-155: We recommend that agencies add multiple search filters by date, topic, and keyword. It is also helpful to list and link materials in reverse chronological order.
- Lines 157-168: We recommend that agencies provide users with sufficient information to make assessments about the accuracy and currency of legal information published on the website.

Conclusion

AALL thanks ACUS and the Committee on Judicial Review for the opportunity to provide these comments. We hope our comments provide additional ideas as the Committee finalizes its recommendations.

Sincerely,

Emily R. Florio
President, 2020-2021