

6-2009

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Recommended Citation

Emily M. Janoski-Haehlen, *Should You Use It? Tips on Authenticating Online Legal Sources*, Cincinnati Bar Association Report, June 2009, at 15.

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Should You Use It?

Tips on Authenticating Online Legal Sources



By Emily M. Janoski-Haehlen

Legal information is freely available on the Internet, but should you use it? How do you know if online legal information is authentic or reliable? Is the resource official? Can you cite it in court? When looking at legal information online it is necessary to assess the quality of the information being provided. Here are some tips in deciding whether or not to use legal information found online:

I. Discover who owns the site

Use the following sites to determine who owns the Web site:

<http://whois.net/>

<http://www.betterwhois.com/>

<http://www.internic.net/whois.html>

Whois.net searches registered domain names, available domain names, domains by keyword and deleted domains. It provides a copy of the Whois registration record, and also informs about the availability or status of a Web site. BetterWhois queries multiple Whois databases, but does not cover the range of TLDs (top level domains) provided by Whois. Internic Whois searches domain names, registrar records, and server name records. It's always a good idea to check more than one source to verify who owns a site before relying on the information the site provides.

II. Find out whether the information is official or authoritative

An online official legal resources is defined as one that possesses the same status as a print official legal resource.¹ If a source claims official status (e.g., the House of Representatives is the official publisher of the U.S. Code), you should

be able to verify the claim. The *State by State Report on Authentication of Online Legal Resources* [www.aallnet.org/aall-wash/authen_rprt/AuthenFinalReport.pdf] published by the American Association of Law Libraries provides a detailed report of what state's primary legal sources that are available online are official, in addition to authentic. You should also check to see if the online version is considered an official version that can be cited in court (e.g., the GPO Access online version of the Federal Register is an official version²). For the authoritativeness of a site, consider the reputation of the author and publisher, and whether the information is from a .gov or .us site or from a .com or .org site? Anyone with access to the Internet can purchase a .com or .org site, so use caution when relying on information from these sites.

III. Determine the site's scope

The scope of a Web site refers to the extent to which a source explores a topic. If the site has a page dedicated to what the site is about or the history of the site, make sure to read it before using the information found on the site. Ask yourself what time periods, geography or jurisdiction are covered by the site and how narrower topics or related topics are covered. When seeking information about the scope of coverage of a Web site, look for dates and information about excluded materials. Does the Web site cover or exclude the time period of interest to you? Does it exclude select articles because of copyright licensing issues? Will you be required to pay for access to the Web site's fee-based databases?

IV. Accuracy

You should be able to verify factually correct information. Check to see if there are two or more reliable sources that provide the same information. Then consider the editing and publishing policy of the source. Is the Web site published by a reputable source (e.g. a law school or state agency)? Is it peer-reviewed? Does it fact-check before publishing? Is it an official source of information on the topic?

V. Currency

Always check the Web site for a publication date or "last updated" stamp. Most Websites that are updated on a daily basis contain some kind of date counter that will indicate when it was last updated. However, beware of Web scripting that automatically reflects the current date. If you cannot find a date stamp, check the dates of the most recent postings, articles or links offered on the site.

If you're still unsure whether or not the Web site is authoritative contact a librarian who is trained in evaluating resources. A librarian will be able to tell you if the Web site is authoritative and/or may be able to provide you with suggestions for additional authoritative sites to use. 

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¹ Richard J. Matthews and Mary Alice Baish, *State by State Report on Authentication of Online Legal Resources* (Chicago, IL: American Association of Law Libraries, 2007).

² 1 C.F.R. § 5.10 (2009).