

1999

Stuart M. Cohen, Clerk of the Court  
New York Court of Appeals,  
20 Eagle Street  
Albany, New York 12207-1095

Dear Mr. Cohen:

On July 9, the Court's electronic bulletin board carried notice that the service would end in 1999 and invited suggestions on alternative forms of electronic distribution.

For several years Cornell's Legal Information Institute (LII) has provided free public access to the Court's decisions on the World Wide Web at : < <http://www.law.cornell.edu/ny/ctap/overview.html> >. I have no idea how many lawyers, librarians, and others use the Court's bulletin board, but I can report that the directory holding the Court's decisions at our site is the target of 17,000 data requests a week, on average.

Some years ago I discussed a direct feed from the Court, like that which now supports our distribution of decisions of the U.S. Supreme Court, with Don Sheraw and the staff running the bulletin board. However, the existence of the bulletin board system and the subscription fees it generated prompted little interest. Our Internet site has, therefore, been forced to rely on the dedicated voluntary effort of a subscriber to the BBS. This subscriber regularly checks for decisions, downloads any he finds, and transfers them electronically to one of our computers -- all at his own expense. At that point LII software takes over. We have developed routines that convert the Court's WordPerfect files to the HTML format required by the World Wide Web, create links to cited primary material, and add the decisions to our searchable index. I might also note that since 1995 we have also offered, without charge, an electronic bulletin service covering the Court, which distributes student-written casenotes on important decisions via e-mail.

The news that the BBS will be shut down does not come as a surprise. Because of our unofficial dissemination activity we (and those who use our Internet site) have a very direct stake in the Court's deliberations on a successor system. If the Court decides to establish its own Internet site, as so many state appellate systems have now done, we'd be please to assist. Unlike commercial publishers, we would welcome a system of public distribution that put our site out of business. Our experience in converting the Court's own decisions for WWW distribution, as well as our work with the decisions of the U.S. Supreme Court and an effort we are now embarked upon under contract with the New York Court of Claims lead me to think we could be of some help to the Court should it embark on such a path. On the other hand, should the Court incline toward some other replacement for the bulletin board we would hope it could include provision for continuing the non-commercial service we have been providing.

Sincerely,

Peter W. Martin  
Co-Director, LII & Jane M.G. Foster Professor of Law