

Cornell Law School
Legal Information Institute

Peter W. Martin
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Judge Richard C. Wesley
New York Court of Appeals
20 Eagle Street
Albany, NY 12207-1095

Dear Dick:

At reunion time I mentioned our keen interest in the Court's plans for distributing decisions in digital format beyond the end of this calendar year. Since then I have not pursue the matter with you in the expectation that any day those plans would be announced. However, it is now a mere two months from the date when distribution via the Court's dialup bulletin board is scheduled to end and we have heard nothing.

In August 1998, I wrote Stuart Cohen explaining our interest and offering assistance. As the sole non-commercial web site offering access to the Court's decisions we (and those we serve: lawyers, public officials and members of the public generally) have, I explained, a sizeable stake in the nature of the arrangements the Court makes to replace the bulletin board system. My letter received a courteous reply from Deputy Clerk McCoy but no follow-up.

The numbers of those who rely on the Legal Information Institute for access to the Court's decisions is, today, far larger than when I wrote that letter. Last week our New York Court of Appeals on-line collection was the target of over 137,000 data requests representing over 10,500 user sessions. Our liibulletin-ny carried summaries of the Court's recent opinions (with links back to their full text on the LII server) to 3,000 or so initial subscribers, many of whom then redistribute the bulletin, in whole or in part, to other members of a firm or bar association section. In June of this year the New York State Bar Association became a sponsor of this service.

I assume that the Court's plan for distributing slip opinions in electronic format post December 1999 has by now been settled upon. If Cornell's institute is to be able to continue the public service we have rendered since 1994 we need to know the basic elements of that plan, quite soon. By basic elements, I mean simply how we'll be able to retrieve the decisions upon their release (from what computer and by what transfer protocol) and whether the format will continue to be WordPerfect files of the sort our current web conversion software expects.

I raise these matters with you not in any expectation that members of the Court preside over such technical questions, but in full confidence that you and others on the Court do care about public access and that Court's plan includes some provision for continuing non-commercial distribution of its decisions.

Sincerely,

Peter W. Martin