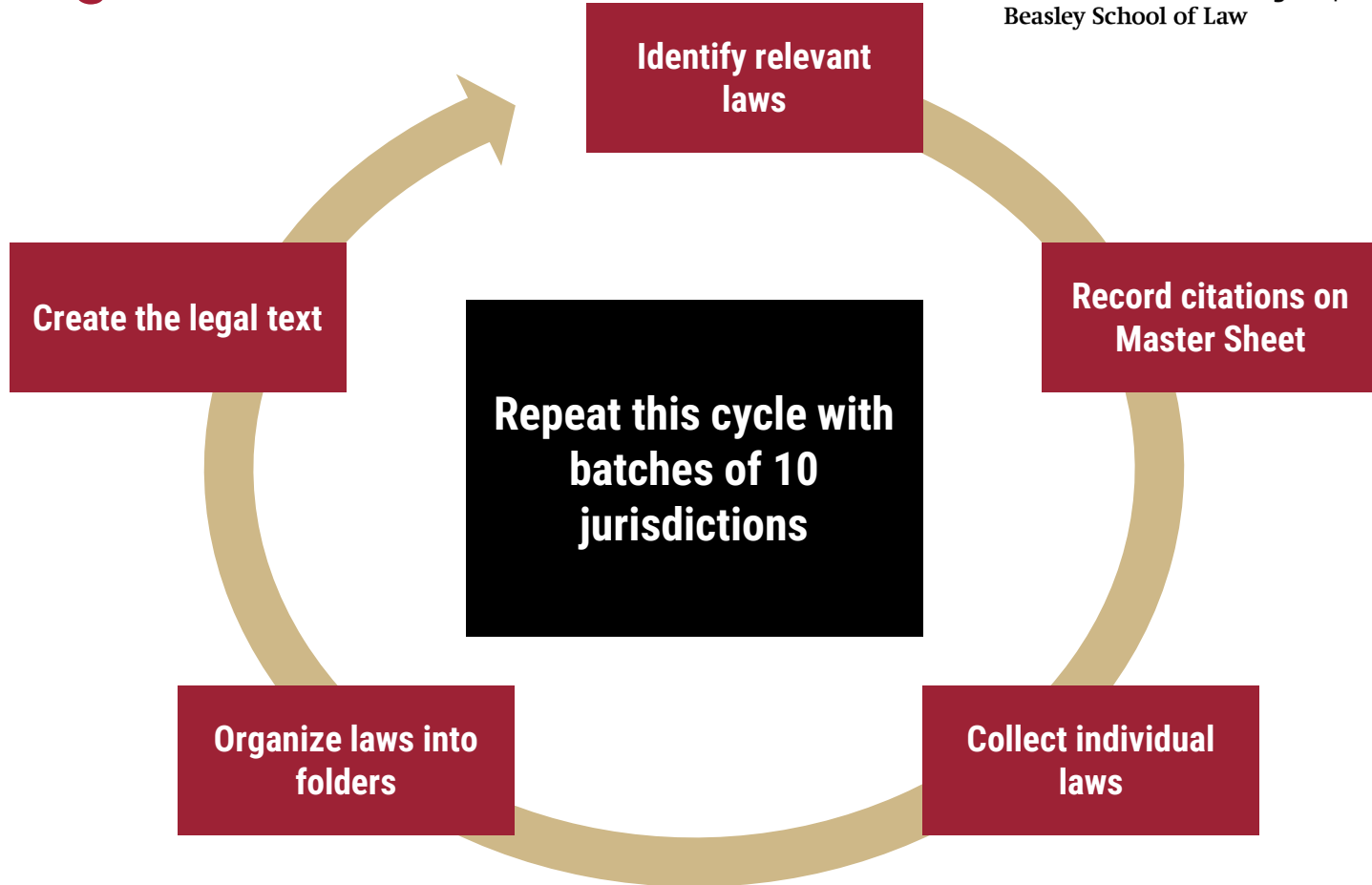


# Collecting the Law

# Learning objective

- Refine citations collected during Five State Memorandum
- Define “collecting the law”
- Learn the steps to collect the law
  1. Identify relevant laws
  2. Record citations on Master Sheet
  3. Collect individual laws using citations on Master Sheets
  4. Organize law into folders
  5. Transfer and combine collected laws into legal text document
  6. Create an amendment tracker (policy surveillance only)
  7. Use amendment trackers to create one version of the legal text per change in the law over time (policy surveillance only)

# Collecting the law



# Refine citations collected during Five State Memorandum

- Two researchers have collected relevant citations for 10 jurisdictions in their Five State Memorandum
- Since the Five State Memorandum is written before finalizing coding questions, those citations must be refined as the scope is refined
  - Refine those citations by adding or removing relevant citations, based on the current scope of the project



# Learn the steps to collect the law

-  1 Identify relevant laws
-  2 Record the research strategy
-  3 Collect individual laws using citations on Master Sheets
-  4 Organize law into folders
-  5 Transfer and combine collected laws into legal text document
-  6 Create an amendment tracker
-  7 Use amendment trackers to create one version of the legal text per change in the law over time



# 1. Identify relevant laws

- Researchers begin by using the search strategy established during their background research to identify laws relevant to their topic in each jurisdiction
- Then, they record the citations of relevant laws in a Master Sheet document

## 2. Record the research strategy

- A “Daily Research Sheet” is used to record search terms and strategies as research is being conducted
- The Daily Research Sheet should include the following information

Daily Research Sheet	
<b>Alaska</b>	<ul style="list-style-type: none"><li>• <b>Search terms</b><ul style="list-style-type: none"><li>• Number of results</li></ul></li><li>• Relevant citations</li></ul>
<b>Research Resource:</b> <b>Westlaw</b>	<ul style="list-style-type: none"><li>• <b>Distracted driving</b><ul style="list-style-type: none"><li>○ 50 statutes, 50 regulations</li></ul></li><li>• <b>wireless device AND driving</b><ul style="list-style-type: none"><li>○ 51 statutes, 50 regulations</li></ul></li><li>• <b>texting AND driving</b><ul style="list-style-type: none"><li>○ 52 statutes, 50 regulations</li></ul></li><li>• <b>school bus</b><ul style="list-style-type: none"><li>○ 61 statutes, 52 regulations</li></ul></li><li>• Citations collected:<ul style="list-style-type: none"><li>○ Alaska Stat. § 12.55.035. Fines;</li><li>○ Alaska Stat. § 12.55.135. Sentences of imprisonment for misdemeanors;</li><li>○ Alaska Stat. § 28.01.010. Provisions uniform throughout state;</li><li>○ Alaska Stat. § 28.35.161. Use of electronic devices while driving; unlawful installation of television, monitor, or similar device</li></ul></li></ul>
<b>Notes:</b> Used “Statute & Court Rules” to find West’s Alaska Statutes Annotated database; used “Regulations” to find AK regulations.	

- **Database used** to perform research
- **Search terms** used
- **Results yielded** from searches
- **Notes** on the search strategy used

# What is a Master Sheet?

A “Master Sheet” records citations of laws that are in the project’s scope, with one Master Sheet per jurisdiction

## ALASKA MASTER SHEET

### **Alaska Stat. § 12.55.035 Fines**

- SLA 2009, ch. 33, §§ 1 to 3
  - Effective September 14, 2009
- SLA 2010, ch. 54, § 1
  - Effective September 7, 2010
- SLA 2010, ch. 58, § 8
  - Effective June 10, 2010
- SLA 2010, ch. 110, §§ 1, 4
  - Effective September 26, 2010
- 3rd Sp. Sess. 2012, ch. 1, § 19
  - Effective July 1, 2012

### **Alaska Stat. § 12.55.135 Sentences of imprisonment for misdemeanors**

- SLA 2006, ch. 87, §§ 4, 5
  - Effective October 4, 2006

### **Alaska Stat. § 28.01.010 Provisions uniform throughout state**

- SLA 2008, ch. 97, § 2
  - Effective January 1, 2009
- SLA 2010, ch. 29, § 38
  - Effective July 1, 2010

### **Alaska Stat. § 28.35.161 Use of electronic devices while driving; unlawful installation of television, monitor, or similar device<sup>1</sup>**

- SLA 2009, ch. 42, § 1
  - Effective September 18, 2009
- SLA 2012, ch. 14, §§ 2-5
  - Effective May 11, 2012



# What is a Master Sheet?

A “Master Sheet” records citations of laws that are in the project’s scope, with one Master Sheet per jurisdiction

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- SLA 2006, ch. 87, §§ 4, 5
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- SLA 2008, ch. 97, § 2
  - Effective January 1, 2009
- SLA 2010, ch. 29, § 38
  - Effective July 1, 2010

### Alaska Stat. § 28.35.161 Use of electronic devices while driving; unlawful installation of television, monitor, or similar device<sup>1</sup>

- SLA 2009, ch. 42, § 1
  - Effective September 18, 2009
- SLA 2012, ch. 14, §§ 2-5
  - Effective May 11, 2012



# Creating a Master Sheet:

Recording citations of relevant laws

- Master Sheet should include:

- The **citation** and title of each law
- The **statutory history** for each law
- And the **effective dates**

## Alaska Master Sheet

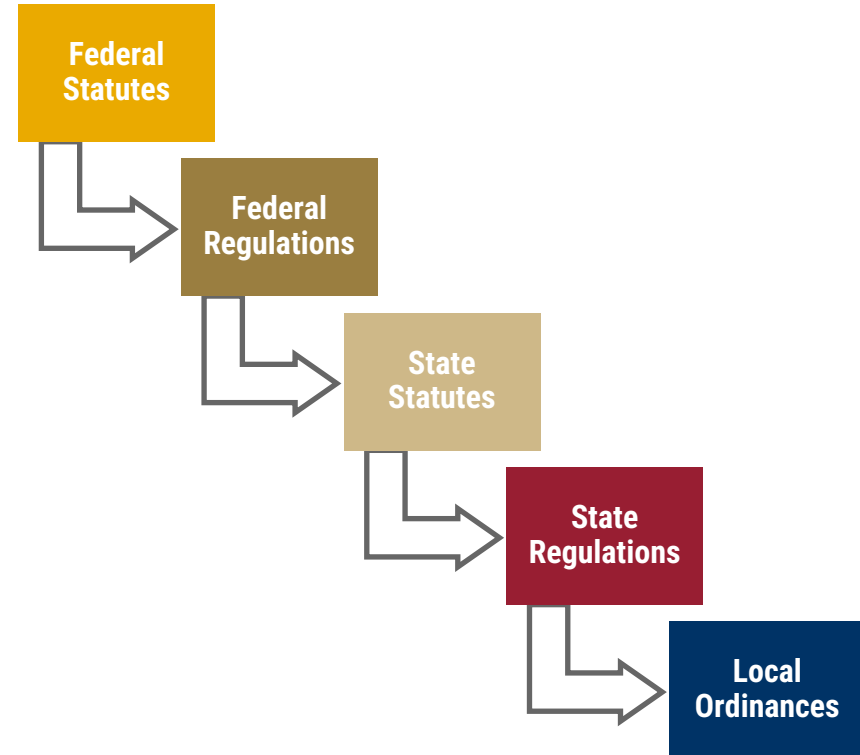
### **Alaska Stat. § 12.55.035 Fines**

- 3rd Sp. Sess. 2012, ch.1, § 19
  - Effective July 1, 2012
- SLA 2016, ch. 36 § 72
  - Effective October 9, 2016

# Organizing citations hierarchically

Sort the laws in the Master Sheets by organizing them hierarchically

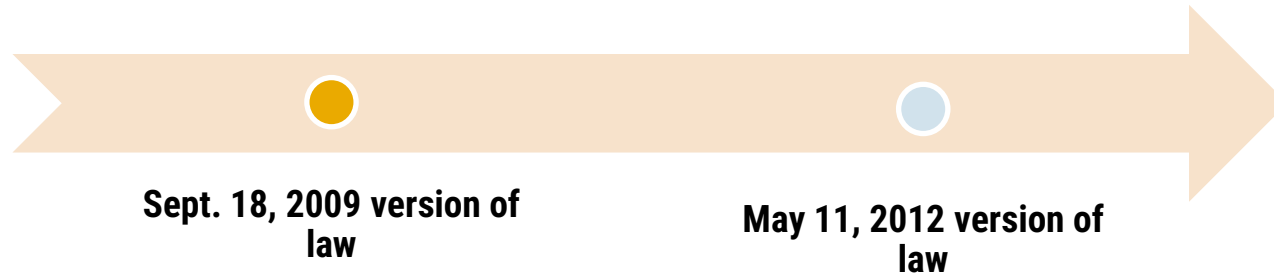
1. **By jurisdiction** (federal, state, local)
2. **By type of law** (statute, regulation, ordinance)
3. **By chapter and citation number**  
(12.55.135 comes before 12.55.150)





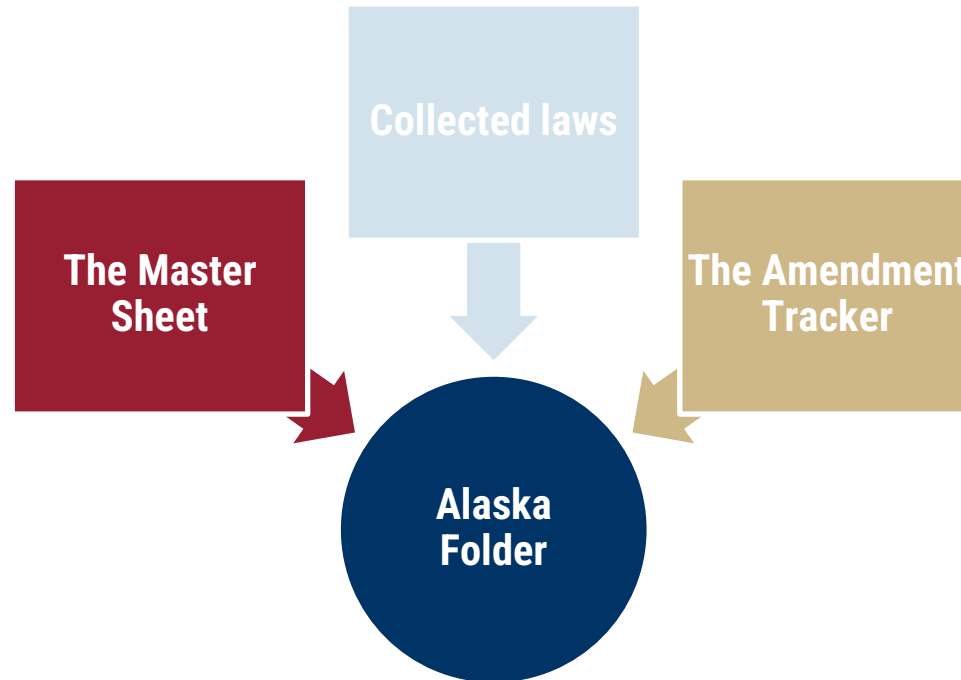
# Organizing citations chronologically for longitudinal projects

Collecting the law for policy surveillance (longitudinal) projects includes **organizing laws hierarchically** as you would in a legal epidemiology project, and **then organizing them in chronological order** to show how a law has changed in a jurisdiction over time.



## 4. Organize the law into folders

Each jurisdiction should have its own folder that contains documents relevant to that jurisdiction, including:



# 5. Transfer and combine collected laws into legal text document

The “legal text” is the organized version of the relevant law for a jurisdiction:

- Legal assessment (cross-sectional) – one legal text, for one jurisdiction, at one point in time
- Policy surveillance (longitudinal) – multiple legal texts, for one jurisdiction, over a period of time
- The legal text is used to code the law



# Transfer and combine collected laws into legal text document

## MASTER SHEET CITATIONS

### Alaska Stat. § 12.55.035 Fines

- 3rd Sp. Sess. 2012, ch. 1, § 19
  - Effective July 1, 2012

### Alaska Stat. § 12.55.135 Sentences of imprisonment for misdemeanors

- SLA 2006, ch. 87, §§ 4, 5
  - Effective October 4, 2006

## FULL TEXT ORDERED HIERARCHICALLY IN ONE DOCUMENT

### Alaska Stat. § 12.55.035 Fines (2012 Amendment, 3rd Sp. Sess. 2012, ch. 1, § 19)

- (a) Upon conviction of an offense, a defendant may be sentenced to pay a fine as authorized in this section or as otherwise authorized by law.....

### Alaska Stat. § 12.55.135 Sentences of imprisonment for misdemeanors (2006 Amendment, SLA 2006, ch. 87, §§ 4, 5)

- (a) A defendant convicted of a class A misdemeanor may be sentenced to a definite term of imprisonment of not more than one year.....



## 6. Create an Amendment Tracker

The “Amendment Tracker” document

- Lists amendments to relevant laws in one jurisdiction, in chronological order
- Created to serve as a guide when creating the legal text for a policy surveillance project



# Creating an Amendment Tracker

Iteration	Date	Amendment	Changes
1.	January 1, 2011	Alaska Stat. § 12.55.035	First iteration; most current version;
		Alaska Stat. § 12.55.135	First iteration; most current version;
		Alaska Stat. § 28.01.010	First iteration; most current version;
		Alaska Stat. § 28.35.161	First iteration; most current version;
2.	May 11, 2012	Alaska Stat. § 12.55.035	ch. 110, §§ 1,4; no change- enacted in 1978; relevant when texting ban begins in 28.35.161
		Alaska Stat. §12.55.135	ch. 86, § 1, ch. 87 § 4, 5; no change- enacted in 1978; relevant when texting ban begins in 28.35.161
		Alaska Stat. §28.01.010	ch. 29, § 38; no change- enacted in 1974; relevant when cellphone provision begins in 28.35.161
		Alaska Stat. § 28.35.161	ch. 14, §§ 2-5; added texting ban to (a); adjusted internal reference; changed “verbal” to “voice” in subsection (c); added text to emergency use provision in subsection (d)
3.	July 1, 2012	Alaska Stat. § 12.55.035	ch. 1, § 19; changed “no” to “not” in subsection (b); changed “promoting prostitution” to “sex trafficking” in subsection (h)

# 7. Use amendment trackers to create one version of the legal text per change in the law over time

## MASTER SHEET CITATIONS

### Alaska Stat. § 12.55.035 Fines

- SLA 2010, ch. 110, §§ 1, 4
  - Effective September 26, 2010
- 3rd Sp. Sess. 2012, ch. 1, § 19
  - Effective July 1, 2012

### Alaska Stat. § 28.01.010 Provisions uniform throughout state

- SLA 2010, ch. 29, § 38
  - Effective July 1, 2010

### Alaska Stat. § 28.35.161 Use of electronic devices while driving; unlawful installation of television, monitor, or similar device

- SLA 2009, ch. 42, § 1
  - Effective September 18, 2009
- SLA 2012, ch. 14, §§ 2-5
  - Effective May 11, 2012

## FULL LEGAL TEXT FOR MAY 11, 2012

### Alaska Stat. § 12.55.035 Fines (no changes)

- (a) Upon conviction of an offense, a defendant may be sentenced to pay a fine as authorized in this section or as otherwise authorized by law.....

### Alaska Stat. § 28.01.010 Provisions uniform throughout state (no changes)

- (a) The provisions of this title and the regulations adopted under this title are applicable within all municipalities of the state.....

### Alaska Stat. § 28.35.161 Use of electronic devices while driving; unlawful installation of television, monitor, or similar device (2012 Amendment, ch. 14 §§ 2-5)

- (a) A person commits the crime of driving while texting, while communicating on a computer, or while a screen device is operating if the person is driving a motor vehicle, and.....

## AMENDMENT TRACKER

Iteration	Date	Amendment	Changes
2.	May 11, 2012	Alaska Stat. § 28.35.161	ch. 14, §§ 2-5; added texting ban to (a); adjusted internal reference; changed “verbal” to “voice” in subsection (c); added text to emergency use provision in subsection (d)



# Using an amendment tracker to create the legal text

## MAY 11, 2012 VERSION

**Alaska Stat. § 12.55.035 Fines (2010 Amendment, ch. 110, §§ 1, 4)**

(a) Upon conviction of an offense, a defendant may be sentenced to pay a fine as authorized in this section or as otherwise authorized by law.....

**Alaska Stat. § 12.55.135 Sentences of imprisonment for misdemeanors (2006 Amendment, ch. 86, § 1, 2006 Amendment, ch. 87, §§ 4, 5)**

(a) A defendant convicted of a class A misdemeanor may be sentenced to a definite term of imprisonment of not more than one year.....

**Alaska Stat. § 28.01.010 Provisions uniform throughout state (2010 Amendment, ch. 29, § 38)**

(a) The provisions of this title and the regulations adopted under this title are applicable within all municipalities of the state. A municipality may not enact an ordinance that is inconsistent with the provisions of this title or the regulations adopted under this title. A municipality may not incorporate into a publication of traffic ordinances a provision of this title or the regulations adopted under this title without specifically identifying the provision or regulation as a state statute or regulation.....

**Alaska Stat. § 28.35.161 Use of electronic devices while driving; unlawful installation of television, monitor, or similar device (2012 Amendment, ch. 14, §§ 2-5)**

(a) A person commits the crime of driving while texting, while communicating on a computer, or while a screen device is operating if the person is driving a motor vehicle, and.....

## JULY 1, 2012 VERSION

**Alaska Stat. § 12.55.035 Fines (2012 Amendment, ch. 1, § 19)**

(a) Upon conviction of an offense, a defendant may be sentenced to pay a fine as authorized in this section or as otherwise authorized by law.....

**Alaska Stat. § 12.55.135 Sentences of imprisonment for misdemeanors (no change)**

(a) A defendant convicted of a class A misdemeanor may be sentenced to a definite term of imprisonment of not more than one year.....

**Alaska Stat. § 28.01.010 Provisions uniform throughout state (no change)**

(a) The provisions of this title and the regulations adopted under this title are applicable within all municipalities of the state. A municipality may not enact an ordinance that is inconsistent with the provisions of this title or the regulations adopted under this title. A municipality may not incorporate into a publication of traffic ordinances a provision of this title or the regulations adopted under this title without specifically identifying the provision or regulation as a state statute or regulation.....

**Alaska Stat. § 28.35.161 Use of electronic devices while driving; unlawful installation of television, monitor, or similar device (no change)**

(a) A person commits the crime of driving while texting, while communicating on a computer, or while a screen device is operating if the person is driving a motor vehicle, and.....



**Most commercial legal databases (e.g., Lexis, Westlaw) impose contractual limits on users' rights to store and republish laws obtained from the database.**

***See [LawAtlas.org](https://www.lawatlas.org) for more information on obtaining or creating open-source legal text for use in LawAtlas datasets.***

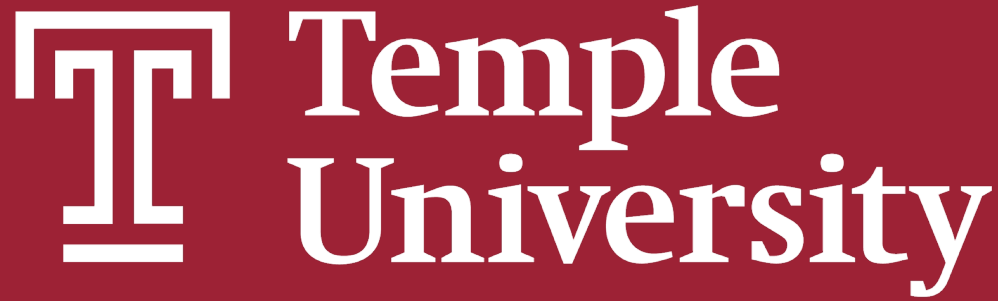


**Users who are collecting laws should carefully review the terms of service from the legal database they use.**

**State legislative websites typically have a section which indicates any copyright restrictions which apply to using law listed on their sites.**

# Summary

- Prior to collecting the law, refine citations collected during five stat memo based on the current scope of the project
- “Collecting the law” consists of researchers finding and gathering important information about laws relevant to a topic in each jurisdiction being studied
- The steps required to collect the laws are:
  1. Identify relevant laws
  2. Record citations on Master Sheet
  3. Collect individual laws using citations on Master Sheets
  4. Organize law into folders
  5. Transfer and combine collected laws into legal text document
  6. Create an amendment tracker (policy surveillance only)
  7. Use amendment trackers to create one version of the legal text per change in the law over time (policy surveillance only)



Temple  
University