

Tracking and Updating the Law

Learning objectives

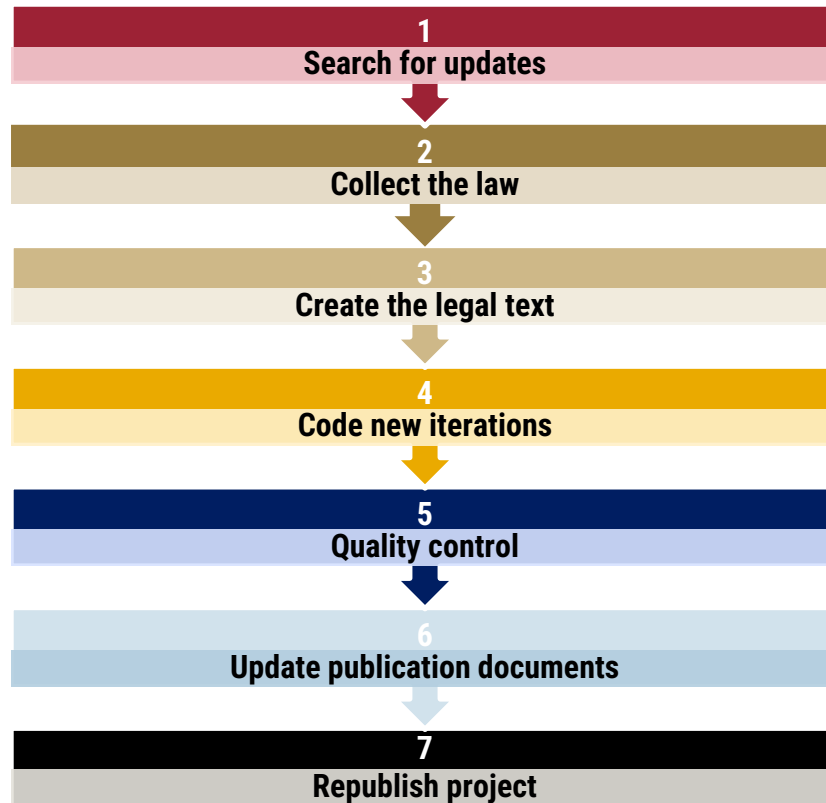
- Define “tracking and updating the law”
- Learn the steps to track and update the law
 1. Search for updates
 2. Collect the law
 3. Create the legal text
 4. Code new iterations
 5. Quality control and updating
 6. Update publication documents

Defining “tracking and updating the law”

“Tracking and updating the law” consists of periodically checking for new laws and updates to existing laws that are included in a project



Steps in tracking and updating the law





1. Search for updates

Researchers familiarize themselves with the project

- Review the project's coding questions
- Read the research protocol, which includes information on:
 - The scope of the dataset,
 - Search terms that will be used to conduct research, and
 - Definitions of terms of art



1. Search for updates

Verify which jurisdictions have been in legislative session since the last update

Check for new laws or amendments in jurisdictions that had a legislative session since the last update



Using citations listed on master sheets

- Citations of relevant laws in a jurisdiction are collected in a Master Sheet document
- There is one Master Sheet per jurisdiction
- 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



Using citations listed on master sheets

- Verify whether laws listed on the current Master Sheet for each jurisdiction have recent amendments, and update the Master Sheet accordingly
 - Start by entering each citation on the Master Sheet into a legal search engine such as Westlaw or LexisNexis
 - When a law has an amendment, add that amendment to the Master Sheet

Search for updates: example

ALASKA MASTER SHEET

Alaska Stat. § 12.55.035 Fines

- SLA 2006, ch. 73, § 7
 - Effective September 14, 2006
- SLA 2007, ch. 24, § 21
 - Effective July 1, 2007
- 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

**Most recent amendment
on Master Sheet**



ALASKA STAT. § 12.55.035 CREDIT HISTORY

Credits

SLA 1978, ch. 166, § 12; SLA 1982, ch. 45, § 17; SLA 1982, ch. 143, § 26; SLA 1988, ch. 59, § 4; SLA 1988, ch. 85, § 18; SLA 1990, ch. 142, §§ 1, 2; SLA 1992, ch. 71, § 2; SLA 1994, ch. 79, §§ 2-4; SLA 1998, ch. 56, § 3; SLA 2002, ch. 131, §§ 1, 2; SLA 2006, ch. 73, § 7, eff. Sept. 14, 2006. Amended by SLA 2007, ch. 24, § 21, eff. July 1, 2007; SLA 2009, ch. 33, §§ 1 to 3, eff. Sept. 14, 2009; SLA 2010, ch. 54, § 1, eff. Sept. 7, 2010; SLA 2010, ch. 58, § 8, eff. June 10, 2010; SLA 2010, ch. 110, §§ 1, 4, eff. Sept. 26, 2010; 3rd Sp. Sess. 2012, ch. 1, § 19, eff. July 1, 2012.



**Update Master Sheet based on new
amendment**

Alaska Stat. § 12.55.035 Fines

- SLA 2006, ch. 73, § 7
 - Effective September 14, 2006
- SLA 2007, ch. 24, § 21
 - Effective July 1, 2007
- 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



Using search terms recorded on research protocol

- The researcher should use the search terms listed on the research protocol document to find any relevant laws that have been enacted since the last update
 - This search can be done on any legal search engine, such as Westlaw or LexisNexis
 - New laws should be added to the master sheet along with their statutory histories and effective dates

2. Collect the law

Using an unencumbered source to collect new laws

- When a new law or amendment is enacted, it must be collected from an unencumbered source
- Unencumbered sources can include state legislative websites



3. Create the legal text

Defining “legal text”

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

3. Create the legal text

Documents used

Three types of documents are used to create the legal text:

- The master sheet
- The amendment tracker
- Individual laws

In this step, you will learn how to use the amendment tracker and master sheet to create the legal text that will be used to code



3. Create the legal text

Defining “amendment tracker”

The amendment tracker document:

- List amendments to relevant laws in one jurisdiction, in chronological order
- Created to serve as a guide when creating a policy surveillance project and updating a legal assessment 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)

Creating the legal text: for policy surveillance projects or for updating legal assessments

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)



Creating the legal text

At this stage of the process, you have checked for updates, and have fully built the legal text that will be used to answer the coding questions.

FULL LEGAL TEXT FOR MAY 11, 2012

Alaska Stat. § 12.55.035 Fines 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.....

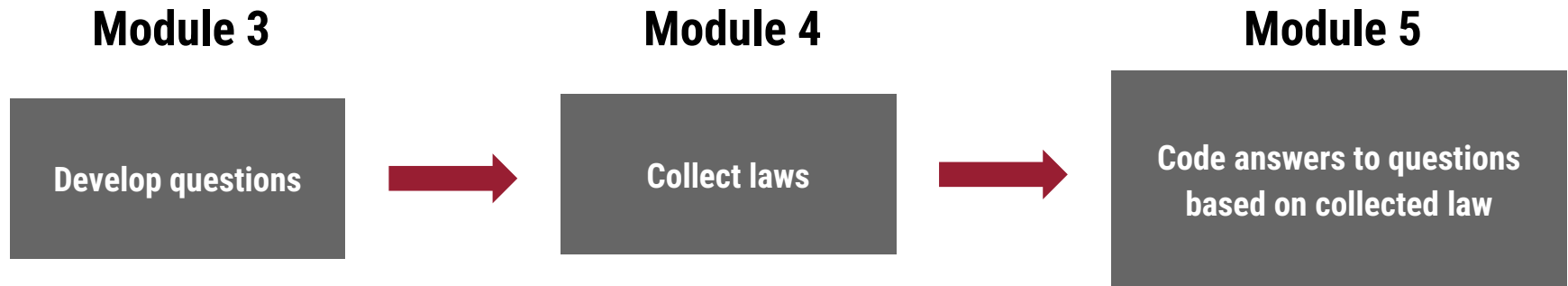
Alaska Stat. § 28.01.010 Provisions uniform throughout state The provisions of this title and the regulations adopted under this title are applicable within all municipalities of the state.....

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



4. Code new iterations

“Coding the law” consists of using the legal text collected to answer the questions developed



Coding example

QUESTION

What behaviors are restricted while driving?

- A. Handheld electronic messaging
- B. Handheld calling
- C. Hands-free electronic messaging
- D. Hands-free calling



LEGAL TEXT

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

(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**
(2) **the person is reading or typing a text message** or other nonvoice message or communication **on a cellular telephone**, personal data assistant, computer, or any other similar means capable of providing a visual display that is in view of the driver in a normal driving position while the vehicle is in motion and while the person is driving



RESPONSE

A. Handheld electronic messaging

Code new iterations

Iteration 1:

December 1, 2001 - October 27, 2013

NY VEH & TRAF § 1225-c Use of
mobile telephones
[...]

4. A violation of subdivision two of
this section shall be a traffic infraction
and shall be punishable by a fine of
not more than one hundred dollars.



Q: What is the maximum penalty for a
violation?



A: One hundred dollars

Iteration 2:

October 28, 2013 – January 1, 2016

NY VEH & TRAF § 1225-c Use of
mobile telephones
[...]

4. A violation of subdivision two of
this section shall be a traffic infraction
and shall be punishable by a fine of not
less than fifty dollars nor more than
one hundred fifty dollars upon
conviction of a first violation



Q: What is the maximum penalty for a
violation?



A: One hundred fifty dollars



Update the valid-through date

- When updating a jurisdiction, the latest coding iteration should indicate when laws were researched so the team knows the dates these laws are guaranteed to be valid
- This should be done even when a jurisdiction has no amendments or new laws that have been enacted. It indicates that the law has been checked for updates up to that point in time



5. Quality control

- When performing updates, the same quality control measures that are used in the original creation of the policy surveillance process should be applied
- The following measures should be implemented:
 - Redundant research
 - Redundant coding
 - Final quality control check
- When assigning redundant coding in an update, the first five iterations to receive an update are redundantly coded
 - 20% of any subsequent records are redundantly coded
- The updated iteration is compared with the coding of the last iteration for each jurisdiction, to ensure that the coding in the update is consistent with the original coding



6. Update publication documents

When re-publishing a project following an update, any ancillary publication documents, such as the data file for your project, should be updated.



7. Re-publish project

Upon the completion of an update, the project should be re-published on whatever dissemination outlet was initially used.

- LawAtlas.org
- Internally

Summary

- Updating the law includes the following steps:
 1. Search for updates
 - Researchers familiarize themselves with the project
 - Verify which jurisdictions have been in legislative session since the last update
 - Using citations listed on master sheets
 - Using search terms recorded on research protocol
 2. Collect the law
 - Use an unencumbered source to collect new laws
 3. Create the legal text
 4. Code new iterations
 5. Quality control
 6. Update publication documents
 7. Re-publish project

