Lessons from Outside

Lessons learned from the
American judicial system

Free Law
Project

Who & What

- Me
- The organization
- Our initiatives

Free Law Project

https://free.law
@freelawproject

The Way Things Are

- Federal & State courts
- Federal has PACER & various websites
- States vary

Free Law
Project

CourtListener & RECAP

- Our main initiatives
- Lots of data (L.A. is similar population to Chile)
- Latest opinions and oral arguments
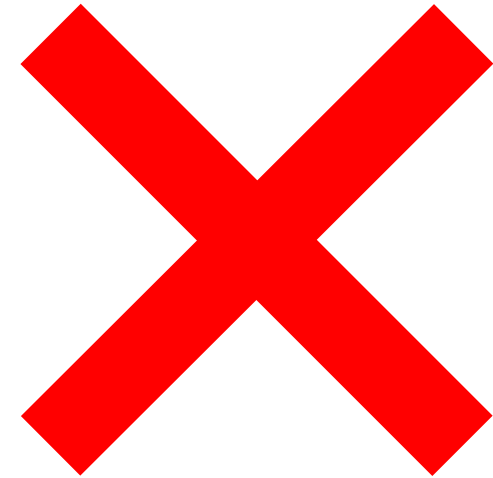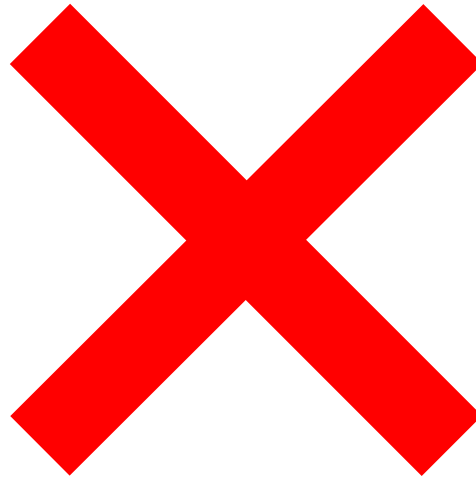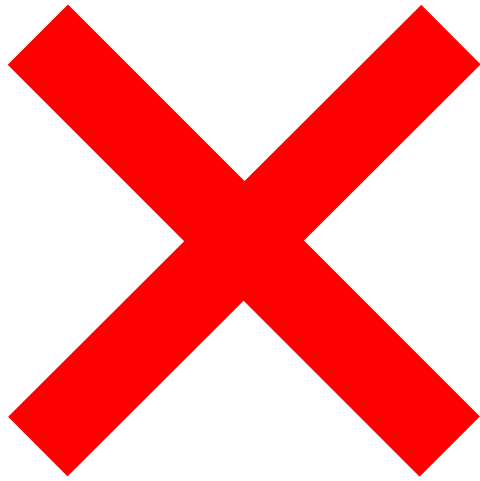- APIs and Bulk Data

CL

Free Law
Project

https://free.law
@freelawproject

How We Get Court Data

- Juriscraper for opinions
- PACER leaks
- Any means necessary

Free Law
Project

It is Bad.

Free Law Project

Do Better (1): Openness

Focus on openness of the system:

- Open development process
- Open feature requests
- Open source
- Open data standards
- Open data models

Free Law Project

Aside: Is Open Source Secure?

"We believe moving towards Government-wide reuse of custom-developed code and releasing [...] open source software has significant financial, technical, and cybersecurity benefits and will better enable DHS to meet our mission of securing the nation from the many threats we face."

— Luke J. McCormack, Chief Information Officer, Department of Homeland Security

Free Law Project

https://free.law
@freelawproject

Aside: Is Open Source Secure?

- From DoD open source policy website:
  - "Q: Doesn't hiding source code automatically make software more secure?"
  - "A: No. Indeed, vulnerability databases […] make it clear that merely hiding source code does not counter attacks."
- https://dodcio.defense.gov/Open-Source-Software-FAQ/

Free Law Project

Do Better (2): Accessible Data

- APIs for regular use

- Bulk data for big downloads

- Search

Free Law
Project

Do Better (3): Automation

- Privacy violations

- Export controlled technology

- Party names

- Readability scores

- Error checkers

- Docassemble

Free Law
Project

https://free.law
@freelawproject

Do Better (4): Security

- Very important

- Use a known toolkit (e.g. Django)

- Regular security audits

- Vulnerability disclosure policy (VDP) and bug bounty program

Free Law Project

https://free.law
@freelawproject

Do Better (5): Diverse Media

- More than just PDFs

- Same day audio and/or video files

- Livestreaming

- Old archives

- Judge data

- Metadata

Free Law Project

For Example

Free Law
Project

Do Better (6): Ecosystem

- Engage the legal technology community

- Encourage innovation

- Government grants for innovation

- Fund an outside organization to nurture, grow, and continue data innovation

Free Law Project

https://free.law
@freelawproject

Danger Zone

- The California disaster:
    - Nothing left after spending $500,000,000
    - Ever-growing scope
    - Deloitte
- Publisher lock in:
    - Solution: Make your own references
- Privacy
- Hot tech (AI, ML, NLP)

Free Law
Project

https://free.law
@freelawproject

In Conclusion

- Open

- Accessible

- Automated

- Secure

- Flourishing ecosystem

- Diverse

Free Law Project

https://free.law
@freelawproject

Thank You

Michael Lissner

Free Law Project

mike@free.law

Free Law
Project