

CODEBREAKERS

Breaking down and translating the law

Summary

Every resident of the United States is theoretically protected and covered by the various local, state, and federal statutes currently compiled into our code of law. But how many can actually claim they *understand* those laws? Given the dense and confusing legal language used by their authors, probably very few. Many people seek counsel from lawyers, but most advice costs money. Codebreakers is a project dedicated to crafting the tools and crowdsourcing networks needed to break down and translate the laws and common legal challenges into forms that anyone can understand.

The Problem

Civic

A society that requires the retention of experts to even correctly *read* the laws of the land is in a dangerous place. Yet that is exactly the situation in the United States of America.

Exhibit A:

“SEC. 503B. OUTSOURCING FACILITIES.

“(a) IN GENERAL.—Sections 502(f)(1), 505, and 582 shall not apply to a drug compounded by or under the direct supervision of a licensed pharmacist in a facility that elects to register as an outsourcing facility if each of the following conditions is met:

“(1) REGISTRATION AND REPORTING.—The drug is compounded in an outsourcing facility that is in compliance with the requirements of subsection (b).

“(2) BULK DRUG SUBSTANCES.—The drug is compounded in an outsourcing facility that does not compound using bulk drug substances (as defined in section 207.3(a)(4) of title 21, Code of Federal Regulations (or any successor regulation)), unless—

“(A)(i) the bulk drug substance appears on a list established by the Secretary identifying bulk drug substances for which there is a clinical need, by—

“(I) publishing a notice in the Federal Register proposing bulk drug substances to be included on the list, including the rationale for such proposal;

“(II) providing a period of not less than 60 calendar days for comment on the notice; and

“(III) publishing a notice in the Federal Register designating bulk drug substances for inclusion on the list; or

“(ii) the drug compounded from such bulk drug substance appears on the drug shortage list in effect under section 506E at the time of compounding, distribution, and dispensing;

“(B) if an applicable monograph exists under the United States Pharmacopeia, the National Formulary, or another compendium or pharmacopeia recognized by the Secretary for purposes of this paragraph, the bulk drug substances each comply with the monograph;

“(C) the bulk drug substances are each manufactured by an establishment that is registered under section 510 (including a foreign establishment that is registered under section 510(i)); and

“(D) the bulk drug substances are each accompanied by a valid certificate of analysis.

“(3) INGREDIENTS (OTHER THAN BULK DRUG SUBSTANCES).—If any ingredients (other than bulk drug substances) are used in compounding the drug, such ingredients comply with the standards of the applicable United States Pharmacopeia or National Formulary monograph, if such monograph exists, or of another compendium or pharmacopeia recognized by the Secretary for purposes of this paragraph if any.

“(4) DRUGS WITHDRAWN OR REMOVED BECAUSE UNSAFE OR NOT EFFECTIVE.—The drug does not appear on a list published by the Secretary of drugs that have been withdrawn or removed from the market because such drugs or components of such drugs have been found to be unsafe or not effective.

“(5) ESSENTIALLY A COPY OF AN APPROVED DRUG.—The drug is not essentially a copy of one or more approved drugs.

This is part of one section of the Drug Quality and Security Act (2013), a 54 page bill drawn randomly from the Library of Congress list of recently passed laws. It is *theoretically* readable at first glance... until the reader realizes three things. First, many of the words used have very specific legal definitions. What, for example, is a “valid” certificate of analysis? Second, the law constantly references other sections... or even

other statutes. This means access to legal texts and the patience to flip back and forth between them all. Third, part of the law delegates the creation of a necessary list to a federal agency... adding another layer to the process.

It is Codebreakers' belief that most citizens faced with all the levels of legalese will simply shut the book and try to secure a lawyer. Yet that process has challenges of its own...

Financial

If someone is seeking legal counsel, they have two options: for-profit or pro bono. It's easy to get access to a lawyer in the former case... but they charge. A lot. According to a study (Hannafor-Agors & Waters, 2013), the hourly rates charged by firms involved in an automobile accident suit range from \$150-\$375. Even considering many lawsuits and bankruptcy cases are paid for out of the end settlement, that's a lot of money that is effectively coming from the litigant. While most companies will offer free one-hour consultations before taking a case, the sticker shock alone can be enough to keep people away.

On the flipside, the pro bono system is perpetually stretched to its limit. The Legal Aid Society of New York, the largest such organization in the area, was by its own count ("Fact Sheet", 2012) able to take on 300,000 criminal cases and 44,000 civil cases in 2012. Yet those 44,000 civil cases represent only 11% of the requests received in that same time period. The odds of getting more than a few minutes of time on the phone are not good.

Personal

So you live in a system where it's often impossible to understand the law and often expensive or impractical to hire someone who can. What's the result? Misuse of the law to unfairly intimidate others. Avoidance by many of a system that could provide fair redress of wrongs. Mistrust of those who claim to enforce it, from police to lawyers themselves.

But thanks to developments in technology, it doesn't have to be this way.

The Big Idea

When most citizens find themselves grappling with a law, they have two categories of needs:

Specific Legal Situation

The first category is that of a specific legal challenge that the person finds themselves having to deal with. This can be anything from considering a malpractice claim to dealing with potential bankruptcy. Whatever the issue is, it is less about a specific statute and more about how an array of them mesh together.

Specific Statutory Text

The second category involves those who need to understand a specific law. This can be for general education purposes, interest in advocacy around it, or even for business compliance purposes. What these folks need is a relatively accurate translation of what each piece *means*.

There are FAQs and videos available that help with *some* common legal situations, but they are scattered across the web, vary greatly in quality, and often too broad or vague in their language. Up until now, there was usually just one real solution to the problems: see a lawyer.

New Tools for Old Problems

The rise of the Internet, and specifically the use of *crowdsourcing* to tap into a wide range of expert knowledge, offers new ways to increase the transparency of law for everyone.

Q&A Walkthroughs

What if we could take those vague, passive FAQs and turn them into engaging walkthroughs that ask a series of guiding questions and provide real feedback based on your answers?

Well it's already been done with tax forms! Intuit's TurboTax software uses exactly the same structure for walking customers through filings. If it's possible for IRS regulation, why not for eviction processes?

Annotations and Comments

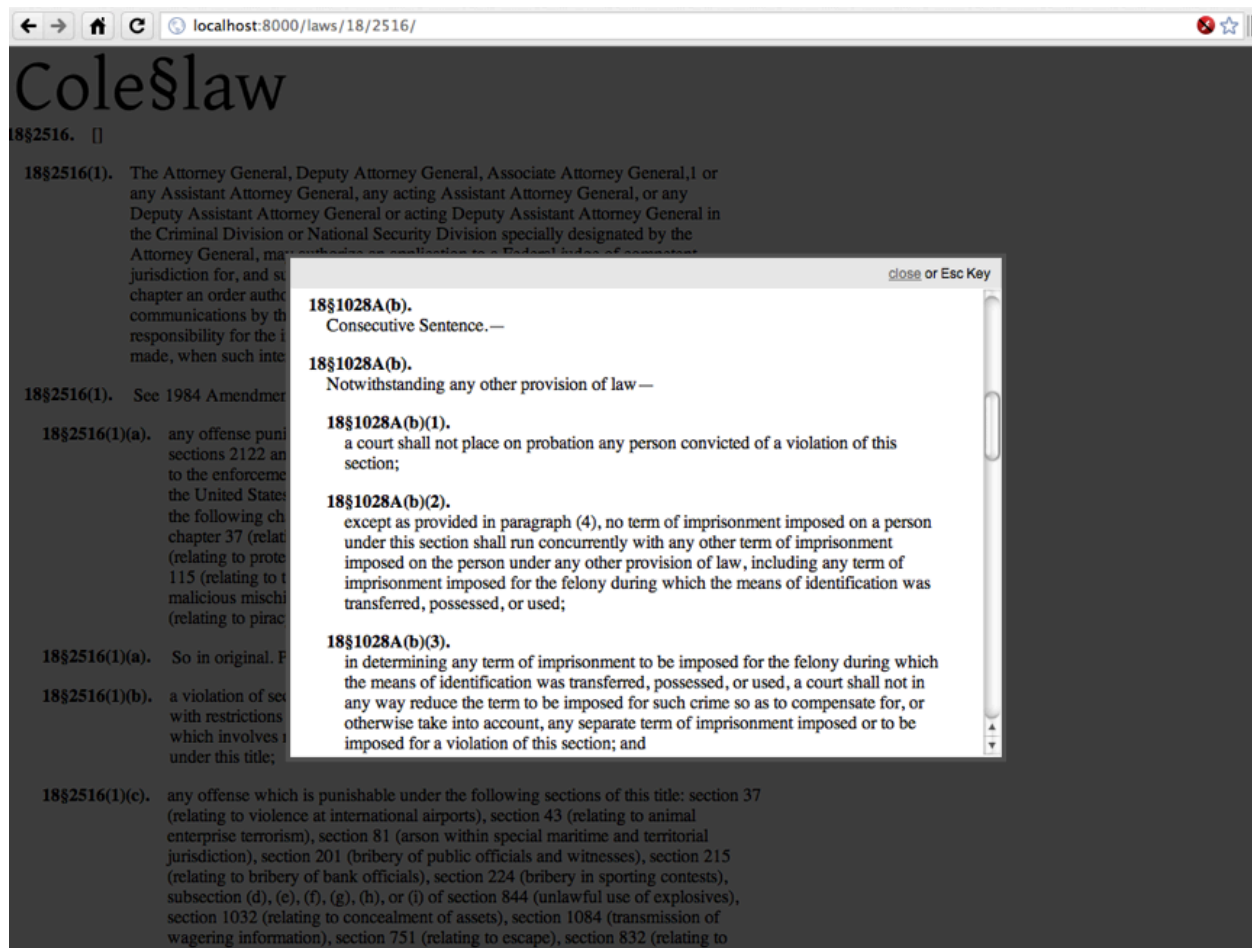
The major challenge in understanding specific legislation is around *context*: the legal meaning of language used, other sections of the same law, or other statutes. Using a system of annotations and comments, a community of experts can provide all that in a simple and clear way! For a model, let's draw from the equally complex, nuanced, and mutually referential world that is... rap?

Meet RapGenius.com!

The screenshot displays the Rap Genius interface. On the left, the lyrics for Beyoncé's "Irreplaceable" are shown in yellow text on a dark background. The lyrics include: "To the left", "Everything you own in the box to the left", "[Beyonce] Standing in the front yard telling me", "[Hook: Beyonce] You must not know bout me", "I could have another you in a minute", "Matter fact he'll be here in a minute baby", and "What did you think I was putting you out for?". On the right, a sidebar lists "MORE B'DAY LYRICS" including "World Wide Woman (WWW)", "Déjà Vu", "Get Me Bodied", "Suga Mama", "Upgrade You", "Ring The Alarm", "Kitty Kat", "Freakum Dress", "Green light", "Irreplaceable", and "Resentment". A central annotation box contains the text: "She claims he must not be aware of her status etc, as she could have another 'him' in a minute. She hints that she has a new man lined up and ready to move in with her and that he's coming straight over now — implying she too has cheated." Below the annotation are buttons for "Authors", "Leave a suggestion", and a "Share" button. At the bottom right, there is a "FOLLOW US" section with the Rap Genius logo, a "Like" button, and a note that "520,545 people like Rap Genius." followed by a row of profile pictures.

An active community of genre fans who post lyrics, annotate them with context and explanations, as well as rate the feedback of others based on accuracy and usefulness. Why do they stay engaged? First, because they're passionate. Second, because users who generate highly-rated content receive reputation and recognition.

Now merge this system with another one call ColesLaw that was created by [the Sunlight Foundation](#)...

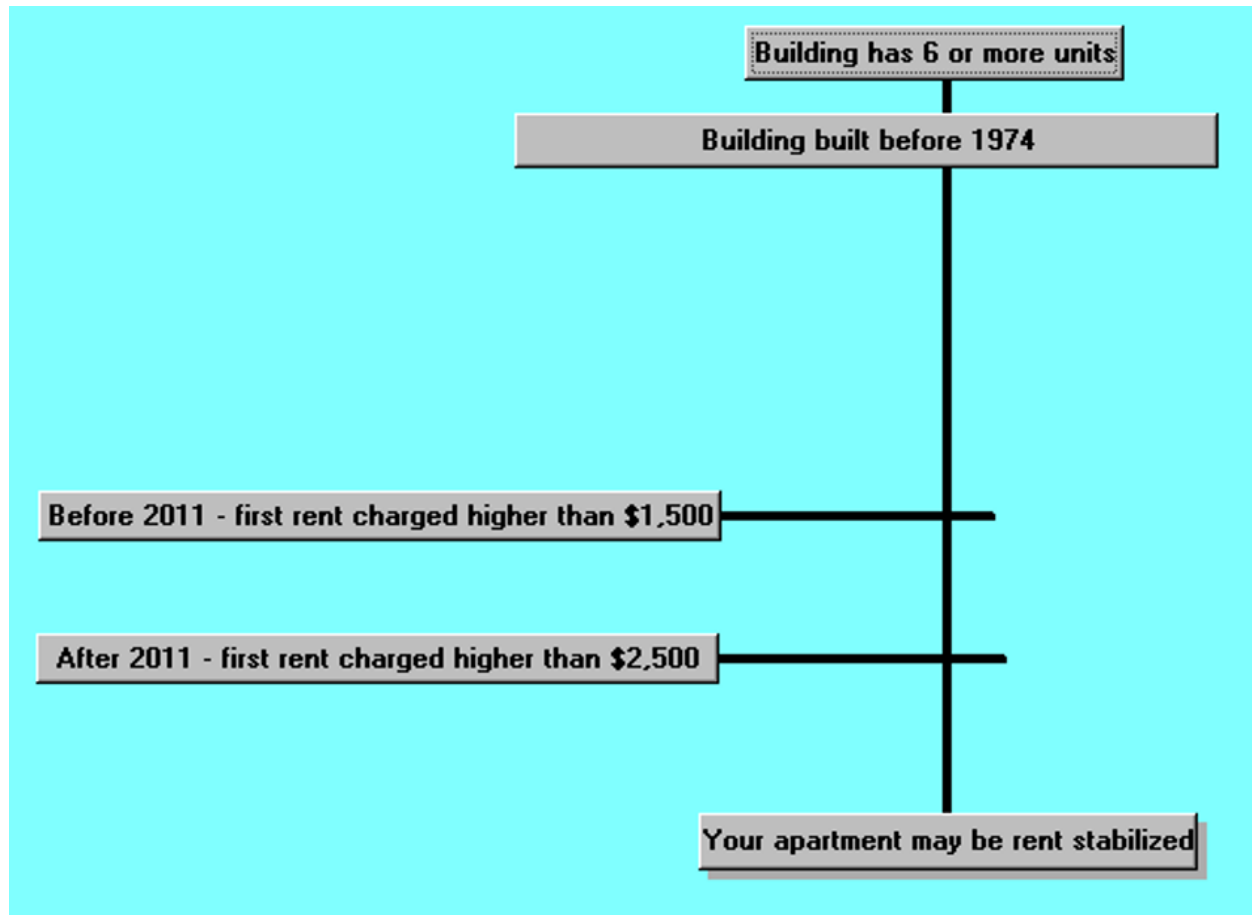


Designed over the course of two days, ColesLaw is designed to incorporate links and pop-ups that automatically populate with the information from outside references cited in a specific bill.

By integrating these two pre-existing pieces of software, Codebreakers can create a powerful system for translating the legal code *and* generating a community of experts that can keep expanding our breadth of knowledge.

Visualizing the law

With especially complex legislation, simple annotation might not be enough. The power of visuals in clarifying the meaning of data has already been realized. It can do the same for laws! [Clickable Statutes](#) is program designed to do just that...



Although somewhat primitive at the moment, you can see how relationships between factors and outcomes in a law get much clearer in this format. Boxes on the vertical line are required to get the outcome at the bottom, while intersecting boxes would block the outcome.

Outcomes

The tools needed to break the code already exist. They just need to be modified and put together in order to harness their power. If done correctly, we can empower citizens to step up in the same way that access to useful electronic health information has made patients more aware and active consumers of medicine.

Codebreakers never expects to put lawyers out of business. Just as in medicine, each case involves unique factors that only a human can currently take into account. We believe that putting these tools into the hands of citizens will instead result in:

- Giving citizens a better understanding of the legal environment
- Increasing confidence in litigants who might otherwise have simply gotten overwhelmed and dropped out
- Helping people effectively “pre-screen” themselves before attempting to seek counsel

The Plan

Phase 1 - Pilot

Secure and tweak software – get the rights to use the needed software, modify and develop each into a better format.

Gather expertise – engage volunteers from existing legal, programming, and transparency advocacy groups to assist in development.

Sandbox beta test – run a series of “hackathon” events with volunteers to generate seed content in a specific legal area, with the added goal of beta testing the tools.

QA & Launch – once the software is in good shape and enough related content has been created, launch the public site. Push out to networks to generate interest and users.

Analysis – study the issues in both the software and processes used by Codebreakers. Brainstorm and implement solutions.

Phase 2 – Expansion

Expand existing content – using RapGenius model of incentivizing crowdsourced annotations, as well as a small sandbox of internal volunteers for visual aids and walkthroughs, expand the knowledgebase available on the site.

Develop new features – most especially mechanisms to begin publicly crowdsourcing the generation of visual aids and walkthroughs. Possibly also an app for quick references.

What We'll Need

Resources

Seed money – while our plan is to generate content via volunteers, some capital will still be necessary for *at least* any software licenses, website hosting and ongoing IT support, as well as a limited staff of organizers to work on engagement, help monitor content created during off-peak hours, and develop enhancements.

Expertise – as mentioned above, we need to engage with partner organizations across the legal, programming, and transparency advocacy sector to create initial pool of

expert volunteers and to disseminate information about the project to interested stakeholders.

Networks – in order to successfully build a crowdsourced site, there needs to be a critical mass of existing content... and participants. We need to engage enough people in our “hackathons” before launch, and that means getting the word out. Social networking sites help, but they work best if the information is getting to folks through a known and trusted source. We need to engage people and organizations who are willing to act in that role for us.

The Codebreakers team is excited to move this project forward and we look forward to your help in making the law more transparent and engaging for all citizens!

References

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