

Resources on Computer Law

Developments in computer law/technology law¹ have grown exponentially in recent years. Because this area of law is subject to rapid changes, research needs to be targeted and current. The limited availability of up-to-date, traditional, primary resources generally requires the computer law practitioner to turn to the myriad of information on the Internet for secondary sources. Yet, the number and variety of resources can be overwhelming for the practitioner to assess where to start, how to weigh the various resources, and verify the accuracy of Internet information. The following guide outlines several resources available on the Internet related to computer law research.²

Michigan Specific Resources

Michigan Legislature Website: <http://www.legislature.mi.gov/>

The State Bar of Michigan Computer Law Section: <http://www.michbar.org/computer/>

The State Bar of Michigan and ICLE provide a free research service, *Michigan Law Online*, to Michigan Bar members that includes Michigan Supreme Court and Michigan Court of Appeals opinions from 1942. Upon issuance of a password,³ the service may be accessed from either the State Bar website, <http://www.michbar.org>, or the ICLE website, <http://www.icle.org>.

The Michigan eLibrary, "MEL," provides access to computer law journals. MEL is located at <http://mel.org/index.jsp>.

Federal Resources

Congressional legislation may be searched at Thomas: <http://thomas.loc.gov/> (legislative tracking service provided by the Library of Congress).

The Code of Federal Regulations may be searched at: <http://www.law.cornell.edu/uscode/> and <http://www.access.gpo.gov/nara/>

cfr/cfr-table-search.html (sites maintained by Cornell University and the National Archives and Records Administration, respectively).

United States Supreme Court opinions may be searched at: <http://www.supremecourt.us.gov/opinions/opinions.html> and <http://supct.law.cornell.edu/supct/index.html>.

United States Circuit Court of Appeals opinions may be searched at: <http://www.law.cornell.edu/usca/search/>.

United States Sixth Circuit Court of Appeals opinions from January 1995 to June 1999 may be searched at: <http://www.law.emory.edu/6circuit/>.

Associations and Organizations

ABA Section of Science and Technology Division of Electronic Commerce: <http://www.abanet.org/scitech/home.html>.

ACLU Privacy & Technology Web Page: <http://www.aclu.org/Privacy/>. (Focuses on issues related to anonymity on the web, consumer privacy, genetics, Internet free speech, Internet privacy, medical privacy, students, surveillance and wiretapping, and workplace privacy.)

American Association of Domain Names: <http://www.domains.org>. (Describes domain names' purpose, how they work, and history of domain name disputes.)

Computer Law Association: <http://www.cla.org>. (A nonprofit international association offering conferences, publications, and networking with links to information related to technology, computer law, intellectual property, and Internet law.)

Electronic Frontier Foundation: <http://www.eff.org>. (Nonprofit organization that maintains a comprehensive database of civil liberties information related to technology.)

Electronic Privacy Information Center: <http://www.epic.org/>. (A public interest research center focusing on emerging civil liberties issues aimed to protect privacy, the First Amendment, and constitutional values.)

General Internet Resources

Both WESTLAW and LEXIS maintain computer law/cyberlaw/e-commerce databases containing case law and related sources;⁴ however, information may be located at less expense by using one of many search engines on the web. The following websites are worth investigating:

Alllaw.com:

http://www.alllaw.com/legal_topic_index/computers_and_technology_links/ (General legal directory and search engine.)

Catalaw:

<http://www.catalaw.com/topics/Technology.shtml> (Catalogues U.S. and international indexes of law and government information into a "metaindex.")

Centre for Innovation Law and Policy:

http://www.innovationlaw.org/lawforum/pages/rg_computerinternet_links.htm (Canadian website linked to international and U.S. websites, online news and publications, libraries and academic websites, private sector websites, listserves, alerts, research guides, and legislation.)

Computer Law Association's Technology Resources Web Page:

http://www.cla.org/tech_law.htm (Detailed listing of technology law resources.)

CVRIA:

<http://curia.eu.int/en/transitpage.htm> (Lists the full text of the judgments of the European Court of Justice and the Court of First Instance. Provides press releases and publications.)

The Cyberlaw Encyclopedia:

<http://www.gahtan.com/cyberlaw/> (Contains over 1,203 linked sites to articles, journals, legislation, and organizations.)

EDUCAUSE/Cornell Institute for Computer Policy and Law Recommended Links:

http://www.educause.edu/content.asp?page_id=953&bhcp=1 (Nonprofit association whose membership includes institutions of higher education, corporations, and other

related associations and organizations aimed at advancing higher education by promoting intelligent use of information technology.)

Findlaw:

<http://www.findlaw.com/01topics/10cyberspace/other/sites.html> (General legal directory and search engine with links to databases, government agencies, publications, mailing lists, usenet groups, and government documents.)

Georgetown Library:

<http://www.ll.georgetown.edu/intl/guide/cyberspace/> (Recently revised as of January 2005 with links to articles, cases, and other sites of interest.)

Internet Law Library:

<http://www.phillipsnizer.com/internetlib.htm> (Award-winning website providing synopses of computer law cases arranged by topic.)

Techlaw:

<http://www.techlaw.journal.com/> (Follows legal, legislative, and regulatory issues affecting computer, Internet, information, and communications industries, as well as activities of relevant federal departments, agencies, and commissions.)

University of Texas at Austin Department of Computer Sciences:

http://www.cs.utexas.edu/users/ethics/prop_rights/Tech.html (Provides links to various technology law journals and organizations.)

Looseleaf and Treatise Resources

Computer Fraud, 70 ALR5th 647.

Validity, Construction, and Application of Computer Fraud and Abuse Act (18 USCA 1030), 174 ALR Fed 101.

The Tort of Trespass to Chattels Can Apply to Computers, 4-35 Business Torts Section 35.08, M. Bender © 2005 (LEXIS).

Glossary of Computer and Internet Terms, 4-GL Computer Contracts A, M. Bender © 2004 (LEXIS).

Federal Computer Crime Legislation, 1-7 Law of the Internet @ 7.02, M. Bender © 2004 (LEXIS).

Law Journal Articles and Periodicals

Corbett, Patrick, *Criminal Law: Michigan's Arsenal for Fighting Cybercrime: an*

Overview of State Laws Relating To Computer Crimes, 79 MI Bar Jnl 656 (2000).

Corbett, Patrick, *State and Federal Criminal Cyberlaw and Legislation Survey*, 18 TM Cooley L Rev 7 (2001).

Faulkner, Sarah, *Invasion of The Information Snatchers: Creating Liability for Corporations with Vulnerable Computer Networks*, 18 J Marshall J Computer & Info L 1019 (2000).

Greenbaum, Dov S., *The Database Debate: In Support of an Inequitable Solution*, 13 Alb LJ Sci & Tech 431 (2003).

Hunter, Dan, *Cyberspace as Place and the Tragedy of the Digital Anticommons*, 91 Cal L Rev 439 (2003).

Kerr, Orin, S., *Cybercrime's Scope: Interpreting "Access" and "Authorization" in Computer Misuse Statutes*, 78 NYU L Rev 1596 (2003).

Nicholson, Laura J. et al, *Computer Crimes*, 37 Am Crim L Rev 207 (2000).

Nemerofsky, Jeff, *The Crime of "Interruption of Computer Services to Authorized Users" Have You Ever Heard of It?*, 6 Rich JL & Tech 23 (2000).

Ryan, Patrick S., *War, Peace, or Stalemate: Wargames, Wardialing, Wardriving, and the Emerging Market for Hacker Ethics*, 9 Va JL & Tech 7 (2004).

Siebeck, Michael R., *Cookies and the Common Law: Are Internet Advertisers Trespassing on Our Computers?*, 76 S Cal L Rev 893 (2003).

Conclusion

This article outlines sites and resources to assist in effectively researching the area of computer law. Use of these sources should provide useful information that supplements, at less expense, information obtained from traditional commercial research databases. ♦



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FOOTNOTES

1. See http://www.cs.utexas.edu/users/ethics/prop_rights/Tech.html ("Technology law currently is a vague term that describes law dealing with everything from the Internet to biotechnology. In general, it involves all areas of science and its implementations.")
2. All information is provided as a tool for research and any political views expressed therein are not to be taken as those of the author.
3. To receive a password or receive assistance, contact ICLE by phone at (877) 229-4350 or by e-mail at icle@umich.edu.
4. See also, BNA, Inc., <http://bna.org>, (subscription service providing coverage via 200 news and information services of legal and regulatory developments for business and government).