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OPENLAWS.EU

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Abstract: *The OPENLAWS.eu project aims to linking existing laws, cases and legal literature throughout the EU and member states and potentially worldwide and at adding new user-friendly functionality for a higher productivity. Furthermore, the project should make it possible to easily publish new legal content in order to make law more transparent and understandable. The cloud-based service will be designed for legal professionals and public bodies as well as for citizens and businesses.*

1. OpenLaw.eu.com STREP Proposal

The OPENLAWS.eu consortium is applying for funding in small or medium-scale focused research project (STREP) in the Seventh Framework Program of the European Union (ICT SME-DCA Call 2013). The participating members of the project are the Austrian BY WASS GmbH as the lead partner, the Salzburg University of Applied Sciences, the Italian software implementation company Alpenite srl, the Leibnitz Center for Law at the University of Amsterdam, the London School of Economics and Political Science and the Greek law firm Avgerinos & Partners. Provided that the project is funded, OPENLAWS.eu will have a runtime of 24 months.

2. Objectives

Europe needs an open law platform that is connecting laws, cases and legal literature from all member states and that empowers all citizens, businesses, legal professionals and public bodies to collaborate in a user-friendly and productive way. This will generate more and better legal information, transparency, harmonization and feedback channels from society to decision makers for better governance. OPENLAWS.eu is building a platform based on (linked) open data, open source software and open innovation processes that will turn this vision into reality.

The main idea that led us to propose this project is inspired by the observation that the gradual opening up of large legal databases throughout Europe requires more effective search and publication tools, a balance between bottom-up and top-down syntactical and semantic data harmonization efforts, and a multi-stakeholder engagement framework through which new business models and open innovation processes can be explored. Law is affecting all citizens, businesses, legal professionals (like lawyers, notaries, judges, in-house counsels, public accountants, etc.) and public bodies all over the world and has been an extremely important issue in the EU ever since. As in many other areas, the amount of available data is also increasing in the legal domain, in particular when looking at it from a European perspective. Furthermore, more and more legal data is being

made available as open government data – this is why we refer to “big open legal data (BOLD)”. On the one hand, the sheer size of the databases that are becoming available points to the need for a better tool and better functionalities for handling existing legal information and for making even more (unpublished) legal data available to the broad public. On the other hand, the increasing openness of the databases points to the need for new business models that are inclusive of stakeholders, such as legal publishing houses, that have traditionally relied on proprietary knowledge models. OPENLAWS.eu, therefore, will integrate significant socio-technical innovation with the collaborative development of an “engagement framework” for aligning interests and objectives along principles of synergy, community building, and market-based competition. OPENLAW.eu’s socio-technical and business innovation will make it possible for more functionality and more content to foster greater harmonization and transparency, leading to economic and social benefits in the European market. Through the OpenLaw.eu.com approach, a better understanding of law will also have a positive impact on economic growth, the formation of new companies, and innovation. As law is one of the strongest instruments of regulation in the EU, we have an opportunity to make use of today’s technological potential to better inform users and capture their feedback. This will allow for better policy making, more proximity to citizens and more direct democracy, both on a European and on a member state (MS) level. Only a few years ago a project like OPENLAWS.eu could not have been realized because of a lack of data and technology. Today open data, open source software, and tools for big data analysis are available to tackle these challenges, and even the community can be included through open innovation processes. An automated pre-processing of available legal content in combination with an improvement and verification by the crowd for data curation will make it even possible to overcome the very strong language barriers in the legal area and link multilingual open data from various MS with each other.

3. Functionality

3.1. Legal meta-search

The platform will support a meta-search service covering legislation, jurisdiction and legal literature databases, both on a EU and a MS level. Through user-friendly navigation, the meta-search service will use semantics, linked open data, facet search, collaborative filtering, etc. similarly to familiar tools such as Google Scholar, Microsoft Academic Search, Amazon, etc., but with a focus on law. The standardized European Legal Identifier (ELI) and the European Case Law Identifier (ECLI) will help structure the different databases. The meta-search will be well-integrated with the new upcoming version of the EUR-Lex database.

3.2. Mass customization

Users will be enabled to organize legal content in accordance with their personal needs to increase their personal productivity. This individual usage will generate a large amount of metadata regardless of the individual motivation, which will increase the quality of the meta-search engine. They will be able to underline, highlight, comment, tag, rate documents for relevance and other criteria such as readability, and add other metadata. It will become possible to organize laws, cases, and literature in personal folders manually or in search folders. Legal documents will be managed as easily as a music library and users will take their personal legal content with them on a smartphone or tablet PC just like music in an MP3 player (cross-platform development). This approach will allow for a broad metadata generation and curation.

3.3. Open communications and open publication platform

Personal folders as above may be shared with others, e.g. between a junior and a senior partner in a law firm, or also with a judge, which will increase productivity and communication. Instead of using e-mail, a secure built-in messaging system can be used, also supporting digital signatures. Legal professionals will be encouraged to publish papers in a legal open access journal, using the structure of already published laws and cases. OPENLAWS.eu will offer public bodies a user-friendly out-of-the-box white label legal content management system (CMS) to publish laws and cases without having to set up their own costly infrastructure. With such a CMS every public institution will have the opportunity to use a state-of-the-art legal database for their citizens, which is linked to EU laws and other MS databases from the very start, and adapt it to local requirements. The system will be easy to use so that no expert knowledge is required to publish new content, similarly to familiar tools such as WordPress, Drupal or Joomla.

4. Social Aspects

The ever-growing enmeshment of online social networks with business and open innovation environments is making (i) social dynamics increasingly relevant to economic interaction, and (ii) a governance framework increasingly important to negotiate the complex dynamics of emerging and evolving virtual communities. OPENLAWS.eu will address the former by developing innovative business models that rely on a wider definition of “economy”, such as that explored in the field of economic anthropology where the commons and social relationships are treated as constitutive components of the economy on par with capitalization and the market. At the same time, the latter requires an “open governance” framework informed by institutional economics and political economy to encourage democratic participation by individual citizens and support collaborative decision-making among stakeholders of different scale and market power. Thus, OPENLAWS.eu will develop an integrated socio-economic and governance framework to provide a rationale for different modalities of interaction for the different typologies of stakeholders such that: stakeholder incentives are as complementary and synergistic as possible; their responsibilities to each other and to the platform are clear; their “weight” or decision power and influence in the community/market are acknowledged; appropriate processes are outlined for negotiation or for the resolution of disagreements in objectives or methodology; the position of the core OPENLAWS.eu team as the catalyst/facilitator/moderator/innovation mall of the community is clear to everyone; and a rationale for developing innovative business models has been communicated and discussed openly. We will rely on qualitative and desk research methodologies in combination with real-time feedback at live events to map stakeholder typologies and interests, thereby providing valuable empirical input to the definition of the engagement framework as well as the requirements for the platform functionalities and user interface.