

# LEGAL INFORMATION ON THE WEB: THE ITALIAN SITUATION

*Ginevra Peruginelli*

*Institute of Legal Information Theory and Techniques (ITTIG – CNR)  
Florence, Italy*

**Law via the Internet, Paris 3-5 November 2004**

# OUTLINE

- ✓ Presentation of ITTIG
  
- ✓ Web access to law in Italy
  - Legislative information
  - Case law
  - Legal literature
  - Administrative regulations
  
- ✓ NIR - Norme in Rete Project and its standards

# THE INSTITUTE OF LEGAL INFORMATION THEORY AND TECHNIQUES

- ✓ Born: 1968
- ✓ It belongs to the Italian National Research Council
- ✓ Located in Florence and directed by Prof. Nicola Palazzolo

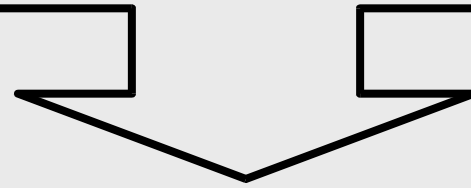
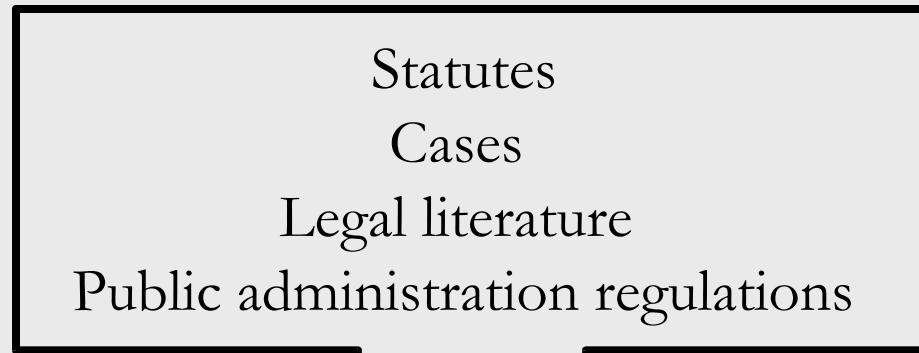
## MISSION:

Research onto and development of technologies in the field of information and communications technology applied to law and to services of the public administration.

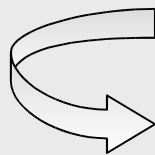
## AREAS OF ACTIVITY

- ✓ Methods and techniques of legal documentation
- ✓ Legimatics: computing for legislation
- ✓ New methods for the analysis and treatment of legal data
- ✓ Informatics and teaching of law
- ✓ Law and e-government policies
- ✓ History of legal language and lexicography

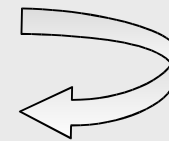
# WEB ACCESS TO LAW IN ITALY (1)



1995



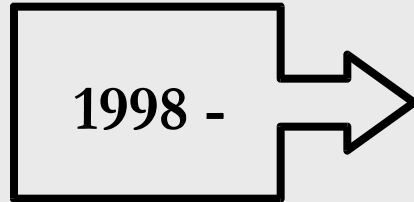
University  
 Web sites



Research Institutes  
 Web sites (i.e:ITTIG)

<http://www.ittig.cnr.it>

## WEB ACCESS TO LAW IN ITALY (2)



Web sites of: Parliament, Ministries, Local public administration, Legal publishers, Law firms ...

### Access and availability to legal information

- ✓ Different levels of information  
(*Full text, Abstracts, normative/jurisprudential / bibliographic references*)
- ✓ Free of charge and on charge

# ACCESS TO LEGISLATIVE INFORMATION

Full text available free of charge from institutional web sites of:

- ✓ **Parliament/Government**
- ✓ **Ministries and Authorities**
- ✓ **IPZS (Official Journal - G.U.)** → Only last 60 days



## A big challenge of Italian Government

NIR - Norme in Rete Project: a major institutional initiative coordinated by the Minister of Justice in collaboration with ITTIG

# ACCESS TO CASE LAW

|  |   |
|--|---|
| <b>Free of charge</b>  | <b>On charge</b>                            |
| Administrative,<br>accounts, constitutional<br>jurisprudence | Ordinary jurisprudence<br>(maxims included) |

## Italgiure legal documentation system of the Supreme Court of Cassation:

- ✓ Major provider of case law information
- ✓ 40 databases available on charge
- ✓ Free of charge only to officers of central administrations and judges



# ACCESS TO LEGAL LITERATURE (1)

Monographs → E.book not available

Periodicals → Born online (scarce; mainly on charge)  
→ Both on print and online (on charge)

Databases and guides → Reference information

**Legal publishers' output is mainly on print, but efforts are made towards electronic publishing:**

- ✓ Download credit for online articles
- ✓ Electronic indexes of periodicals' issues (TOCs, Abstract)

## ACCESS TO LEGAL LITERATURE (2)

### Un example: DoGi Database - Legal Literature

Bibliographic online database of abstracts of articles in Italian legal periodicals. Produced and distributed by ITTIG. Accessible free of charge.

#### ✓ **Content:**

Bibliographic citations, abstract and/or summary (list of chapters), classification (highly structured), normative and jurisprudential references point to full text of legal sources

#### ✓ **Sources and coverage:**

250 Italian legal periodicals from 1970

#### ✓ **Update:**

Monthly

## EXAMPLE OF SEARCH

ITLIG/CNR - DocG / 22.03.00210

Ferrari Simone

Appunti sull'attenuante della "collaborazione" nel reato di narcotraffico

(Nota a Cass. sez. IV pen. 15 marzo 2001)

*Giurisprudenza Italiana*, 2002, fasc. 7 (luglio), pag. 1457-1458

(*pubblicazioni a pag. di pagina e nel corpo del testo*)

[PEN.9.35. STUPEFACENTI](#)

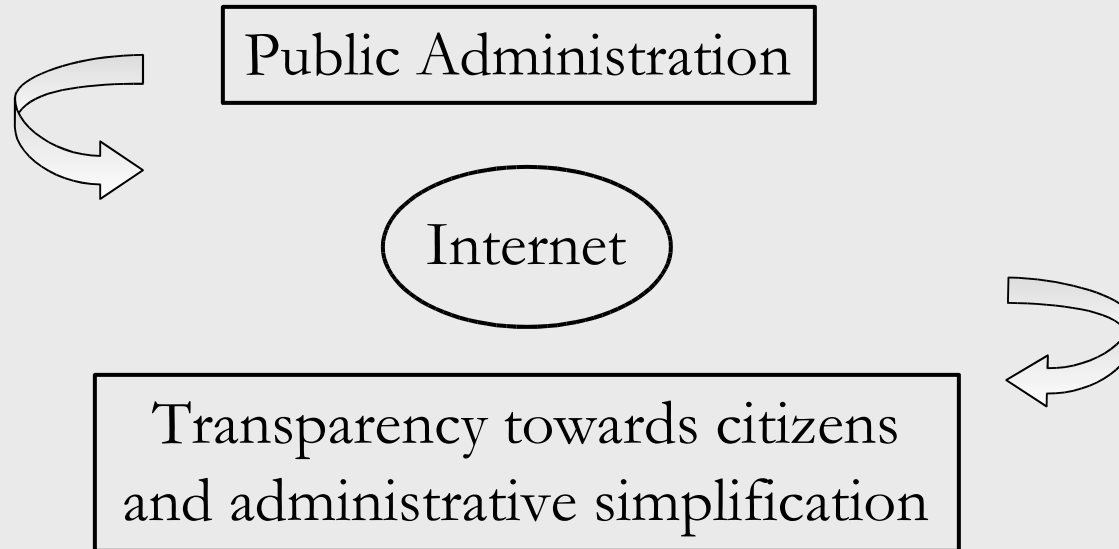
La norma di cui all'art. 73 comma 7 d.p.r. 309/1990 introduce la circostanza attenuante del ravvedimento post delittuoso, prevedendo la drastica riduzione di pena dalla metà ai due terzi per la collaborazione prestata dall'agente nell'attività di repressione del traffico di droga. Conformemente al significato letterale e alla "ratio" di prevenzione del danno sociale connesso alla diffusione della droga, sulla prevista riduzione premiale della norma si è pronunciata la Corte di Cassazione nel senso che la riduzione della pena deve essere conseguenza di un'utile collaborazione, che dal reato già consumato tragga occasione per rivelazioni idonee in concreto ad evitare altri delitti. Pertanto, ai fini dell'applicazione dell'attenuante della "collaborazione", si richiede che l'imputato fornisca agli inquirenti notizie utili per sradicare l'organizzazione di traffico e spaccio di sostanze stupefacenti, non essendo sufficiente una condotta che si esaurisca nella confessione di fatti e circostanze marginali.

*Cass. sez. IV pen. 15 marzo 2001*

*art. 73 comma 7 d.p.r. 309/1990, n. 309* ← [recupera [atto](#) via NIR]

# ACCESS TO ADMINISTRATIVE REGULATIONS

Provision of administrative acts through central and local administrative institutions: free of charge



*Example*

**Italia.gov.it:** access point to all central and local administrative activity.  
Documentation of the various phases of the administrative process.

<http://www.italia.gov.it>

# THE NIR PROJECT

- ✓ Coordinated by **CNIPA** – Italian Authority for Information Technology in the Public Administration in conjunction with **Ministry of Justice** and **ITTIG**
- ✓ Date of birth: 1999 Feasibility study
- ✓ Date of development : 2002 operative version

## OUTCOMES:

- 180.000 indexed acts
- Up to 50 participant administrations
- Up to 100.000 search sessions par month

**A federative  
approach to  
access to law  
by citizens**

# NIR FEATURES

- ✓ Free of charge
- ✓ Cooperation among different creators of legislation (adoption of standards)
- ✓ Promotion of national shared standards among public institutions

## Benefits for:

- ✓ Citizens: access to legislative information
- ✓ Public Administration: simplification and interoperability
- ✓ Legal professionals: working tools

# PURPOSES OF THE PROJECT

- ✓ Implementation of a specialized portal, delivering search and retrieval functions on legislative documents published on different Public Administration's web sites.
- ✓ **Definition of standards**, consistent with Internet technologies, to represent data and metadata meaningful in the legal domain.
- ✓ Development and distribution of open source software to support legislative document management and publishing to Public Administration.

# THE NIR STANDARDS

Two specific national working groups produced two main official standards:

1. a standard for cross-referencing legal documents with the uniform name (URN) technique:
  - an unambiguous identifier, allowing the references to be expressed in a stable way, independently of document physical location (URL). The URN is a **persistent, location-independent, resource identification mechanism**;
2. a standard for legal document description by defining XML-DTDs (NIR-DTDs) of increasing degree of depth in text hierarchy description.



# URN – UNIFORM RESOURCE NAME

- ✓ Each law contains several references to other laws: the whole legislative *corpus* can be seen as a net, laws being nodes connected through references
- ✓ The URNs are defined as a combination of elements, according to a specific grammar, that are basically name of the promulgating authority, type of norm, date, number and a set of more detailed specifications when needed.

Example: *Decreto del Presidente della Repubblica 29 marzo 1973, n. 156*  
*urn:nir:presidente.repubblica:decreto:1973-03-29;156*

## Tools:

- ✓ **Parser**  
Available on-line, automatically detects references within laws
- ✓ **Resolution service**  
Resolves URNs into URLs (when known).

# TOOLS FOR APPLICATION OF STANDARDS: NIREEDITOR

*NIREditor* : a specific visual XML editor

- ✓ to handle legacy legislative documents
- ✓ to produce new legislative documents

} according to two  
NIR standards

*NIREditor* : a specific visual drafting environment  
to handle XML-NIR documents.

## FUTURE PLAN OF NIR

- ✓ Feasibility studies for extending access to jurisprudence and legal literature in the framework of NIR project
- ✓ Creation of a co-ordinated legislative text resulting from assembling modifications, integrations and abrogation of previous provisions

**Thank you for your attention !**

**Peruginelli@ittig.cnr.it**

**http://www.ittig.cnr.it**

## REFERENCES

- ✓ **Institute of Legal Information Theory and Techniques of CNR – ITTIG**  
<http://www.ittig.cnr.it/IndexEng.htm>.
- ✓ **NIR - Norme in rete**  
<http://www.normeinrete.it>.
- ✓ **DoGi- Abstract of articles of legal journals**  
<http://www.ittig.cnr.it/BancheDatiGuide/dogi/IndexEng.htm>
- ✓ **Italgiure Web**  
<http://www.italgiure.giustizia.it>.

<http://www.ittig.cnr.it>