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How to Encourage and Upgrade Grass-roots Efforts to Create a Systemic Legal Information Institute from the Korean Experiences*

Whon-Il Park

Associate Professor of Law, Kyung Hee University Law School, Seoul

Abstract. To extend Korean legal contents on the Internet in a short period of time, it is advisable to establish a Wikipedia-like portal site following the precedent of the Korean History portal <www.koreanhistory.or.kr>. The non-profit Korean LII needs to provide issue-oriented items just for “pump priming” purpose. Further, systematic legal information databases will be accumulated by means of effective hyperlinks. All the agencies that have provided legal technical services to under-developed countries are requested to upload their achievements and products onto the united portal site.

In this regard, the following three factors are required for the success of the online legal databases: First, grass-roots collective intelligence with shared vision and leadership is indispensable; Second, human networks equipped with necessary financial and technical assistance facilitate the upgrade of legal databases; Third, highly motivated "great cause" and reliable and productive feedback are pivotal for the sustainable development of such legal databases.

Keywords: legal information, free access to law, database, Web 2.0, Single Window

1. Introduction

It is usual in South Korea for every website to contain legal information on which the owner of the site bases its operations regardless of its nature - government office,

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corporation or private entity. This kind of information is distributed to various websites, blogs and cafes on the Internet, and could be reached and transferred by interested visitors. Why is such legal information usually posted and updated on the Internet? It is not for decorative use but for useful information to visitors of the website. Government offices are meant to declare their commitment to the rule of law. For a private company, such legal information shows the ground of its operations and legality.

Nowadays such slogans as "free access to legal information" are frequently discussed in Korea. For example, in July 2010, the Korea Legal Research Institute (KLRI) hosted an international seminar on "G-20 and Global Legislation Strategies" including a theme which stressed Korea's mission to help less developed countries to establish legal regimes appropriate to their society. In August 2010, the Korean Bar Association (KBA) held its 20th Annual Lawyers Conference to deal with how to establish a Korean Legal Information Institute (LII).¹⁾ The next month, the National Assembly Library saw the Global Legal Information Network (GLIN) participants all over the world discuss the topic, the "Utilization of E-Resources for Legal Information" searching for a law library desirable for the Information Age.

In the Information Age when high-speed broadband Internet carries legal information to ordinary people with minimal cost, what on earth "free access to law" really matters? Is such information available on the Internet correct and up-to-date? How much is the benefit from making legal information easily accessible on the Internet, and the cost to be paid by doing so? In Korea, it is quite easy to have access to legal resources in Korean including laws and regulations, supreme court decisions and treaties. But it is not so easy to reach the same content in a different language, English, which is provided by a different website on a limited scope. This paper wishes to contribute to the expansion of the LII movement at home and abroad by introducing Korean efforts to overcome the following obstacles:

- o Why are foreign visitors complaining of the difficulty of looking for Korean legal information in English with the help of such a powerful search engine as Google?
- o Then how can Korea, equipped with resourceful legal information sites in a short period of time, accumulate various legal information sites in English?

1) KBA hosted a conference in which specialists from the United States, Canada, Australia and Germany introduced the activities of LIIs. KBA demanded the Judiciary to convey the whole content of the district court and appellate court decisions to a KBA-operated LII.

- o How can the user know the accuracy, sufficiency and up-to-date nature of legal information?
- o How effective is the legal information available at the Internet to promote the trade and business with foreign countries? Is it truly meaningful to expand the scope of Korean legal market by means of such efforts?

2. How to Obtain More Legal Information in English

2.1. COURT CASES

In Korea, legal information is divided into statutes, cases and legal literature. With respect to court decisions, they were compiled into databases in Korea like in the United States. In Korea, the judiciary has sponsored the development of case law databases from the beginning²⁾ unlike in other countries. When the Supreme Court started its precedent database in 1983, several young judges used their individually developed search programs while compiling precedents using their own personal computers. From 1990, when PCs were provided to all judges, they could search precedent cases using their sentencing date, case name and other limited conditions using inter-court networks in Seoul.³⁾

In the beginning, the case law database and collection of case summaries were inconvenient compared to paper-based information. In the mid 1990s, when the Court Library had the initiative improving the database or search engine and deploying the local area network (LAN) system for the judiciary, the legal database began to be used extensively not only by judges but also by laymen.⁴⁾ The Supreme Court website

2) Judge Moon Yong-ho, "Latest Developments in Access to Legal Information", *National Assembly Library Journal*, July 1997.

3) *Ibid.* In 1988 when 286 PCs were provided to judges, Judge Yim Jun-ho developed the LEX precedent search program using dBase Plus and Clipper language for use for his court proceedings. This database included summaries of the Supreme Court decisions and law journal articles kept at the Court Library. It used a natural language search scheme. It was a user-oriented search program, and very popular among judges and lawyers in Seoul.

4) In 1993, Judge Kang Bong-su, later head of the Court Library, developed a user-oriented LX program using FoxPro language equipped with superior program development functions and a search engine based on a LEX program that had been developed earlier by Judge Yim. As news of its convenience was spread from person to person and it was upgraded with additional functions, it was largely used among judges, lawyers and law students via PC

has acquired a unique position even these days as far as case law searching is concerned, because they provide better contents and offer greater convenience than any other commercial databases yet available.⁵⁾

The reasons why the case law search program that was developed by individual judges for their own use became such a popular legal information database are as follows:

First, the pure motives of the judges, who developed case law search programs out of personal need and curiosity, were steadily inherited by later developers without becoming commercial ventures.⁶⁾ They could induce voluntary participation by scholars while securing copyright approval from the authors of legal writings to include them in the database together with summaries written by the authors for such nominal compensation as LX DVD copies.

Second, the programs had thoroughly user-oriented functions so that novice computer users could use them easily and they were constantly upgraded to improve such functions. In 1996, as the government supported the judiciary branch broadband network service, the Supreme Court databases could be easily searched free of charge wherever the Internet service was available.

Third, unquestionably such a valuable result could only be achieved step by step thanks to the dedicated efforts of the numerous people involved in the project. In the beginning, court decisions and their summaries had to be processed into the database manually based on the court gazette, the judiciary official collection of court decisions. In 1998, following the foreign exchange crisis in Korea, many young people who were

networks. In 1996, when Judge Kang became the Director of the Court Library, the library led LX DB data supplementation and system improvement. It became a highly efficient law database with an enormous volume of data that no commercial database could surpass. In 2002, Judge Kang, then Chief Judge of the Seoul District Court, was awarded the Law Culture Prize for his distinguished service. *YH News Service* dated 23 February 2002.

- 5) LX DB is available at the Supreme Court website <<http://www.scourt.go.kr>> or via the *Beopgoeul* (Law Village) DVD. You may purchase the DVD from the Judiciary Development Foundation under the Supreme Court.
- 6) This spirit was demonstrated again in the process of developing systems for computerizing court proceedings and administrative matters. For example, though many difficulties were encountered in computerizing real estate registry, Judge Hwang Chang-hyeon in charge of the project shortened the period substantially while reducing the number of data errors by adopting such creative methods as two-person entry and reconciliation of enormous quantities of data for checking possible errors in the entered data.

hired under a government "self-help employment" program entered an enormous volume of law data without any serious errors as they voluntarily learned hard-to-understand legal terms and Chinese characters.⁷⁾

Later, the Ministry of Government Legislation helped the court database to contain not only current but also old statutes. Furthermore, users were henceforth able to search reference decisions, lower court precedents and decisions following precedent cases by providing direct links to them. Also the programs offered highly commendable technical features, including FoxPro techniques that enabled speedy viewing of searched data during an ongoing search operation, hyperlink functions that interconnected provisions or concepts of statutes, and easy upgrading of new additional data.⁸⁾

The current LX database includes richer contents and better organized data than any other law database at home. First, it includes such court decisions as the summaries and full text of key Supreme Court decisions published from 1948 onwards; the summaries and full text of Constitutional Court decisions published since 1989; the full text of decisions made by the Seoul Appellate and Seoul District Court, and other lower courts since 1948. Second, it includes such statute-related information as the current Republic of Korea statutes downloaded from the websites of the government departments.

Finally, it contains extensive bibliographic information with which users can easily retrieve the full text of theses published since 1990 and related data files provided by the authors among those published by court judges, in addition to the index data of legal writings or articles by Korean, Japanese, American and European lawyers held by the Court Library. It also employs simple multi-stage search menus. While reading decisions obtained by a case search, users can also view related provisions, references or subsequent cases or literature at the same time. Users can search information using such conditions as sentencing date, case number, law provisions, and key words.⁹⁾

7) Judge Kang Min-gu, "Magic Box of Legal Information", *Maekyung Chunchu* (Chronicle), June 2, 2009.

8) In the beginning, the programs adopted an open data management system that enabled any user to enter or correct data individually, but they are now under the centralized control of the Court Library. Useful information held by individuals should be provided to the Court Library for entry into the database.

9) The key words refer to over 100,000 natural language words that are automatically extracted from the main text.

The above-mentioned characteristics of the Korean court case databases seem to attract the attention of Westlaw, the world largest commercial legal database provider. Westlaw has entered an agreement with the Court Library to make the English version¹⁰⁾ of the Supreme Court rulings public through its website.

2.2. HOW TO BUILD UP LEGAL INFORMATION DB IN ENGLISH

To extend legal information contents, it is necessary to include legal and case law information belonging to the public domain. Legal information and case law information were the first that were organized into a database that continues to evolve owing to cooperation between the related government offices. Of the utmost importance in this regard is how to secure a copyright licence to publish the legal literature - including law books and theses worth referencing. If the authors approve or cooperate, the full text of their works could be included in the database. Otherwise, their database entries are limited to bibliographic information, such as editorial and index data only. In Korea, we can retrieve them off-line at conventional libraries.

It is highly regrettable that foreigners can scarcely have access to any English versions of newspaper or journal articles or legal theses on Korean legal systems. Since the Korean Copyright Act provides that "the laws and decrees, treaties, rules, notifications, notices, court decisions, rulings, etc. established by the State and local government, and their edited version and translation are beyond the protection of copyright",¹¹⁾ there is no incentive for translation of those government works.

That's one of the reasons why the contents of the English section of the government offices' and corporations' websites are poor and hard to search for interested items. Another reason is that the English information is commingled with original Korean texts, as witnessed in the "Information on Treaties" of the Ministry of Foreign Affairs and Trade website.¹²⁾ Even though the treaties and conventions entered by Korea are well sorted by the effective year, they can hardly be retrieved by even Google's powerful search robots. As a result, the English content of Korean legal information is

10) At present, the Court Library website is regularly posting the first draft of the Supreme Court decisions. Later on, the first draft is reviewed by the foreign lawyers well versed in the Korean legal regime and then by Korean judges who compares the original text with its English translation. After that, the "first draft" mark is deleted.

11) Subparagraph 4 Article 7 of the Copyright Act.

12) <<http://www.mofat.go.kr/state/treatylaw/treatyinformation/index.jsp>>(accessed April 25, 2011).

absolutely insufficient. Because regular updating of the English content cannot be expected, no one knows which is the correct or sufficient one, and the most recent one among the legal information.

In terms of cost-benefit analysis, those government offices have been doing good job by accumulating valuable legal information in English on an individual basis, their output is relatively small. It's because their websites seem to be beyond the reach of ordinary visitors who are interested in Korean legal information on a consolidated basis. A Korean proverb describes it like this, "It is no use to have a plenty of beads unless you string them together to make a treasure."

3. How to Provide Legal Information in English

3.1. MORE ENGLISH CONTENTS v. BIG PICTURE EXPLANATION

There is a quite simple solution, "the more legal information in English, the better result foreign visitors can get from the legal resources of Korea." But it is also true to obtain such English materials costs too much time and budget. As mentioned before, the widely scattered information is almost useless. If you are equipped with diverse types of databases on legal information, you may provide typical directory tabs for each databases, as employed by a number of commercial databases.¹³⁾ The users can search desired information with ease using powerful search tools.

However, it has a shortcoming. If such database is not arranged and organized in a systematic and inclusive manner, novice users or laymen seeking a "tree" used to get lost in the "forest" of data. Therefore, it will be wise to present those users a "big picture" of the Korean legal system, which could be explained even though there are insufficient legal materials in English. At first, explain the major concepts and key words, then introduce the related legal materials in English. Even though there is no appropriate data for such key words, proper hyperlink to relevant materials in Korean is much more useful than "No Content" at all. If it is connected to the historical data of

13) There are two models, WestLaw and Wikipedia. Westlaw offers diverse types of databases on statutes, cases, law journals and newspaper articles from which the users can search information using powerful search tools. The Wikipedia model seems to be effective in introducing the still scarce Korean statutes, cases or law journal articles written in English systematically to foreign users who are not so familiar with the Korean legal system.

such legal information, users can recognize the most recent one.

Then how can we convert the huge legal information content into the English version that can be accessed by foreigners interested in the Korean legal system? This is a kind of custom-made information and can be achieved neither by any government agency nor private company. It is not business-oriented to provide legal information of huge volume in English with a small amount of membership fee.¹⁴⁾ However, it could be achieved with a sense of voluntarism step by step.

3.2. WEB 2.0 AND SINGLE WINDOW

For the extension of legal information contents in a short period of time, a Wikipedia-like site compiled by means of collective intelligence based on Web 2.0 would be highly effective. For example, let's assume that the "Constitution of the Republic of Korea" is to be uploaded to that site. First, it should be linked to the Republic of Korea Constitution Code, which is already available in the English version. To enhance understanding of the Korean constitution, contemporary key issues and the relevant political and social background should be mentioned as well as the history of its establishment and amendment. A brief explanation of such constitutional concepts as fundamental rights and rule of law should also be given. Published writings, especially English abstracts of major theses, should be hyperlinked as well as key precedent cases of the Supreme Court and the Constitution Court. If Korean materials are added in the PDF format, it will provide an opportunity for automatic verification against possible errors, while those foreigners who require detailed knowledge and information will have them translated into their own language by an interpreter.

The non-profit agency that could manage such a Korean legal information portal site needs to provide issue-oriented items just for "pump priming" purpose.¹⁵⁾ Further, systematic legal information databases will be constituted by already available digital legal resources connected with effective hyperlinks. So it is necessary to efficiently unite all the separate legal information networks that are diversified among government agencies. The National Assembly Library¹⁶⁾

14) KLRI previously provided its member users with Korean statutes translated into English, but it could hardly make both ends meet because a considerable amount of money had to be spent on outsourcing their translation to specialists. Therefore, for the interest of the public, KLRI switched to a free service in April 2010.

15) The Court Library asks the authors of theses to be uploaded to LX DB to provide one page summary. This "individual request" approach is also recommendable.

<<http://www.nanet.go.kr>>, Supreme Court <<http://www.scourt.go.kr>>, Constitutional Court <<http://www.ccourt.go.kr>>, Ministry of Government Legislation <<http://www.moleg.go.kr>>, Ministry of Justice <<http://www.moj.go.kr>>, and Korea Legislation Research Institute¹⁷⁾ <<http://www.klri.re.kr>> have already constructed and published their own legal information databases separately on the Internet.

In the academia, the Korean History On-line <<http://www.koreanhistory.or.kr>> is regarded as highly successful.¹⁸⁾ This problem can be simply resolved by applying the "Single Window" concept,¹⁹⁾ which is something of a fad these days. Single Window is a system whereby users can access the websites and procedures of all participating agencies by one click through one unified window for user convenience of enabling all export and import transactions conducted on-line, in order to promote international trade. In Korea, some "Single Window" projects have already been successfully carried out, including e-Government <<http://www.korea.go.kr>>, e-Civic Service <<http://www.egov.go.kr>>, National Marketplace <<http://www.g2b.go.kr>>, and e-Trade system uTradeHub <<http://www.utradehub.or.kr>>. As such, there should be no technical difficulties in adopting Single Window schemes. What matters most is that the relevant agencies be united in their will to adopt it.

3.3. HOW TO IMPLEMENT THE PROJECT WITH SUFFICIENT BUDGET

Next question is "Who rings the bell?" There are two options. First, a public organization can do the job with government budget. Second, a non-profit private organization may perform the job for the public interest. A private company cannot do such business owing to the disputes on copyright royalty because a large portion of databases comes from the government.

In the private sector, this kind of non-profit project needs sufficient sponsorship. The concept of "Legal Information Institute" was initiated by KBA for the first time in Korea, though it collects and provides legal information only in Korean. KBA pointed

16) The National Assembly Library provides open access to Korean legal information through the Global Legal Information Network (GLIN) initiated by the U.S. Congress Library.

17) KLRI also provides open access to Korean legal information through the Asia Legal Information Network (ALIN), and the Australasian Legal Information Institute (AsianLII).

18) It is a hub of a number of websites specialized in Korean history, which are operated by various institutions.

19) Wikipedia <http://en.wikipedia.org/wiki/Single_Window_System>.

out that the Korean citizens have to pay more for the dispute settlement by the court as the Judiciary would not provide the whole Supreme Court decisions and disclose all the lower level court rulings. KBA demanded "Bring back to citizens the valuable legal information which lies dormant in the court archives."²⁰⁾

But the Judiciary officials have opposed that idea in that such enforced disclosure of court rulings to third parties may give rise to possible privacy violation, defamation or obstruction of other's business.²¹⁾ In addition, there is no validation methodology to confirm the information on the Internet based upon the original text. If there occurs a discrepancy between the Internet data and the original one owing to loss of data, intentional forgery, and so on, unexpected lawsuits will follow. It must increase the transaction cost as regards the disclosure of unlimited legal information.²²⁾

The intrinsic risks could become much bigger with respect to the translated version of legal information. When a foreign investor suffers a loss because of wrongful translation of Korean laws and regulations, who is responsible for it, among translator, webmaster or foreign investor himself who reluctantly retains a Korean lawyer?²³⁾ It could be first and foremost to secure more and more legal contents in English with an appropriate disclaimer.

Generally speaking, a legal information institute (LII) has the following essential elements:²⁴⁾

First, a LII brings together legal information resources from more than one official

20) KBA asserted that the personal injury cases arising out of traffic accidents in the first instance should be fully disclosed. Such information could help the lawyers to conduct likely successful court proceedings, and accordingly would be beneficial to their clients.

21) Generally, the names of persons, entities, companies and related parties that appear in the court rulings should be kept anonymous.

22) According to Professor Graham Greenleaf, Co-Director of Australasian Legal Information Institute (AustLII), this has not proven to be a problem in other countries, such as with 15 years experience of AustLII.

23) Once the Internet information is posted, it could be immediately copied and transferred to other websites, blogs and cafes. So if the original information was duly corrected, the remaining information with errors could be kept intact. As a result, the Internet search will find the wrongful information rather than the corrected one.

24) Graham Greenleaf, "Korea and expanding free access to legal information: Experience of the Australasian Legal Information Institute (AustLII)," Korean Bar Association 20th Annual Lawyers Conference, August 30, 2010.

source, and by combining them adds value. Or it takes legal information from one major official source and adds significant additional value to it. So a court or legislature that simply makes the cases or legislation it produces available to the public for free is not a LII, even though this is essential for free access to law. LIIs do something extra with that official legal information.

Second, it makes this value-added official information available for free and anonymous access by any member of the public, through a not-for-profit entity.²⁵⁾ LIIs are also usually not-for-profit organizations: they may undertake some revenue-earning activities, but this is to assist in sustaining their free access services, not for the purpose of making a profit for the owners.

Third, LIIs are occasionally united to carry out the "Free Access to Law Movement". Organizations that meet the above two criteria are welcome to join the Free Access to Law Movement, an informal association of LIIs that provide mutual assistance to each other, and adhere to the Declaration on Free Access to Law (2002, as amended).²⁶⁾

Against these backdrops, which institution is eligible for a Korean LII apart from KBA, an interest group? One or two universities, as is the case with Australia,²⁷⁾ or the neutral government institution may function as a Korean LII. KLRI has taken the initiative to promote sharing of statutes, court decisions and research data with Asian countries through the Asian Legal Information Network (ALIN).²⁸⁾ In 2005, KLRI hosted the founding general assembly of ALIN in Seoul with representatives from 22 institutions of 14 Asian countries.²⁹⁾

There can be additional forces to put the Korean LII on a proper track. Since

25) *Ibid.*

26) *Ibid.* There are 34 members of FALM at present. Fifteen LIIs also cooperate to provide their content through shared multi-country free access portals.

27) University of New South Wales and University of Technology, Sydney jointly operate AustLII <<http://www.austlii.edu.au/>> and AsianLII <<http://www.asianlii.org/>> with academic grants and private sector contributions. In December 2009, KLRI and AustLII agreed to strengthen the Korea pages of AsianLII.

28) <<http://www.e-alin.org/>>(accessed April 25, 2011).

29) Sohn, Hui-du, "Korea's Experience and G20 Roles for Updating Legal Systems," released at the international conference hosted by KLRI, "G20 and Global Legal System Strategy," in July 2010. KLRI became a member of FALM in 2010, mainly because of the provision of free access translations of Korean legislation. Professor Greenleaf said that there is no rule against two LIIs from the same country that provide different types of services.

the late 1990s, the Korean government has provided legal technical assistance to help under-developed countries in Asia and Africa with the fiscal and technical support.³⁰⁾ But so far, Korean efforts has been discretely limited by institutions or agencies, which separately invited foreign lawyers to attend their own education or training programs. Therefore, only a few foreigners were granted benefits while foreign jurists who really needed assistance were not given any opportunities. If all the agencies, including the Korea International Cooperation Agency (KOICA), that have provided legal technical services to developing countries, an excellent Korean legal information infrastructure could be deployed within a short period of time by uploading their achievements and products onto the united portal site.³¹⁾

4. How to Supply Legal Information in English

4.1. ENCOURAGING GRASS-ROOTS VOLUNTARISM

In order to build up legal information databases in English in a short period of time, it is absolutely necessary to induce volunteers and to extract individual expertise into that project as well as to interconnect the cooperation among related institutions. As the Korean case law databases have been accumulated by the individual passion and efforts of young judges, it would be useful to mobilize the Wikipedia-style collective intelligence in building up legal information databases in English. In this context, one thing should be taken care of that mobilizing collective intelligence to compile on-line dictionaries has often failed to date.³²⁾ So individuals with good materials in English are encouraged to post them on the Korean LII website. Of course, those volunteers should be awarded with tangible or intangible incentives.

When the Korean LII webmaster posts some items that need to be modified with a

30) Shim, Dong-Seop, *Globalization and Interchange of Law*, Haedeun, 2006, pp.231-249.

31) Kwon, Oh-seung, "The Necessity and Direction of Asian Law Studies", Inaugural Symposium of the Asian Law Institute in June 2004.

32) Korean people tend to hesitate to participate in such ventures because they hate "censorship" where others revise or even degrade their "perfect" sentences. They tend to prefer a provocative platform like the Agora debate bulletin board to the perfectionist WikiWiki platform where neither extravagant nor applausive comments are added. Wu, Byeong-hyeon, "Compiling Dictionary in the Internet Age – Significance and Tasks of New Dictionary Publication", *New National Language Life*, Vol.19 No.4 (Winter 2009).

mark "To be Edited", it will function like "pump priming" to usher in anyone with good idea and content. For example, the Korean Fair Trade Commission (KFTC) has been required to translate into English the statutes and key rulings related to fair trade for uploading onto its own website. From now on, however, this will no longer be necessary. KFTC will be required to only have its homepage linked to such an integrated portal site as the Korean LII that will introduce articles and comments on important legal issues and provide links to English abstracts of books and theses written by experts.

As time goes by, its content will be corrected and modified to perfection. If the Korean LII portal site is properly operated on the Web 2.0 platform, it will be able to play the role of a "control tower", carrying out in a more comprehensive and systematic fashion the legal technical aid programs for developing countries that so far have been promoted individually by each institution.³³⁾

What matters is to finance the operations of the Korean LII during its life. It would be advisable for such institutions and corporations as are benefited from the Korean law databases to provide grants and donations to the Korean LII. By doing so, the newly started Korean LII may be sustainable to secure human and technical resources in the long run. The Korean LII may sponsor the significant projects conducted jointly by academic scholars and businesses, and contribute to the international cooperation by joining the Free Access to Law Movement.

4.2. CO-SHARED RECOGNITION OF THE PURPOSE

Today's Free Access to Law Movement is just like having the Bible translated and read in an ordinary language in the Medieval Reformation Age. Despite a probability of erroneous translation of the Latin Bible into plain English or German, such adventurous efforts could successfully put the Bible on the laymen's hands out of those of clergy, and finally triggered off the Religious Revolution. Likewise, free access to law belongs to the fundamental right of democratic citizens, making an irreversible trend. That's why a growing number of states are providing digital legal information in line with an e-Government project, though some countries exceptionally allow commercial legal database services.

33) Kwon, Kim, Enrow & Gu, *Legal Technical Aid Program for Transition Economies*, Seoul National University Press, 2006, p.24.

The content, diversity and quality of legal information on the Internet of each country depends on the political structure, commitment to the rule of law, the size and level of government intervention and available funding, etc.³⁴⁾ The more legal information translated into English is available on the Internet, the more efficient and cost saving the transactions of foreign traders and investors will be. Recently more and more under-developed countries and transition economies are interested in the Korean legal regime in order to learn Korean experiences of industrialization and democratization. It will be followed by the enlargement of Korean law market and export of Korean lawyers to those countries.

In view of such demand and responsibility as an OECD member state, KOICA is expanding the official development assistance (ODA) in the area of legal technical aid. For example, in Viet Nam, KOICA supported the legislation of the IT Law, strengthening of anti-drug administrative capacity. KOICA is called for providing ODA to developing countries not only for training local lawyers but also supporting the legal technical aid projects.³⁵⁾ A national consensus, which institution takes charge of a Korean LII site, and how it raises and allots funds, has to be reached for the said Korean LII to function as a control tower of such legal technical aid.

4.3. IMPROVING THE ACCURACY OF ENGLISH INFORMATION

It is good to provide sufficient legal information in English to foreigners who are interested in doing business in Korea. But it is much better to supply correct information to the users in need. Recently a number of incorrect translations in the Korean version of the Korea-EU Free Trade Agreement were argued in the National Assembly. The Court Library has employed two-stage review of the first draft English translation of court decisions, firstly reviewed by native foreign lawyers, and secondly reviewed by Korean judges.

So far a large volume of English legal materials is preferred to a small quantity of correct one. It is also important to secure faultless legal materials as far as possible. In the United States, several states have adopted authentication of online documents. So the electronic format of the primary legal sources needs to be authenticated. Otherwise, the documents are unofficial and open to potential falsification.³⁶⁾

34) Claire M. Germain, "Digitizing the World's Laws: Evolution and Revolution," 2010 GLIN Conference, pp.91-92.

35) See KOICA's Activities at <<http://www.koica.go.kr/>>(accessed April 25, 2011).

Even before the adoption of authenticated legal materials, the Korean LII operator is required to give a warning to users that the online legal information could contain unintentional errors in translating or posting the legal materials in spite of its utmost preventive efforts. Of course, such online legal materials are provided "For information purpose only", and accordingly bears a disclaimer that the provider is not responsible for the truth and correctness of materials.

5. Conclusion

In terms of cost-benefit analysis, such efforts as accumulation and retrieval of online legal databases have been made successfully in Korea. Free access to law and its resultant benefits help the Korean society to achieve well-publicized democratization and prevailing rule of law principle compared to the cost consumed during the course. Also it should be noted that foreign lawyers and trading partners are claiming for more legal information in English as early as possible.

At present, there is asymmetry of information in both sides of supply and demand of legal information because there is no reliable website on Korean legal materials like a Korean LII. As the tenth largest trading economy, Korea is obliged to provide as much legal information as possible to foreign users in a sufficient manner. If and when a Korean LII is established on the Internet, the legal information contained herein should be correct and up to date, if not sufficient. At the same time, the individual legal technical aid projects need to be carried out by the Korean LII. It will be the most efficient method to provide legal information in the digital age.³⁷⁾ It is advisable to

36) Since the mid-1990s, the American Association of Law Libraries (AALL) has been advocating for the authentication and preservation of digital legal information available on government websites by publishing the "State-by-State Report on Authentication of Online Legal Resources" in 2007. In this regard, several state official publishers have begun to use digital signatures and time stamps to certify that a digital legal document is both official and authentic. The Law Library of Congress developed a required standard to digitally authenticate the full-text content of GLIN. The National Conference of Commissioners on Uniform State Laws (NCCUSL) has proposed draft Authentication and Preservation of State Electronic Legal Materials Act. Mary Alice Baish, Discussion Paper on "Digitizing the World's Laws: Evolution and Revolution," 2010 GLIN Conference, pp.154-156.

37) Ultimately Korea's legal technical assistance project could reach not only those less developed countries in South East Asia and Africa, but also North Korea, which will be in great need of modern legal infrastructure.

assess the world-wide demand for the Korean legal materials and meet with necessary expertise and swift flexibility such demand.

What is necessary in the near future is to translate into English the following information, which foreigners are interested in, as much as possible:

- o How Korea has achieved industrialization and democratization in a short period of time;
- o By which method sophisticated information technologies are developed efficiently;
- o How effectively the legal regime and infrastructure have been established to support the above industrialization and informatization.

To sum up, the following three factors are required for the success of the online legal databases:

First, grass-roots collective intelligence with proper vision and leadership is indispensable;

Second, human networks equipped with necessary financial and technical assistance facilitate the upgrade of legal databases; and

Third, highly motivated "great cause" and reliable and productive feedback are pivotal for the sustainable development of such legal databases.

As a result, to make public Korean laws, court decisions and other legal information in English via the Internet will be useful and productive to increase foreign trade and investment in Korea. Consequently, it will enlarge the arena where Korean lawyers are supposed to practice law. When this comes true in the years to come, the Korean legal culture will be developed to the level in which Korean lawyers contribute to the world peace and global prosperity.

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