

in Word or the like, that the lawyers can then bang on to produce the final result. You still need the lawyer in the process, but the turn around time, review time, and cost are significantly reduced.

So, where is the disruption? It is ongoing. It started with the onset of the industrial revolution. When the automated loom was invented, textile manufacturers didn't walk into the workroom and fire all the employees. Most went on as always while some tried out the new monster. It took years

before the new way overwhelmed the old way, with the Luddites fighting all the way. Looking back we can see that the victory of the automation was inevitable and obvious. Didn't seem that way at the time. We lawyers, because we engage in a learned profession, have long thought we were immune from such things, but we are not. The urge to automate is always there. But there are times when the urge to cut costs by automating becomes a necessity. When the economy turned down, employers

who were OK the way they were suddenly asked with urgency how we could do what they did before without using so many people. Businesses have a strong sense that legal fees are too high. They have seen what automation does in their businesses and ask why the same kind of thing can't be done to control legal costs. Watson and its progeny will never be human, but so what? The barometer is not human either. The disruption will continue, and Mr. Watson, J.D. will be there.

COMPILING A NEBRASKA LEGISLATIVE HISTORY

By: George Butterfield

Legislative history in Nebraska includes the introduced bill, any amendments, the introducer's statement of intent, the text of the committee's hearing, any committee action, floor debate, and the governor's veto message, if vetoed. There are occasions when an attorney needs to know the background to a particular law and wants to access these materials. Where do you find them?

One of the common myths in our society is that everything is online. Just "Google it" and get anything you want. This may be relatively true in some fields but not when it comes to a state's legislative history materials. For example, the Nebraska Legislature's website has some amendments, introduced bills, statements of intent, and a few other materials back to 1999. The committee hearings and floor debates are available only back to 2007 and these are not complete. If you need earlier legislative history materials, the options are to contact the Clerk of the Legislature and request the materials for a fee, or visit one of several law libraries. The materials are available but most of them are not even in print format. They are on microfilm and require a microfilm reader. The Creighton Law Library has the readers and the legislative materials. There are also reference librarians who can guide you through your search.

What are the steps necessary to do a legislative history of a particular statute? The first piece of information necessary is to ascertain which legislative bill led to the statute and what year that bill was passed. In essence, one needs a bill number and a date. These are found in the source

note following the statute. For example, Nebraska Revised Statute § 44-791 has the following source note: Laws 1999, LB 355, §1. The key information in the note is the year, 1999, and the LB number, 355. Now the research can begin.

The second step is to ascertain what committee held the hearings for LB 355 and also the date of those hearings. This information is found in the Chronology of Bills section of the Legislative Journal for 1999. The entry for LB 355 states that the bill was referred to the Banking, Commerce and Insurance Committee, and that the date of the committee hearing was February 3, 1999. With this additional information, the researcher now must leave the world of electronic resources and books and go to the microfilm collection that includes this information.

The next step in the process is to find the roll of microfilm for 1999 that includes the hearing records of Banking, Commerce and Insurance Committee. Unlike digital and print sources that have relatively easy to use indexes, these microfilm rolls have none. The researcher must load the roll and begin to scroll looking first for the date, February 3, 1999, and then the LB number, 355. It is frequently a laborious and boring process but it can bear fruit, if the researcher thoroughly checks the appropriate microfilm roll. At the Creighton Law Library, the microfilm machine is connected to a computer so that it is possible to scan whatever is found and create a pdf file of the legislative material. This file can then be saved on a flash drive or emailed to the researcher's personal account in lieu

of paying the library for a printed copy.

The final step in compiling a legislative history is to access any available floor debates concerning the bill. Floor debates are also found on microfilm but, unlike the committee hearings that are organized by subject, the floor debates are organized by year and bill number only. This creates a challenge to the researcher because LB 355 for 1999 was mentioned in floor debates ten times throughout the course of the year. The floor debate microfilm rolls do include an index at the beginning but deciding what pages to read can be a challenge. For example, the index for LB 355 in 1999 includes the following pages: 73, 1157, 5615 - 5624, 5793, 6948 - 6951, 7082, 7396, 7399, 7404, 7586. The single page references are probably not significant. Sometimes a bill is simply mentioned in a list of bills. The references to a range of pages are probably the key ones to consider. In this case the researcher needs to at least check pages 5615-5624 and maybe even 6948-6951, if not all of them for the sake of thoroughness.

The Creighton Law Library has a handy guide that goes into more depth about this process for compiling a Nebraska legislative history. Feel free to come to the library, follow the available guide, and ask for assistance from the reference librarians. Compiling a Nebraska legislative history is one of the more difficult legal research tasks for Nebraska practitioners. It can seem like an impossible task. Follow the steps mentioned above, though, and the process will yield a wealth of legislative history materials.