

**SOUTHEASTERN CHAPTER OF THE
AMERICAN ASSOCIATION OF LAW LIBRARIES
GOVERNMENT RELATIONS POLICY**

July, 1996

I. INTRODUCTION

The South Eastern Chapter of the American Association of Law Libraries began in 1937 when a group of ten law librarians from four North Carolina law libraries met to form the North Carolina Law Librarians Association. Later the group was joined by law librarians from South Carolina and became the Carolina Law Librarians. In 1939 it changed its name to the Carolinas Chapter of the American Association of Law Libraries. The group continued to broaden its membership and become the South Eastern Chapter of the American Association of Law Libraries (SEAALL) in 1954. SEAALL is a non-profit, professional organization devoted to promoting law librarianship and developing and increasing the usefulness of law libraries. Its more than 500 members work in Southeastern United States libraries, serving government officials, the bench, the bar, legal scholars and the lay public.

Law libraries and their users are affected by a broad span of public policy concerns ranging from the development of state and national information infrastructures and the dissemination of government information to intellectual freedom and intellectual property. SEAALL members are responsible for ensuring that federal, state and local legal information resources are developed, managed and shared effectively.

II. GOVERNMENT INFORMATION POLICY

Accessible government information is both an essential principle of a democratic society and a valuable resource created at taxpayer expense. Timely and equitable access to government information is the cornerstone of SEAALL's Government Relations Policy. SEAALL supports nondiscriminatory access to information for all library users.

A. Freedom of Information

Public inspection of government records under public records laws is the foundation for citizen access to state government information. Public records laws must be amended periodically to ensure that government information is available in a timely manner and in a format useful to the requestor. Legislation and regulations governing exemptions from public access should strike a careful balance between citizen access to government information and legitimate privacy interests.

B. Privacy

The public's right of access to government information must be balanced against individuals' concerns about revealing personal information held in government files. Privacy laws will help insulate sensitive personal information from a world of interconnected databases.

C. Dissemination of Government Information

Federal, state and local governments have a duty to disseminate government

information to their citizens. Government information should be available to the public at no or low cost in both traditional and electronic formats. Any revenue garnered by governments from the sale of public information should be reinvested in the infrastructure which delivers the government information to the public.

The commercial sector plays an important role in the dissemination of government information. Citizens are served by a diversity of information providers, and no public or private entity should enjoy a monopoly over any body of government information. Nor should any entity limit the dissemination of government information through exclusive contracts, resale restrictions or other restrictive trade practices.

D. State Depository Library Programs

State depository libraries operate under a statutory obligation to make government information available to the public. State Depository Library Programs should provide for a system of equitable, effective, no fee, efficient and dependable access to and dissemination of government information from all branches of government in a variety of formats. As state governments move into the electronic environment, depository libraries are increasingly important channels through which citizens access legal information. With the increased creation of government information in electronic format, many state agencies share in the dissemination of government information. To ensure that state government information is disseminated through depository libraries, SEAALL believes that each state should establish and maintain a strong, central authority with the ability to promulgate and enforce agency compliance with relevant laws, regulations and policies.

E. Government Tax Policy

IRS tax policy on the treatment of business inventories has shortened dramatically the inventory life of most book titles. Many publishing companies reduce inventories to minimize tax liability. This development has caused books to be produced in smaller runs and to go out of print more quickly, making it more difficult for libraries to obtain the books that they need for their collections. SEAALL supports legislation to create an equitable tax policy which takes into account the special inventory requirements of the publishing industry.

III. LEGAL RESOURCES

SEAALL members can provide leadership and guidance in developing and managing state legal resources. Coordinated action is needed to build specialized legal collections and interlibrary service networks. SEAALL supports timely and equitable access to legal resources regardless of the format in which the information is fixed, as well as efforts to develop appropriate technical standards for information technology.

IV. INFORMATION TECHNOLOGY

A. Information Infrastructures

SEAALL supports the development and integration of the National Information Infrastructure (NII) and similar state information infrastructures to take advantage of the nation's information, communication and computing technology resources. The development of the NII and state information infrastructures should ensure broad public access to electronic government information by providing low-cost access for all citizens regardless of income or geographic area. SEAALL believes that the development of an open network architecture

system will ensure broad public access. The right of fair use and the noncopyrightable nature of federal and state government information paid for by taxpayers should be maintained in the electronic environment.

B. Telecommunications

No modern law library can operate without telecommunication services. Cataloging utilities, electronic bulletin boards or computer-aided legal research all depend upon electronic data transfer. SEAALL is concerned the rising telecommunication costs may limit access to information. SEAALL supports a regulatory environment that fosters an efficient and economical flow of electronic information to and from libraries. In particular, SEAALL urges lawmakers to guarantee affordable telecommunications rates for libraries.

V. FEDERAL AND STATE SUPPORT FOR LIBRARIES

A. Conferences

SEAALL supports periodic federal and state conferences and similar forums to evaluate library services. Following each conference, appropriate resolutions adopted by the conferees should be communicated to national and state government officials for their review and implementation.

B. Library Funding

Libraries are critical to the well-being of society. SEAALL supports full funding of access programs such as State Depository Library Programs and public law libraries to promote public access to legal materials.

VI. PRESERVATION

The high acid content of most paper produced since 1850 has reduced drastically the life of books, resulting in the deterioration of significant law library materials. Libraries must help preserve the intellectual content of these valuable resources.

SEAALL supports efforts to establish and fund preservation activities. Initiatives such as preservation photocopying, microfilming and data scanning are needed to reformat information fixed on brittle paper. De-acidification programs will limit further loss of paper documents. Preventive measures, notably policies promoting the use of permanent alkaline paper, will curtail the spiraling cost of preserving the human record.

Leaders in library, government, industry and academic circles must design and deploy coherent strategies for preserving and archiving electronic information.

VII. INTELLECTUAL PROPERTY

A. Copyright law

SEAALL affirms that the primary purpose of copyright law is to promote the creation and dissemination of knowledge and supports laws that promote an equitable balance between the rights of information users and the rights of copyright holders. Revisions to and interpretations of the copyright law should maintain this balance by interposing the fewest obstacles to the

broad distribution of ideas in all media and formats.

B. Public Domain Status of Government Publications

SEAALL supports a general prohibition against copyright protection for government works. Similarly, SEAALL opposes any copyright-like royalty arrangements that restrict the flow of information from the government to the public.

The text of primary legal materials such as judicial or administrative decisions, statutes and regulations must remain in the public domain. SEAALL opposes any proposed revisions to or interpretations of the copyright law that limit access to primary legal materials.

VII. INTELLECTUAL FREEDOM

A. Censorship

SEAALL supports the dissemination by libraries of materials on all subjects and opposes censorship in any form. The chapter endorses the American Library Association's Library Bill of Rights.

B. Confidentiality

SEAALL supports the passage of strong state laws protecting the privacy rights of library users.

IX. CONCLUSION

SEAALL supports a pro-active program to inform its members of current issues and to assist government decision makers in developing laws and policies consistent with this Government Relations Policy.

Approved by the Government Relations Committee July 3, 1996

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