

**American Association of Law Libraries
Committee on Relations with Information Vendors**

**REPORT: LEXIS Publishing Site Visit
March 24-26, 1999**

Introduction

On March 24–26, 1999, the CRIV conducted its second site visit of 1998–1999 by meeting with executives and others from all parts of the LEXIS-NEXIS Group at LEXIS-NEXIS headquarters in Dayton, Ohio.

Although substantial parts of the company are situated in other parts of the country, the visit included discussion of issues pertaining not only to LEXIS Online, but also to Matthew Bender, Lexis Law Publishing, Shepard's, and Martindale-Hubbell.

The CRIV was pleased that open, free-flowing discussions throughout the day involved not only executives of the highest level in LEXIS-NEXIS, but also individuals who were directly responsible for particular areas of operation such as customer service, sales, and editorial. The CRIV came to the visit armed with a lengthy list of specific questions and comments that it had collected from law librarians around the country. The questions served as the basis for an excellent dialogue between CRIV members and LEXIS-NEXIS, especially during small-group meetings focusing on the online and off-line components of the business, but the discussion also expanded to include broad topics of interest to the whole profession.

The reports and articles that follow attempt to share the site visit experience with readers by describing many of the specific things that CRIV members learned during a most productive visit. However, perhaps the most important piece of information to pass on to AALL members is how committed LEXIS-NEXIS is to working with librarians to improve both its products and its services. It was clear to the Committee that the opinions of all librarians were highly valued and that the comments or questions of those who had specific problems would be particularly welcomed. This was good news to the CRIV and we are pleased to pass this encouragement along to all AALL members.

Integration

One area of interest to the committee in light of the recent acquisitions by the LEXIS-NEXIS group was the current organizational structure of the company and how integration is being handled. This topic was addressed early on in the site visit by both Hans Gieskes, President and CEO of LEXIS-NEXIS, and Paul Brown, President and CEO of Matthew Bender. They both made it clear that LEXIS-NEXIS has begun the process of combining the work of the several "off-line" publishers it now owns (e.g., Lexis Law Publishing, Matthew Bender) and is determining how to integrate the entire set of companies into a logical whole. According to Gieskes and Brown, LEXIS-NEXIS is being very deliberate in approaching the effort, trying to learn from the experiences of others in the publishing industry about what has worked and what has not. Its goal is to develop procedures for customers that are as effective and efficient as possible, but without losing or interfering with methods that are already working well.

These integration activities touch all departments and responsibilities within the companies that comprise LEXIS: Matthew Bender, Lexis Law Publishing, and Shepard's. It was stated on several occasions that integration was "underway" but far from complete. Consequently, CRIV members discovered that this was a

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particularly opportune time to give input on what law librarians prefer in such areas as customer service and ordering/billing. The company representatives in attendance paid particular attention to these messages and indicated that these recommendations would be given full consideration as the integrated company and its procedures are evolved.

The process has begun in the LEXIS-NEXIS organization to integrate the sales, billing, and customer services activities of Lexis Law Publishing, Matthew Bender, and Shepard's. (For Matthew Bender and Shepard's, the integration began during the joint venture days with Times Mirror.) LEXIS-NEXIS plans a gradual integration process and hopes it will not be too fast for its customers.

Within the LEXIS-NEXIS group, Congressional Information Services Inc., Marquis, Martindale-Hubbell, and National Register Publishing, etc., currently remain as sister companies. There is no immediate plan to integrate these companies with Lexis Law Publishing, Matthew Bender, and Shepard's.

Major Issues (Print Products)

Customer Service

Librarians have criticized the apparent lack of training received by the company representatives answering the customer service line. LEXIS-NEXIS has experienced a great deal of turnover due to internal growth and opportunity for customer service representatives, which in turn affects the level of experience a typical representative will have. To resolve some of the customer service problems, the company is creating a structure which will allow employees the opportunity for advancement, thus providing them with an incentive to stay with the company longer. The company already employs "senior service representatives" who can provide a higher level of service should a problem be more complex than the phone representative is trained to handle. The size of this "senior service" workforce will be increased as current staff are trained and receive skill certification.

LEXIS-NEXIS is consolidating the Matthew Bender and Lexis Law Publishing (formerly Michie) billing and shipping functions. This involves combining the databases of the two entities, and as anyone who has dealt with upgrades and conversions (not to mention Y2K considerations) knows, it takes time for all the systems to run smoothly. The company is striving to make sure problems are caught before the conversion, for which we all will be grateful in the end. Meanwhile, the customer service reps have to work with a database that does not always provide satisfactory results. The CRIV made several suggestions for LEXIS-NEXIS Site Visit improving customer service, such as a protocol to handle more complex complaints, and assigning some sort of number to particular problems to aid in tracking.

The company is also initiating a Large Account Management Program to assist larger libraries, which presumably have more complex billing and other problems. Each customer library will be assigned a single customer service representative to handle its account. The emphasis of this group is to provide personalized, proactive service to these larger accounts. In dealing with Matthew Bender and LLP customer service, the CRIV recommends that customers insist on talking to a more senior representative if the phone representative with whom they are speaking does not seem to have the answer. If that fails, contact the CRIV's Complaint Resolution Subcommittee.

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LEXIS-NEXIS will provide “escalation” contact numbers to the CRIV, to be given out at their discretion. Problems needing this level of attention should be referred to the Complaint Resolution Subcommittee.

Shipping

Shipping operations for Matthew Bender and Lexis Law Publishing are being consolidated, hopefully resulting in fewer mistakes. The company has initiated a “zero defects initiative” which aims to significantly reduce printing and shipping errors.

Unfortunately for customers of overseas publications from the likes of Butterworths UK, shipping has reverted from Lexis Law Publishing back to the original publisher. This may slow the shipping time and can pose problems if a subscribing library needs to contact the publisher. LEXIS-NEXIS executives were not able to provide any concrete assistance with this difficulty, but CRIV members asked them to consider providing a U.S. telephone number where librarians could call to report problems with their foreign accounts.

Some customers have received material from subscriptions that had long ago been canceled. The company attributed most of these errors to titles acquired from other publishers. The lists for those titles were not always accurate, hence the errors.

Finally, the picky but pesky adhesive problem. Some customers objected to Lexis Law Publishing’s use of cellophane tape to attach invoices to shipping boxes, preferring the method of gluing the envelope to the package used by other publishing companies. Lexis Law Publishing is exploring other packaging methods, which will require some changes in its packaging equipment.

Editorial Problems

Many librarians have experienced the odd Matthew Bender index which refers to nonexistent pages. The company recently initiated an index validation process that double-checks references for accuracy, so hopefully this problem will cease. If customers have problems with the content or index of MB publications, contact information for the editors is provided on the copyright page of every publication.

Add-Ons

The topic of add-ons was the result of recent shipments of unsolicited material. One example of this kind of publication is the Maryland Mini Citator. The initial discussion centered around how the LEXIS-NEXIS representatives perceived what they referred to as “product enhancements.” They reported receiving positive responses from certain sectors of the market—e.g., solo practitioners or small firms—indicating the popularity of these publications. However, CRIV members informed them that many larger libraries felt these materials duplicated publications to which they already subscribe. There was some discussion, led by CRIV members, in which they related how some law librarians process these product enhancements in their respective organizations. The LEXIS-NEXIS representatives admitted that they had not considered the fact that these publications necessitate additional staff hours for cataloging and processing.

The CRIV’s suggested recommendations regarding add-ons were:

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1. Notify accounts before automatically sending them. Let each library decide whether it wishes to receive add-ons.
2. If an item is sent, have the invoice reflect it as a separate item. This would make it easy to mark it for return and deduct the cost from the payment.
3. Indicate in the system when the item is returned and when there is an indication to cancel future shipments of this particular title only. In other words, do not cancel the entire state code set because of the return of one of the product enhancements.

Pricing and Billing

CRIV members raised several issues concerning the pricing and billing of LEXIS-NEXIS print products. They were told that LEXISNEXIS did not expect prices to increase significantly in the coming year. Percentage increases will probably be somewhere close to the rate of inflation. However, librarians attempting to predict the cost of their Shepard's subscriptions should take note of the following caveat. Since Shepard's Citators have not received substantial revisions for some two to three years (after a period in which many of the citators, in rapid succession, underwent expensive revisions), the citators are now due for such treatment to eliminate multiple steps in the Shepardizing process.

LEXIS-NEXIS outlined the different billing plans available to customers. Most Matthew Bender, Shepard's, and Lexis Law Publishing (LLP) print products can be billed and paid for as each supplement, release, pocket-part, etc. is issued by the publisher and received by the customer. However, annual billing plans are also available. Customers are able to have the combined annual cost for all their Matthew Bender subscriptions calculated, and then pay this total with a one-time payment each year, or be billed and pay one-twelfth of this total each month. The same is true for a customer's Shepard's subscription. The same is also true for a customer's Lexis Law Publishing subscriptions with the added wrinkle of "product dependent billing."

Because of regulations of several state governments for which Lexis Law Publishing publishes annotated codes, LLP cannot compute in advance, with 100% accuracy, the cost to the customer of a year's worth of supplementation to the state codes. For this reason, customers opting for annual billing for Lexis Law Publishing subscriptions face a year-end "clean-up" charge (or credit) for their state code subscriptions.

CRIV members also brought to the attention of LEXIS-NEXIS officers problems AALL members have been experiencing with statements and invoices. These problems have included abbreviations for titles that even customer service representatives could not interpret. CRIV members stressed that titles appearing on billing documents should be stated in an intelligible and unambiguous manner, and customer service representatives should be able to interpret all abbreviations found on invoices and statements. LEXIS-NEXIS officers were also told of the frustration that arises when payments are applied to invoices other than those the party remitting payment intended. Librarians do not want payments to be applied to oldest invoices first when documentation enclosed with a check clearly shows to which invoices the payment should be applied.

For their part, LEXIS-NEXIS officers asked that librarians call as soon as possible to have errors appearing on invoices and statements corrected and not let mistakes hang on for several months before contacting the company to have them corrected.

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Major Issues (Electronic Products)

Advertisements

The CRIV raised the issue of delivering advertisements and gimmicks that have little or no educational value to law schools. LEXIS executives believe that they must engage in this overabundant form of advertising to remain competitive in the current market, but expressed a desire to supply materials that would help students make informed choices about an information provider. LEXIS even seems to welcome an effort by law school librarians to stop the distribution of questionable materials from all publishers to pressure the industry into uniformly supplying more informative handouts to the students.

Y2K

The latest versions of the LEXIS-NEXIS proprietary software have been tested and certified Y2K compliant. These versions of the software, and a list of products retired because of non-compliance, are available from the LEXIS Web site (<http://www.lexis-nexis.com/y2k/>).

Customer Service

In the area of customer service, LEXIS has made a serious attempt to improve both the quantity and quality of its customer service representatives. With the soft job market, it has been a struggle to find the type of employee that LEXIS demands. Every service representative is required to have a college degree. Presently, over forty percent of the representatives have at least one advanced degree. Every service representative must go through a rigorous training period of eight weeks before being allowed to field live telephone calls. Even after this initial training, no representative is just turned out. Each sits with a coach until both the new service representative and the coach are satisfied with the representative's abilities to answer questions and provide the correct answer. Training does not stop with the eight-week course. At any given time, twenty five percent of the customer service representative pool is in on-going training.

LEXIS has also brought up a new Web-based knowledge base that allows representative's to search a continually expanding database for problem-solving answers. As of now, each service representative has also been trained in the new Universe product. If you cannot seem to get the answer that you are looking for from the initial service representative, Scott Brown, senior director of customer service, recommends that you ask for a supervisor. Supervisors are experienced customer service representatives who have been given increased responsibilities. Each customer service representative has been trained to pass on difficult questions to a supervisor and will not take it as an insult if a customer asks for a supervisor.

LEXIS has also made strides in expanding the job description of its customer service representatives. After three years of experience, additional duties and assignments are given to customer service representatives to allow them to broaden their work experience while still retaining the best employees for work in customer service. As much as fifty percent of a senior service representative's work can be outside the customer service arena. By expanding job opportunities, LEXIS executives are quite sure that the best representatives will remain within the umbrella of customer service and continue what LEXIS hopes is a tradition of high quality customer service.

Software: Web vs. Proprietary

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Last Autumn, LEXIS introduced a Web browser version of software in addition to its proprietary software. In the past year, instruction has generally been given on this Web version and not on the proprietary software.

Law librarians sent a number of e-mail messages to the CRIV, raising issues about the Web-based and software versions of LEXIS. Members of the CRIV spent a whole day with top executives at LEXIS discussing the law librarians' concerns about these online products.

First of all, some law librarians have had difficulties obtaining passwords for the Web version through Service Express. Jo McDermott (Vice President of Organizational Effectiveness) explained that new passwords for Web-based LEXIS and for the proprietary software are created in different systems. The former take 30 minutes to create, whereas passwords for LEXIS software can be created almost instantaneously. This difference in systems has also meant that passwords are not necessarily interchangeable between the two versions. She told the CRIV that LEXIS is also working on resolving this problem.

LEXIS executives told the CRIV that they are focusing on the Web version of their product because "the Internet is the future." The CRIV told the executives that law librarians are concerned about this attitude, since some libraries are not technologically equipped to search exclusively on the Web-based product. Some researchers prefer the proprietary software over the Web version for various reasons, including the fact that "power users" can find information more quickly on the software.

The LEXIS executives addressed this issue by informing the CRIV that they are trying to integrate some of the software features into the Web-based product. For example, the Web version uses "sources" rather than libraries and files. LEXIS is working to make the libraries and files available in the Web version.

Command stacking and dot commands are some other features that LEXIS is also trying to integrate into its Web version. Billing in the Web version is an issue for many firm librarians. The proprietary software allows for either hourly or transactional pricing. LEXIS has difficulty with hourly billing in the Web version because the company can only detect when the system is processing a query. LEXIS is working on finding a solution to this problem.

Additional problems that the CRIV discussed with the executives included: problems involved with entering client billing information into the Web-based product; difficulties with printing to a stand-alone printer from LEXIS on the Web; and "links that go nowhere" on the Web-based version. LEXIS asked questions about the nature of these problems, and the LEXIS executives promised to research the issues.

Organization

LEXIS-NEXIS adds 3.3 million documents per day, which equals roughly 23.4 million a week. The editorial department employs over 300 staff members who are responsible for editing and adding data to the system. Users of the LEXIS-NEXIS service total subscribers is 1.6 million and serves more than .8 million active subscribers.

Sales Representatives

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A LEXIS-NEXIS customer now may have one sales representative for Lexis Law Publishing, Matthew Bender, and Shepard's and another for LEXIS-NEXIS. The company is developing a new plan of having separate representatives for its online (LEXIS-NEXIS) and off-line (print and CD-ROM) products. Both representatives may report to the same regional manager. The online representative will be skilled in training for online services, and the off-line representative will be knowledgeable about Lexis Law Publishing, Matthew Bender, and Shepard's products.

CRIV members believe that academic or large law firm librarians will prefer the two-representatives arrangement, one for online and one for off-line, but small law firm librarians may prefer one sales representative. In either case, law librarians appreciate competent and knowledgeable sales representatives. LEXIS-NEXIS plans to invest in training to ensure this result.

Conclusion

LEXIS-NEXIS made a major commitment to the CRIV and to AALL members generally by having various executives in attendance at the discussions and informal sessions over the two days the Committee spent with the company. It was clear that this site visit was just as important to LEXIS-NEXIS as it was to the CRIV.

The CRIV would like to express its sincere appreciation to Holley Thompson (LEXIS-NEXIS Senior Director of Strategic Customer Alliances) and Cindy Spohr (LEXIS-NEXIS Librarian Relations Group) for making all the arrangements that contributed to making this site visit a success. Their tireless efforts at scheduling the appropriate LEXIS-NEXIS personnel and seeing that all of the CRIV's concerns were addressed helped significantly in the committee's achieving its intended goals.

We would also like to express special thanks to the Site Visit Subcommittee, chaired by Elizabeth Rhodes. Elizabeth and her committee, including Frosty Owen and Janet Reinke, went to great lengths to assure that the meeting ran smoothly. The success of CRIV site visits ultimately depends upon the concerted efforts of all the parties involved, and we are grateful for all the assistance that has been provided, including that of all our AALL colleagues.