

Preserving Legal Information for the Twenty-first Century: Toward a National Agenda

Introduction*

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Professor Oakley provides background information about the “Preserving Legal Information for the Twenty-first Century: Toward a National Agenda” conference held at Georgetown University Law Center, March 6–8, 2003.

¶1 Georgetown University Law Center hosted a conference in March 2003 at which the participants began to discuss the creation of a national agenda for the preservation of legal information in the twenty-first century. This issue of *Law Library Journal* presents the official report of the discussion as well as a selection of articles derived from the papers delivered at the conference.

¶2 The need for law libraries to focus concerted attention on the issue of preservation of the legal literature has been recognized for many years. American Association of Law Libraries President Albert Brecht appointed a Special Committee on Preservation Needs of Law Libraries in 1987, chaired by Diana Vincent-Daviss. The committee worked for more than three years and eventually issued a detailed, 100-page report. One of the recommendations of the special committee was that law librarians should “participate in the national preservation agenda.”¹ By that it was meant that we should establish relationships with other organizations, such as standard-setting organizations, and other programs, such as the Research Libraries Group. The report did not recommend that law libraries should develop their own preservation agenda, but it did recommend that law libraries should create a repository or clearinghouse from which they could secure copies of older print or microfilmed materials.² Although the report was accepted by the AALL Executive Board,³ not much ever happened with its numerous recommendations. A standing Preservation Committee, created on the basis of one of

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1. SPECIAL COMM. ON PRESERVATION NEEDS OF LAW LIBRARIES, AM. ASS’N OF LAW LIBRARIES, REPORT AND RECOMMENDATIONS OF THE SPECIAL COMMITTEE ON PRESERVATION NEEDS OF LAW LIBRARIES 81 (1991) (AALL Occasional Papers Series No. 13, 1992).

2. *Id.* at 84.

3. AM. ASS’N OF LAW LIBRARIES, MINUTES OF THE AALL EXECUTIVE BOARD, July 19, 1991, at 1635 (on file at AALL Headquarters, Chicago).

the recommendations, did exist from 1992 to 1998, and did develop an AALL Preservation Policy that remains in existence today.⁴ But, of course, we never did establish a specific agenda for ourselves.

¶3 Several years later, when Judy Meadows was president of AALL, she attended a preservation conference in Canada and came back feeling that law libraries needed to do something more about the issue. She appointed another special committee, the Task Force on AALL/Law Library of Congress Digital Law, but again the results were inconclusive. More recently, the Executive Board's Strategic Planning Committee put the issue squarely on the profession's agenda. AALL's current strategic plan calls for the association to "[d]evelop a national plan for the preservation of legal materials in all formats."⁵

¶4 From this brief review, it is apparent that the issue is one that has been around for some time but is also one that still needs focused attention and the development of a real plan. In fact, in the years since the issue first arose, the problem has become more acute with the development of the Internet and the prevalence of so-called *born-digital* legal information. Now, law libraries are no longer dealing merely with deteriorating paper that was the focus of the Diana Vincent-Daviss report; they are also dealing with the inevitable disappearance, deterioration, or obsolescence of documents published electronically. What may have once seemed a merely difficult task—the preservation of paper-based information—is now far more complicated because so much information is published and only available on the Web.

¶5 Recognizing that these are issues that no one library can solve, the participants at the Georgetown conference decided to establish a new membership organization called the Legal Information Preservation Alliance (LIPA) that would provide leadership, direction, and support for preservation initiatives among law libraries. It was and is the hope of the members of LIPA and those in attendance at the conference that many other libraries and individuals would support the initiative and thereby help law libraries to move forward toward solving a problem that has seemed insurmountable for many years. The publication of the proceedings is one way by which we hope to alert others to the issue and to provide some recognition for LIPA as an organization beginning to work on a solution.

4. AM. ASS'N OF LAW LIBRARIES, AALL PRESERVATION POLICY (rev. 1998), *reprinted in* AALL DIRECTORY AND HANDBOOK 2003–2004, at 427 (43d ed. 2003).

5. AM. ASS'N OF LAW LIBRARIES, AALL 2000–2005 STRATEGIC PLAN: LEADERSHIP FOR THE 21ST CENTURY—NEW REALITIES, CHANGING ROLES, outcome 4c.1 (2000), *reprinted in* AALL DIRECTORY AND HANDBOOK 2003–2004, at 445, 450 (43d ed. 2003), *available at* http://www.aallnet.org/about/strategic_plan.asp.