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CRIV Web Site

www.aallnet.org/committee/criv

The CRIV Sheet

Editor's Corner

Welcome to another year of *The CRIV Sheet*. After a year of being tutored by the master, Dick Vaughn, I hope that I can follow his example of professionalism and style. Dick has set a very high bar indeed, and personally I think that he should get an Iron Man award for holding down this post for two years.

We have a jam-packed issue to start off the new volume. In addition to thorough coverage of CRIV-related programs at the 98th Annual Meeting of AALL in San Antonio, we report on the first of several planned visits to vendors' sites.

We kick off this issue with the site visit reports, starting with the CRIV Site Visit Subcommittee's account of its full day at William S. Hein and Co. of Buffalo, New York, in June of this year. Larry Meyer and his committee of Marcia Zubrow and myself toured Hein armed with a long list of queries, covering Hein as an agent, the subscription department, Hein's digital processing, the Hein Online product, and monograph orders. The report is lengthy, but I am confident that you will find that the amount of ground covered by this one-day mini site visit warrants the length.

Of course, CRIV's purpose is to create a forum between vendors and library users, so next we have the site visit response from Kevin Marmion, president of William S. Hein and Co., giving his perspective of the "librarian invasion." And finally,

as a result of the site visit, we have an article by Hein requesting information on the role of a subscription agent.

After that, our newsletter dives into the San Antonio 2005 education program summaries. The first of these is an account of current strategies for "Finding Government Documents Today" by Thomas Gaylord, reference librarian at Chicago-Kent College of Law and CRIV member. Next, Julie Stauffer of the University of Chicago D'Angelo Law Library addresses the issue of technology marching onward in "Don't Throw That Away!": Ensuring Future Access to Legal Information in an Age of Digital Media." We end the program summaries with the topical discussion of "Shrinking Budgets and the Long-term Impact on Library Collections" by CRIV member Rochelle Cohen Cheifetz.

I am very happy to announce that Tracy Thompson of the New England Law Library Consortium will keep me out of trouble as assistant editor of *The CRIV Sheet*. I know that this experience will serve her well when she takes over the editorship next year. Please contact Tracy at tracy.thompson@yale.edu or me at ceb@cwsl.edu if you have any ideas about topics you would like to hear about or write about. Finally, I want you to know that your chance to promote products that you like can be found at the end of this issue with the information about the New Product Award Nominations.

Kevin Butterfield

College of William and Mary Marshall-Wythe Law Library,
Williamsburg, Virginia

From the Chair

I write this column accompanied by the sound of jackhammers and drills echoing through the library. The construction/renovation project here at William and Mary puts me in a change-oriented frame of mind. Not that CRIV will be employing much heavy construction equipment in 2005-2006, but we will undergo some transformations and adapt to the changing information world in which we work. While our means and methods may adjust to the times, our charge to serve the AALL membership by facilitating communications between information vendors and the members of AALL and the Executive Board, monitoring complaints and providing constructive suggestions to vendors, and working to foster a cooperative working relationship between librarians and information vendors remains at the heart of our efforts.

CRIV had a strong year leading up to the San Antonio Annual Meeting, which was thanks to the

excellent leadership of Ellen Strbak. We are grateful to her and outgoing CRIV members Beth DiFelice, Craig Jarrett, Gail McCain, Richard Vaughan, and Marcia Zubrow for their hard work and dedication. The current CRIV will build upon the foundations they and past CRIV chairs and members have laid.

As in the past, CRIV's work is accomplished through the ongoing efforts of its various subcommittees. Here is a quick overview of where we stand.

I will chair the Publisher Communication Subcommittee for the coming year. Larry Meyer, Thomas Gaylord, and Rochelle Cohen Cheifetz will join me in responding to requests for assistance from AALL members. CRIV's charge instructs us to facilitate communication. We take that charge seriously. Should you have any issues communicating effectively and constructively with a vendor, please contact CRIV for assistance. We can be reached by

e-mail, phone, or most easily via the Request for Assistance Form on the CRIV Web site, the CRIVPage (www.aallnet.org/committee/criv).

Paul Seeman will maintain the CRIVPage with the assistance of the CRIVPage Subcommittee. Both the site as a whole and the CRIVTools section in particular will undergo renovation as the year progresses. Thomas Gaylord, chair of the CRIVTools Subcommittee, will survey AALL members as to the usefulness of the current site toolset as well as solicit suggestions for new tools. Please send your suggestions to Thomas.

The CRIV Sheet will be edited this year by Carmen Brigandi with the assistance of Tracy Thompson. As always we welcome your ideas for articles for this publication as well as ideas for additional means for communication.

The New Product Award will continue to recognize achievement in the area of information resource development. Charles Finger will chair this CRIV subcommittee. The call for nominations will go out soon. Please consider nominating a product you consider worthy of recognition.

CRIV's Annual Meeting Subcommittee, which has submitted three programs for the next AALL Annual Meeting, has changed its name to the Education Subcommittee to better reflect its ongoing role in providing educational opportunities for AALL members throughout the year. Our hope is to provide AALL members with additional opportunities all year long for discussion and growth.

Our Site Visits Subcommittee, chaired by Larry Meyer, has laid out an ambitious schedule for the coming year. As the visit plans are finalized we will announce them and ask all members for input. This group, as well as the entire CRIV, represents you on these visits. Please let Larry or me know of any topics or issues you would like us to bring to the table during these site visits.

In addition to all of the above routine duties, CRIV will work closely with the Fair Business Practices Implementation Task Force, as we have for the past several years, to look at ways to promote the *AALL Guide to Fair Business Practices* to both AALL members and vendors. We will also consider ways to coordinate efforts to enforce *Guide* provisions. This is an ongoing, evolving process that our two groups will be engaged in during the coming year. Input from members and vendors are essential to make this a constructive and positive process. Please share your thoughts on this effort with me or with the chair of the Fair Business Practices Implementation Task Force, Kay Todd.

As with any professional association, AALL functions best when it is in synch with and serves the needs of its members. CRIV's charge flows down from AALL and reaches out to librarians, vendors, and the important relationships that exist between them. CRIV's goal is to keep those relationships constructive and civil and to educate both vendors and the membership regarding the ever-changing needs those relationships create. We look forward to hearing from each of you and welcome your input on our current and future activities.

CRIV Mini Site Visit to William S. Hein

Carmen Brigandi

California Western School of Law Library, San Diego

Marcia Zubrow

The University At Buffalo State University of New York
Charles B. Sears Law Library, Buffalo

Larry Meyer

Law Library for San Bernardino County, San Bernardino,
California

The Site Visits Subcommittee of CRIV conducted a mini site visit to the William S. Hein Company headquarters in Buffalo, New York, on June 14. The Site Visits Subcommittee consisted of Carmen Brigandi, Larry Meyer, and Marcia Zubrow. Two subcommittee members, then CRIV Chair Ellen Strbak, of the Administrative Office of the U.S. Courts, and Gail McCain, of Fuller Henry, assisted with the preparations, but were unable to make the visit.

In early May, after the arrangements for the visit had been finalized, a CRIV-Gram from Chair Ellen Strbak was posted on various law library-related online discussion lists and was distributed via AALL Executive Director Susan Fox's "From the Desk of" e-mail. This CRIV-Gram served as an announcement to the AALL community that a site visit was to be held and encouraged members with questions, concerns, or other comments to forward those to the Site Visits Subcommittee.

In response, many law librarians from all three types of law libraries took the time to send in their questions. Once received, it was apparent that most messages could be easily categorized into a few areas. Most questions and comments concerned the Hein Online product. Other areas were microfiche, cataloger's Web, journals (agent), and monographs.

Once compiled, without identifying information, the member feedback was forwarded by the subcommittee to Hein to give them an opportunity to prepare their responses.

Meeting with the subcommittee members to respond to member feedback and share the company vision were: Kevin Marmion, president; Daniel Rosati, senior vice president, research and development; Scott Fiddler, vice president, production; Richard Spinelli, vice president, sales and marketing; Brian Jablonski, director, marketing and publications; and Rudy Hein, director, customer service. Additional Hein personnel were introduced and met with CRIV during the day.

Hein Online

Content—Hein responded to questions regarding Hein Online's current and future content plans by mentioning that there were approximately 675 to 700 journals currently online with another 450 under contract to be added. CFR back files and U.S. Statutes at Large will soon be available—the first release of each was scheduled for prior to the July AALL Conference. By the end of 2005, the content of the Federal Register should be complete through the end of 2004. The group discussed the possibility of adding Congressional Record, including the Daily Edition, to Hein Online. Plans for a Federal Legislative History Library are progressing. Once introduced, the intent is to link the histories to Statutes at Large, journal articles, and other Hein Online content. The legislative history library will start with 20 of the more popular sets and expand based upon demand. The Hein representatives previewed the new databases for the subcommittee and demonstrated many of them at the AALL Annual Meeting.

Pricing—Hein shared that one of its concerns is the process of price increases and how to cover its increased costs. One of the suggestions from CRIV was to communicate the increases to its customers earlier, so they have additional time to budget for the following year. In response to a question regarding discount pricing for retired law librarians, Hein officials indicated that they would be more than happy to do so and encouraged retirees and soon-to-be retirees to contact them directly. Hein will continue to offer current consortium pricing for the foreseeable future. In response to questions regarding a pay-for-view or short-term billing, Hein will continue to explore the possibility, but has no current plans to change from its current yearly billing.

Online Searching and Printing—AALL members offered a number of suggestions and questions regarding improvements in searching. Hein replied by showing the subcommittee a beta test of its new search engine, which members were able to test at the July AALL Conference. It was agreed by the

subcommittee members that this was a much-improved and more robust search engine. Once in place, this search engine should allow subscribers to find their results listed by article title (not journal title) and page number. Subcommittee members were asked for their feedback, to which they made suggestions that they would like to see incorporated into the new search engine. As to open urls and link resolvers, Hein expressed concern over its ability to protect its intellectual property. Hein did indicate that it would continue to research the matter further and would be open to any dialogue that would protect the company. During the last six months, Hein has rebuilt its PDF generator, which has resulted in an increased print speed on Hein's end. Additional print problems are most likely on the user's end. Hein encouraged those with print speed concerns to contact the company, and its technical people will try to help isolate the issue.

Additional Comments—Hein addressed member concerns as to its ability to promote Hein Online to its users without a brochure or other promotional material by indicating that it hopes to have such a product available before the end of the year. In response to a request to make its product compliant to Project Counter, Hein committed to being compliant within the next three to six months. Usage statistics will be available to subscribers. Hein is also able to provide statistics as to the number and types of subscribers to those who might be interested. Hein Online currently has subscribers in 74 countries. Subscribers in Third World countries have been offered low-cost and complimentary subscriptions.

Monographs and Serials

Approval Slips—Hein is currently beta-testing an electronic Green Slip service that will allow individual libraries to control their own profiles at the customer level. It will also allow the customer to order via an "order now" e-mail link. The online product will feature a 10-year archive of Green Slips. The first phase of the new system will not have an order tracking system. CRIV did indicate to Hein that a number of members had expressed that they would like such a system, and Hein indicated that it would consider adding order tracking in future phases. In response to a member's question as to how titles are selected for the Green Slips, Hein replied that all new law-related titles from essentially all publishers are included, as are reprints of government documents. Generally, government documents are excluded.

E-Journals—CRIV asked Hein about the possibility of notifying customers when a new issue is available. Hein responded that it would need to do more research, possibly checking with other vendors, as to how it might be able to implement such a program.

Monograph Orders—Hein explained that in the past it has sent publishers orders bi-monthly. In an effort to improve delivery time, it has changed to sending orders to the publishers weekly. One of the concerns expressed by members was finding out the status of an order. Currently, Hein follows up with publishers when a title has not been issued by the promised time. Hein will explore ways to include customer notification in the follow-up process, even if the status has not changed. As to duplicate orders, Hein hopes to have a new integrated customer service system operating within the next 12 months. This should help insure that orders are only entered one time, because some orders in the past have been duplicated when a customer checks on an order.

Claims Process—Hein sends out a monthly status report, which some members feel is less than effective. Hein will look at revamping this report to make it more relevant to each law library. Hein will also display its claims policy on its Web site and submit an article to *The CRIV Sheet* with a more detailed explanation of the process and Hein's role between the publisher and the customer.

Cancellations—Hein noted that it has two to three people handling cancellations and explained that many of the issues surrounding the cancellation of serials centered on timeliness. Hein serves as an agent. Customers need to cancel a title as soon as possible. Once Hein has paid the publisher on the customer's behalf, the chances of a refund are small. As to microfiche shipments, since Hein no longer stocks microfiche (it is created on demand), it cannot resell a shipment a library might wish to cancel. As to orders suddenly ceasing and related issues, CRIV suggested that many of the concerns could be addressed with better communication and, as noted above, the posting of policies on the Web site.

Microfiche—In response to the concern of some AALL members, Hein officials reiterated their commitment to the continued production of microfiche. Hein used this question as an opportunity to point out that if it has digitalized something a customer might want in fiche, it is able to print it on demand. They also cited examples of projects the company has undertaken, and will continue to undertake, where customers have approached Hein about producing a product with a sufficient number of orders to cover Hein's costs.

Cataloging Questions

ABA Archive—There were a number of questions regarding the status of cataloging for this microfiche product. Hein explained that by agreement, it cannot publish the three most recent years. Before the end of summer 2005, it will have a file out that will bring the cataloging current through the end of 2001.

Cataloger's Web—There were questions concerning the functionality and usability of Cataloger's Web and its tutorial. Hein responded that there are no current plans to update or change either. Hein encouraged users to contact Hein's technical support department with questions and requests for assistance.

Additional Topics

Hein was asked to elaborate on the process it used to decide which government documents will be printed. It responded that AALL has a committee that recommends born digital titles for printing, which it uses. It also takes recommendations and requests from customers. As noted earlier, Hein will produce a product requested by customers. Generally, 10 to 15 orders are needed before Hein can produce a special request.

As to copyrighted works, such as treatises or digests produced by other publishers, Hein will microfiche them, if the company has a contract with the publisher.

Hein will consider expanding its customer service hours to later in the day, allowing customers in other time zones more opportunity to call in and speak to a representative. Hein noted that its phone system also allows a customer to call in and speak to a specific person or alternatively leave that person a voice mail.

As mentioned earlier, Hein will look at suggestions made by CRIV on providing more information for customers on its Web site. In addition to policies, those suggestions included updated product and product availability information and future enhancements once its new system is in place.

In addition to discussing member concerns with Hein personnel, the subcommittee members received a tour of Hein's facilities. Marmion and Fiddler served as our primary guides. Marmion is in charge of the digitalization process. We were guided through the process whereby pages are scanned, visually checked for accuracy, as well as tagged and indexed. Once the process is complete, the pages can be added to Hein Online and/or produced as microfiche. Our guides explained that once images are stored, Hein can supply documents on demand. They noted that law libraries ordering microfiche can have the fiche customized if they so desire. The tour also included a look at the printing and binding process. Recently reorganized, Hein's production processing, i.e., digitizing, microfilming, printing, and binding, as well as packing and shipping, is all on one floor and appears to be extremely efficient.

Conclusion

Overall, the subcommittee felt the visit was a productive and positive experience. The Hein people had spent time preparing for our visit and also took an entire day out of their schedules to meet with us. Hein clearly wants to hear from its customers,

especially specific concerns and complaints. CRIV emphasized on behalf of AALL members that the more information Hein can provide to its customers, the better. We wish to thank the company for making the arrangements as well as for its hospitality and sincere responses to our questions and comments.

The subcommittee also wishes to thank past CRIV Chair Ellen Strbak and current Chair Kevin Butterfield for their help and encouragement in putting the visit together. Thanks also to the law librarians and other

staff at University of Buffalo-SUNY for their kind hospitality to the subcommittee. Thanks to the many AALL members from all three types of law libraries who took the time to send in their questions and comments.

Currently, the entire CRIV is scheduled to have a site visit at LexisNexis headquarters in the fall. Other vendors wishing to schedule a site visit during the 2005-2006 year should contact Larry Meyer, chair of the Site Visits Subcommittee.

Kevin Marmion President, William S. Hein Co.

Hein Response

On behalf of the 120 employees of William S. Hein and Co. Inc., it was a true pleasure to host the CRIV members at our corporate headquarters in Buffalo, New York. The meeting was extremely productive and enlightening and provided us with an opportunity to learn even more about our customers' needs from the input of the committee members. While some of the issues raised by the committee had already been identified and were being addressed through various internal Hein employee committees, we are now actively reviewing our systems and procedures to address the

new issues brought to the table by the committee. We know that open communication is crucial to our being able to continue offering a high level of customer service to each and every customer, and we appreciate the committee members' work in facilitating such communication. After all, the success of any company is nurtured one customer at a time, and we hope that all of our customers, whether individually or collectively through CRIV, will let us know what else we can do to best serve the needs of their libraries.

Dick Spinelli William S. Hein Co., Buffalo, New York

What is the Role of a Subscription Agent?

Why Libraries Use Subscription Agents

For large law libraries that subscribe to hundreds of periodicals, managing subscriptions on a title-by-title basis is an overwhelming prospect, not to mention extremely expensive in terms of the number of people who are needed to handle all these subscriptions within the library. Therefore, many libraries take advantage of a subscription agent, such as Hein, to save staff time and consolidate the various functions associated with a subscription. Agents such as Hein have the experience and knowledge to efficiently manage a library's subscriptions, from beginning the initial subscription, to paying the publisher's invoice and billing the library, and finally to claiming when an issue has not been received. By consolidating these functions on behalf of a library, librarians need only to turn to Hein, as their agent, when a problem arises, freeing up their valuable time for other library responsibilities.

Why Use Hein as a Subscription Agent?

Hein made a decision many years ago that it would specialize in the handling of law and law-related materials *only*. This puts us in a unique position above other subscription agents who handle multiple subject areas and therefore do not have the intricate

knowledge of legal periodicals that we have at Hein. In addition, since Hein is the back issue distributor for approximately 700 legal periodicals, we regularly audit journals to ensure receipt of new issues based on anticipated publication schedules. This provides us with the ability to be proactive, rather than reactive, and we're able to keep our customers informed when we know, for example, that an issue will be delayed from the publisher. As a result, more than 70 percent of the academic law libraries in the United States currently use Hein as their subscription agent. This market strength has helped us develop new services based on your needs and requests, such as consolidated billing and electronic and group invoicing.

Keys to a Successful Relationship with Your Subscription Agent

Most negative situations that arise between a library and a subscription agent are due to communication breakdown. Communication, as in most situations, is the key ingredient to a successful and rewarding relationship between a library and a subscription agent. Early in the relationship, it is important to establish your expectations of the subscription agent, just as the subscription agent should convey its

common business practices to the library. Each partner in the process must communicate effectively to the other in order for everything to operate smoothly. It is also important for the library to understand that as an agent, and not the actual publisher, there are times when our hands are tied and we cannot remedy certain problems that arise. Of course, we do our best to persuade publishers in favor of the library, and through the years we have had a relatively high rate of success in negotiating on behalf of our customers. Sometimes, however, we are simply unable to meet your expectations because we are not able to control a publisher's policy or its response to a particular situation. While these are unfortunate situations, we view them as opportunities to learn and develop new systems and procedures to avoid a repeat occurrence in the future.

Keys to Successful Claiming

As the old adage goes, "timing is everything," and the golden rule for claiming is to *claim early*, since publishers have strict policies concerning the time period for which they will honor claims. As your agent, Hein will claim the item immediately, request that a replacement be sent right away, and ask that we get notification when the replacement has been sent. If the publisher cannot honor the claim, we ask them to explain the reason for the denied claim. If the claim is for an item that may be in our inventory, we oftentimes will fulfill your claim from our own inventory, free of charge.

When it comes to the timing of your claim, if you claim an item that has not yet been published, a publisher of course will *not* be able to fill the claim. Publishers will only consider a claim to be valid if the material has been published and shipped to

subscribers. Therefore, as your agent, we will only notify the publisher of your claim if we know that the material has been published and, if we know that it has not, we will pass that information back to you with an approximate due date if available. When we are notified of a delay in publishing, we inform our customers through our customer service online discussion list (please contact us to be included on this important list). By proactively notifying our customers about delays, we hope to reduce the anxiety and costs associated with an unnecessary claim. Finally, as your agent, we work diligently behind the scenes to move your orders and claims along. Our staff is an extension of your staff, and we need to work together to accomplish all of our goals. By teaming up, we can assure you of the best service in the industry (Primus Inter Pares-First Among Equals).

In conclusion, as a periodical subscription agent, Hein acts on behalf of more than 70 percent of the academic law libraries in the United States. We are very proud of our history and accomplishments in the manner in which we represent libraries as a subscription agent. While problems can and do arise, our experience has found that the best way to solve a particular problem and to keep such issues at a minimum is to encourage open and productive communication between the library and the agent. Serving as a subscription agent is a major part of the role we play in the library profession, and our success in this area is shown by the large percentage of libraries that use us as their agent and find this relationship a positive one. We have worked hard to become the largest subscription agent for academic law libraries in the United States, and we will continue to strive to maintain that position.

San Antonio 2005–Educational Program Summaries

Editor's Note: The handouts and recordings for these programs are available for purchase at: www.aallnet.org/products/products_educational.asp.

Tom Gaylord Chicago-Kent College of Law Library

Program C-2: Finding Government Documents Today

Speakers:

Peggy Roebuck Jarrett

Marian Gould Gallagher Law Library, University of Washington School of Law

Cheryl Nyberg

Marian Gould Gallagher Law Library, University of Washington School of Law

Program C-2, "Finding Government Documents Today," was a crowd pleaser at the 98th AALL Annual Meeting, opening with a faux silent movie and laced throughout with snippets of pop music references. (Note: the handout and PowerPoint presentations are available at <http://lib.law.washington.edu/ref/docs/today.html> sans audio files; the author recommends

accessing the online handout because it contains links to many of the Web sites discussed herein.)

Talking Heads, "Once in a Lifetime"

While there are still some 1,300 libraries participating in the U.S. Government Printing Office's (GPO) Federal Depository Library Program (FDLP), Congress has directed GPO to largely move from print to electronic distribution of government documents. Agencies have also moved to electronic publication on their Web sites in order to save money. So, government documents, never thought of as cutting edge, have moved to the bleeding edge of electronic publication. The advantage is that a lot of information is now available directly from one's desktop. The downside, however, is that there is no one place to look to find all the relevant government documents one might need. Rather than focusing on primary sources, such as regulations, the program focused on harder-to-find documents, such as reports, manuals, guidelines, and so forth.

Robert Palmer, "Looking for Clues"

Tips for finding documents with only partial information include looking for news stories in which the author (agency or government official) is identified; finding out when the document was released or made public; or finding its exact title, rather than its popular name. Google News and PubSub Government, which monitor blogs and newsgroups devoted to administrative agency news, were among the news sources highlighted.

There are also some specialized search engines for searching federal Web sites, such as Google Uncle Sam. Elegus and especially Clusty Gov+ were also highlighted.

Tom Petty, "Runnin' Down a Dream"

Once you know what it is you're looking for, and if you haven't found it yet, a good place to start is the GPO's online *Catalog of U.S. Government Publications* (from 1994). This resource is used to identify documents, including those never distributed in print, and to directly click through to the document itself. Unfortunately, documents at GPO sometimes disappear and/or reappear on the Web site, so just because something was there yesterday doesn't mean it will be there today and vice versa. Other library catalogs are also a great place to search for older government documents, such as OCLC.

Tom Petty and the Heartbreakers, "I Need to Know"

Government metasites, such as GPO Access and the National Technical Information Service (NTIS), are huge document repositories (some agencies, notably the Department of Transportation, post the bulk of their documents at the NTIS site). So remember to check these sites when you cannot find a document

on the agency's site itself. GPO's homepage is nice in that it includes links to featured documents and documents in the news, as well as new documents added.

Queen and David Bowie, "Under Pressure"

Do you need a document that came out today? There are some non-governmental sites worth checking out, including BeSpecific (a Web log with archives) and Jurist. Especially notable is ResourceShelf's DocuTicker, a daily list of reports by the government and other organizations, which is not limited to legal documents. Also check with the news agency that broke the story.

Three Dog Night, "Liar"

In addition to GPO Access and THOMAS, there are other excellent resources for Congressional documents. For instance, committee hearing transcripts often appear on committee Web pages before they appear at GPO or THOMAS. The Government Accountability Office (GAO, formerly the General Accounting Office) has a plethora of reports prepared for Congress online. Additionally, the GAO has PDF reports back to the 1970s.

The Congressional Research Service (CRS) of the Library of Congress also issues detailed reports to Congress. These were never disseminated via the FDLP, and if one was able to find out about a certain report, one needed to contact a congressperson or senator or use a commercial service. Many organizations and law libraries now track down, scan, and post PDF versions of CRS reports. There are also now searchable indexes, including one from University of North Texas, that allow the user to find CRS reports currently available on the Web. Lexis Congressional is also producing an add-on database of all CRS reports, although the earliest date is unknown at this time. It will also include committee reports.

Unfortunately, many agency sites do not post all the documents that one would expect. However, there are some agency Web sites that provide a large amount of documents. Some of the notable sites include the National Criminal Justice Reference System, which includes a searchable database of article abstracts, including abstracts of commercially published articles, and the Environmental Protection Agency site has scanned documents back to the 1970s.

General Public, "Too Much or Nothing"

Unfortunately, some government sites present too much information (but not what you're looking for), or next to nothing at all. The State Department site was highlighted as an example of a site where one gets a lot of information, such as the major publication series and archives from the prior administration. But some things that the user would

expect to find easily, such as treaties, are hidden behind multiple layers, and some reports, such as the Country Report on Terrorism, are mentioned but without any links.

The “nothing” example was the site for the Department of Homeland Security. The “publications” page has had the same eight publications for the past two years. Additionally, it consists of press releases, statements, etc., but lacks substantive reports.

Three Dog Night, “One”

FedStats, which searches statistics across government agency sites, was highlighted. It was pointed out, importantly, that FedStats covers only executive branch agencies, so no Congressional Budget Office or judicial branch statistics will be found. FedStats does allow the user to manipulate the data and download it into Excel.

For the judicial branch, the Administrative Office of the U.S. Courts was recommended.

U2, “I Still Haven’t Found What I’m Looking For”

Of course, not everything is going to be found on an official government site. The Internet Archive Wayback Machine is useful for some archived sites, including the site for the Bureau of Indian Affairs (the BIA’s current site is shut down pending litigation).

The Cyber Cemetery is devoted to archiving the sites of defunct federal agencies, such as the Office of Technology Assessment.

The Rolling Stones, “(I Can’t Get No) Satisfaction”

There are some documents that you won’t be able to find because (1) it is not on the Web (even though it should be); (2) it is classified (the National Security Archives, which is not a government agency, posts some declassified documents); (3) the document is on the invisible Web, where search engine spiders cannot reach, such as within a database; (4) the document, despite some evidence suggesting otherwise, is *not* actually a government document, but perhaps was issued by a think tank or some other body; and/or (5) it might be a one-of-a-kind document, such that would be included in the National Archives or a presidential library, and not something that would be disseminated via the FDLP. Remember that *FOIA* requests could be helpful in obtaining some documents.

Blondie, “Call Me”

Everyone was reminded to visit the Web site where the handout and Power Point presentation are hosted (see link above). There were no questions.

Julie R. Stauffer University of Chicago D’Angelo Law Library

Program D-5: “Don’t Throw That Away!”: Ensuring Future Access to Legal Information in an Age of Digital Media

Speakers:

Cathy Hartman

University of North Texas Libraries

Judith Lihosit

University of San Diego Legal Research Center

Kent McKeever

Arthur W. Diamond Law Library, Columbia Law School

Judith Lihosit introduced the program by describing the current trend of increasing reliance on electronic resources in the form of subscription databases and free Internet sites. Libraries are becoming more dependent on electronic resources for which they do not have an archive to fall back upon should the online database provider go out of business, raise its prices, or for whatever reason choose not to provide access to its databases. Web sites are also at risk and can be shut down or have information removed with no notice.

Lihosit’s experience working in a California county law library directly exposed her to the weeding of print collections in favor of electronic versions. To learn about the pervasiveness of this activity, she

surveyed California county law libraries to discover what they may cancel in print because the same information is available electronically. She contacted 55 of the 58 county libraries and collected information about the cancellations of specific primary law titles due to their availability in electronic form.

Out of the libraries surveyed, 82 percent cancelled at least one print item because of its availability online. Overall there is a heavy reliance on online resources, especially among the smaller libraries. Only the larger libraries keep print out-of-state codes and regional reporters. Primary among the reasons for canceling titles are cost savings and space issues.

Archiving Dead Web Sites

Cathy Hartman addressed the issue of how to preserve Web-published materials for long-term use. She described how digital resources have changed the way patrons use libraries, the work of her institution with the development of CyberCemetery, and the ongoing work of the NDIIPP-funded Web-at-Risk project.

The increased use of digital resources has changed the way patrons use libraries and has created an expectation that library digital collections are available at any time and from any location. As a result, librarians are realigning resources to handle this demand and creating online tutorials and contextual online help to replace face-to-face time with patrons. Hartman noted that during the past 10 years, the percentage of library staff dedicated to support digital resources has increased by 500 percent, and the materials budget for electronic resources has increased by 250 percent.

There are notable differences in lifecycle maintenance between analog and digital resources. The selection and acquisition of print resources are heavily supported by publishers, library staff, and patrons. There is no comparable support for Web-published materials. In the analog world, there are well-developed processes for preserving these materials and a long timeframe in which to act on preservation needs. In the digital world, the timeframe to archive or preserve is very short. Digital materials are prone to obsolescence, and they are easily damaged.

In 1997 the University of North Texas Libraries (UNT) began to capture the Web sites of dead government agencies to populate the CyberCemetery Web site. Many of these dead agency sites exist nowhere else. Since the inception of this project, UNT has noticed the vast changes in the data that is captured. Web sites provide a greater variety of multi-media, including high-resolution images, audio files, and streaming video. These changes have resulted in sites that are more complex with substantially larger file sizes, which subsequently increase the difficulty of data capture.

The National Digital Information Infrastructure and Preservation Program (NDIIPP), funded by the Library of Congress, was created in response to concerns that the nation is losing evidence of cultural history during this time of Web publishing. In the fall of 2004, the Library of Congress awarded eight grants to further the research on capturing and preserving born digital materials. Web-at-Risk, one of these projects, is a collaborative project sponsored by the California Digital Library, New York University, and the University of North Texas.

The Web-at-Risk project is organized into four overlapping paths of activity: content identification and selection, content acquisition, content retention and transfer, and partnership building. The project will develop open source tools, guidelines, and solutions to many of the problems associated with identifying vital resources, capturing and storing large quantities of data, and creating sustainable partnerships for archiving Web material.

Hartman closed her presentation by raising the issues of authenticity and privacy in the digital arena. These are the two big unanswered questions in the attempt to preserve Web-published materials. How can a copy of a digital document be authenticated so that it may be used as a legal document? And what types of privacy concerns need to be addressed in this digital environment? Hartman challenged the audience to consider these two issues from the perspective of law libraries and to help develop solutions.

Safe Print Versions

Kent McKeever discussed his work in the Legal Information Preservation Alliance (LIPA). LIPA, whose purpose is to provide leadership in preserving print and digital legal materials, plans to develop a Dark Archive Network (LIPA-DAN).

If everyone relies on electronic sources and removes the print versions from their libraries, what will they do when a disaster strikes and the electronic versions are no longer available? This describes the rationale for creating LIPA-DAN, which is to provide comfort to libraries, so that they can rely on electronic versions with the assurance that there are print versions safely preserved elsewhere. The purpose of a dark archive is to store materials with the intention that they not be retrieved. This may seem anti-access, but it really addresses the issue of preservation and the need of future access.

LIPA is working with Jerry Dupont of the Law Library Microform Consortium (LLMC) to provide public information about materials that have been stored in a dark archive. Libraries that submit materials to a dark archive will report this information to LLMC. LLMC will maintain a public Web site with up-to-date information about the archive content. This information will help guide other libraries in their decision making as to whether there is a need to preserve another copy. It is McKeever's assumption that it would take 15-20 institutions to generate six complete runs of a title. Over time, with enough participants, it will be possible to provide substantial coverage of important legal sets. At this early stage in the development of LIPA-DAN, selection will concentrate on unchanged legal materials, e.g., official case reports and session laws. Annotated codes with supplementation are much more complex, and their preservation will need to be addressed in the future.

McKeever concluded with his insistence that any library can contribute to LIPA-DAN. Institutions should work with the materials that are important to them and may be unique to their collections. To learn more, visit the LIPA Web site at www.llmc.com/lipa/home.htm.

All program materials are available at www.sandiego.edu/lrc/aall.html.

Program I-4: Shrinking Budgets and the Long-term Impact on Library Collections

Speakers:

Michael G. Chiorazzi

University of Arizona, College of Law Library

Douglas Lind

Georgetown University Law Center

Caitlin Robinson,

University of Iowa Law Library

Even though this session was geared to the law school library, as a law firm librarian concerned with the issue of rising costs and constant budget cutting, I found the session to be both interesting and enlightening.

Law firm librarians usually go about dealing with “get more for less” in a fashion similar to that of academic librarians. Of course, there are variations on the theme, depending on the law firm, culture, practices, etc. What was interesting was that Caitlin Robinson, head, technical and automated services at University of Iowa Law Library; Mike Chiorazzi, director and professor of law at University of Arizona College of Law Library; and Douglas Lind, collections development librarian at Georgetown University Law Library, had three totally different approaches, all tailored to the needs of their specific law school clientele and philosophy.

Collaborating among Libraries

Robinson started the session with a description of the needs of the law library and the reasoning for its approach to collection development. The law school is the smallest of the 10 campus state institutions that are allocated funds by a university that is “heavy on print” and responds to the current system of ranking law schools that is still based on “resident” collections. Thus, the larger the “resident collection,” the greater the funds received.

The University of Iowa Law Library (ILL) belongs to a consortium of the regional libraries of the university. There is an agreement between the libraries that material that is housed in one library is available to the entire university. Collaboration among the libraries is not just about cutting costs. They also strive to consider the realities of ILL (travel, electronic needs, use, and budget) to have a common language on the agreement of goals and to have a common infrastructure of technical collaboration.

Robinson explained the library’s negotiation for the retention of specific collections in the law library, while giving access to the entire university. Duplicates in all the collections were eliminated and, with much political savvy, specific series runs were housed in the

law library. Her explanation of the common ILS with the use of SFX technology left me in the dust, but after consulting her excellent handout, I was able to keep up with the general idea. The university was able to cut costs while giving the faculty and students the information they needed by a sophisticated dissemination of electronic resources across campus. The technical library staff used specific profiles for the faculty to push information out. Cutting costs while maintaining the collection continues to prove difficult, but the new systems that the University of Iowa has implemented are successful in attaining the goal.

Eliminating Duplication

According to Lind, Georgetown University used a much more drastic approach. Post 2002, the library was given a three-year mandate to cut costs by one third. An initial study identified the duplication of material across different formats, identified the individual library profiles, and moved forward eliminating duplication according to that library’s profile.

The law library has proceeded to fulfill the mandate by canceling duplications selectively (only regional reporters are not duplicated). All the material was reviewed by subject. It created a listing of all serials and created selective coverage while trying not to duplicate content. A new philosophy of “profile ownership” was instituted with the understanding that sometimes because of lack of space and fiduciary responsibilities, a library will have to accept “access” as opposed to “ownership” of the title.

The decision was made to maintain the following in print: all primary law, treatises, and monographs in all general topics; law reviews (heavily cited and all Georgetown publications); form books; and rare legal material. Access via online services would be provided for government documents and state and federal materials that were not in the categories of primary law, finding tools, newsletters and loose-leaf services, administrative codes, and non-legal journals.

The library at Georgetown has become proactively pro-tech, educating the faculty about the availability of information online and developing a working schedule to wean the faculty from print.

Reallocating Resources

Chiorazzi was the most irreverent in his approach to facing the realities of his university’s needs. The mantra of the University of Arizona is “Focus on Excellence,” and the reality of today is the shrinking not only of budget but of physical space. The need to cut costs is also based on real estate. One half of

law libraries have given their space over to the law school. Instead of cutting costs, Chiorazzi has focused on the reallocation of the resources.

At the University of Arizona Law Library, Chiorazzi has eliminated all print if the content is available anywhere online. (Lexis and Westlaw are 5 percent of his overall budget.) He maintains one set of the national reporters and is in the process of eliminating as many of the newsletters as possible.

Chiorazzi's energy has gone into getting "as many librarians as necessary" to be able to put the

information in front of his constituency. More staff is needed to train the users in the ever-growing array of databases and new software needed to access available electronic content. He accesses the talents of allied professions with the recognition that more can be done for faculty and, again, use all resources available to make it happen.

All in all, this was an interesting seminar and proof that there's more than one way to get the needed resources to your constituency.

New Product Award Nominations Sought

Discovered any great, new library products this year? If so, let us know! It will soon be time for nominations for AALL's New Product Award.

The New Product Award honors a new legal information product that has been in the library marketplace for no more than two years. The product must be commercial, enhance or improve existing law library services or procedures, and be an innovative product that improves access to legal information, the legal research process, or procedures for technical processing of library materials. Products that have been re-introduced in a new format or with substantial changes are eligible.

We encourage AALL members to think about the exciting new information products they use in their libraries and to send us their nominations for this award. Self-nominations are also encouraged.

Check out the list of wonderful products that have received this award so far:

- *How to Shepardize*—Shepard's McGraw-Hill, Inc. (1995)
- *Health Law and Business Series*—BNA, Inc. (1997)
- *CIS Congressional Universe*—Congressional Information Services, Inc. (1998)

- *KeyCite*—West Group (1999)
- *IndexMaster*—IndexMaster, Inc. (2000)
- *Hein-Online*—William S. Hein & Co., Inc. (2001)
- *Palawlibrary.com*—Jenkins Law Library and American Lawyer Media (2004)
- *The Making of Modern Law*—Thomson Gale (2005)

CRIV's New Product Award Subcommittee screens nominations and makes recommendations to the AALL Awards Committee. To submit a nomination, complete the New Product Award Nomination Form available on the CRIV Web site at www.aallnet.org/committee/criv/news/newproductform.pdf and send it to:

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Nominations must be postmarked by January 15, 2006.