

# ≡≡≡ PLL PERSPECTIVES

THE QUARTERLY OF THE PRIVATE LAW LIBRARIES SIS OF THE AMERICAN ASSOCIATION OF LAW LIBRARIES Volume 10 Issue 3

[ SPRING 1999 ]

## THE PERSONNEL COST FACTOR IN THE ECONOMICS OF INFORMATION

by Tom Fleming, Piper & Marbury, Baltimore, MD

This article was intended to be a summary of Nora Garrote's and my presentation at the ABA Convention last summer on the economics of information. Due to the recent events at Pillsbury, Madison and Sutro (PMS), I was asked to address the effect of outsourcing on the economics of information. Instead of writing solely on the economic aspect of outsourcing, I will be looking at why law firm management still may see outsourcing as a viable option. For those who wanted information on the actual presentation, please e-mail me at "tfleming@pipermar.com" and I will e-mail you the outline.

In my previous presentations and articles, I have left out the personnel cost in my discussion of the economics of information because my assumption has been that the personnel costs would not be changed. The increased use of electronic information generally produces a decrease in staff hours. The saved staff hours that are realized are readily used in the increased training for the electronic information and in evaluating new sources.

Obviously, the total cost of providing information to any organization is reduced if you can reduce any part of the total cost. While outsourcing the personnel in a private law library is new, corporations and the government have been doing it for many years with varying degrees of success and savings. Law firms have been outsourcing an increasing number of back office functions for many years. While the transition can be rough, the outsourced services and the savings have been sufficient for management to continue and expand outsourcing. Now it is not unusual to have contract attorneys working in law firms. Therefore, it is imperative that all private law librarians realize that it is a possibility. Do not comfort yourself with the fact that Baker & McKenzie did not work out. In fact, many small law firms that have never had in-house law librarians have outsourced their law libraries.

Those of us who have worked in the profession for a long time can remember many functions within the law library that have been outsourced. The following is a list of the functions that have been outsourced by the librarians themselves, and they may never be brought back in:

- Binding
- Looseleaf filing
- Cataloging
- Reference
- Interlibrary loans
- Document delivery
- Temporary professional and clerical assistance

Most library directors would agree that some if not all of these functions can be outsourced. One of the repeated arguments against outsourcing the whole law library is that the organization will lose its institutional memory. However, this institutional memory is also lost when a key employee leaves. Contractors can try to hire the existing staff but almost by definition it would be at a lower cost.

From the firm management's point of view, any in-house service can be outsourced if they feel that the service would not greatly deteriorate and there would be a significant saving. The obvious question is how can librarians avoid even being considered for being outsourced. Glen Gustafson, the Chairman of the PLL/SIS, refers to it as not being viewed just as "book reshelvers" (Letters to the Editor, *The Recorder*, 1/29/99, Glen Gustafson). His comments were in reference to PMS outsourcing its San Francisco Library. Remember that PMS has contracted with Deborah Schwarz, President of Library Associates, who has been in the law community for many years. The point is that you have to increase your visibility and respect within your firm to the point that you are not viewed solely as book reshelvers.

The other component goes to the point of my ABA presentation. You have to be actively involved in the selection, implementation and effective use of the electronic information within your firm. This means that you have to make effective decisions about the proper mix of paper, networked, online and Internet sources of information. These decisions should also be combined with the work product of your firm. This is the basic concept of knowledge management. There have been two closely related tools to assist the librarian: the information audit and rebalancing. While it is beyond the scope of this article to go into these, I would strongly suggest that you at least be familiar with them. Good starting points are *New Horizons: American Association of Law Libraries Educational Program Handout Materials*, Anaheim, CA, July 1998, [www.aallnet.org](http://www.aallnet.org). (Excellent overview of an information audit, page 353, and sample questions, page 365) and *Collection Rebalancing for Law Libraries*, AALL Resource Guide No. 4, Winter 1998. In addition, there is an excellent bibliography on outsourcing which is compiled by SLA at <http://www.sla.org/membership/irc/contract.html>.

## PLL PERSPECTIVES

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## FROM THE CHAIR

by Glen Gustafson, Sheppard, Mullin, Richter &amp; Hampton, Los Angeles, CA

This month I would like to chat on two talking points: first, to encourage members to think about volunteerism. Second, to think about how we keep up with whatever it is we do. First, though, I would like to congratulate Johanna Bizub on the work she has done as chair of the PLL Nominations committee. Candidate statements should be appearing in this issue. Please consider these statements and make your selection. We appreciate all who have placed their names on the ballot.

Johanna and I feel that our experiences as Chair of the Private Law Libraries Special Interest Section have been "not too bad," and we wanted to communicate to the membership that volunteering for PLL office opens windows of opportunity. Even though accepting appointment to the ballot for PLL offices is not to be taken lightly, the duties of PLL officers do not take so much time out of our work schedules that we see them as a burden. For me, the first year as Vice-Chair/Chair-Elect was more energetic than hectic. The new people I met across the country, by telephone and by e-mail as well as in person, really drew me out and made me stretch. We all handle the policy questions within our firms and special libraries when we write reports to our administrators. It often takes something more to explain a fine point of reference technique or technical services systems to someone who has only a basic understanding of what it is that we do. This year as Chair, I have taken the opportunity to get involved in more activities in the Greater Los Angeles area. I have also taken calls from people around the country for reference resources, requests for consultant contacts, salary survey information. I have become an expert. Not that the information that I am passing on to others is anything other than what I have been doing for the last 19 years, but it is the continuing professional education that has given me confidence to speak to the questions that are now coming to me. It has also provided a network for contacting experts on questions that I do not feel competent to answer.

Much of this knowledge comes from our listservs. After years of personnel reviews and hearing comments from other librarians, I can confidently say that most librarians have heard this statement: "Well, I don't know exactly what it is that you do, but I am going to give you an average mark on your review." This year I have begun to forward the better postings from privatelawlib and law-lib lists to the management principals at my firm. I preface the FYI note with some comments on the subject and then suggest that my administrators and Library Partner see the attached post. I am sure that the information that I am forwarding is much more than they would ever care to know; but when it comes time to discuss cost reduction, or collection re-balancing, the groundwork will already have been laid. This year the budget discussion went much more smoothly. I had prepared the ground by forwarding posts from the lists on cost increases and by using re-balancing techniques outlined in the AALL Resource Guides for Law Firm Libraries to evaluate collection renewals. As costs go up in electronic formats, we need to bring costs down in our paper collections. Having a hard copy, a CD-ROM and an Internet connection for the same titles is no longer acceptable. The result of multiple formats has tripled the cost of information access. While I am sure that publishers need to protect market share, profit ratios, and mind share; they must also understand that overhead costs

cannot continue to increase dramatically. Our professional organizations keep us informed. They often keep us ahead of the curve; at the very least, they allow us to plan in a rational way.

For the PLL Chair, one of the more difficult responsibilities of the office is to get volunteers for the various committees. Initiatives are set out in the PLL Strategic Plan. All I need to do as chair is to get enough people fired up about those initiatives to volunteer to spend a few hours per month to keep momentum going. With the spread of electronic communication this part has become easier. As long as some librarian is willing to take the lead, many are happy to help. The PLL-SIS listserv has not been exceedingly active, but when PLL officers need to marshal people to action, the call can go out, and members do respond. Thank you all for that.

My understanding of my profession, and the nature of involvement in professional organizations in general, has grown over the last couple of years. I met a colleague from California State University, Northridge, as we were both waiting at Sav-On for our prescriptions. She, as an academic librarian, had served in a number of officer posts in several professional organizations. After talking with my neighbor, I learned that he was having similar experiences with his professional organization while serving as president of a national construction contractor organization. Volunteerism is alive and well despite the Grinches who do not see the benefits of professional organizations. More than once I have heard from Law Firm Librarians that their office administrators are cutting back on membership and travel expenses for annual meetings and institutes. The reason being that if management committees aren't letting the office managers go to annual meetings, then librarians shouldn't be allowed to go to them either. This trend can cut the heart out of professional organizations, and can debilitate continuing education. By sharing the wealth of knowledge we have accumulated individually with colleagues from across the country, we all benefit. Locked into our individual workstations, grinding out project after project as fast as we can does not lead to new and innovative ways of conducting the business of information professionals. We law librarians have to know more stuff, in more areas of electronic commerce, hard copy presses, and systems analysis than do most co-workers in our offices. Since any question is fair game, and since new technologies have raised the bar significantly in matters of quick, cost-effective research, librarians need to keep ahead of the curve. We can do that only by consuming vast quantities of journal articles and training manuals or attending professional seminars. Wouldn't it be more effective to attend two or three continuing education programs per year rather than spend each Saturday catching up on the information resources that we must master in order to keep up with attorney and administrative requests? We occasionally need to raise our eyes to the horizon. If we keep our noses always to the grindstone we will lose the leading edge of that which we do best.

Keep plugging for more educational opportunities. Show your administrators that firm libraries and special libraries can support greater loads of information technology only if we have the tools to do so and the high energy to go after new horizons.

## CANDIDATES FOR PLL/SIS OFFICES 1999-2000

Brief biographical information and individual statements are presented here for each of the candidates nominated for office for next year. Ballots should be mailed to PLL members about the middle of March. Please review the information below; and when you receive your ballot, cast your votes. Thank you to each of these people who have volunteered to serve in these offices, and so expressed a willingness to make a considerable commitment for the PLL/SIS.

### PLL/SIS OFFICE: VICE-CHAIR/CHAIR-ELECT

**Ann Jeter**  
 Manager Information Services  
 Jackson Walker LLP  
 901 Main St. Suite 6000  
 Dallas, TX 75202

#### Former Positions

- Librarian, Hughes & Luce, 1979-1986
- Assistant Librarian, Hewitt, Johnson, Swanson & Barbee, 1978-79

#### Professional Activities

- Westlaw Advisory Board, 1995-1997
- American Association of Law Libraries:
  - Co-Director, Institute on Managing Emerging Technologies, 1989
  - Executive Board Member, Private Law Libraries Special Interest Section 1, 1987-1989
  - Speaker, "Automating the Law Firm Library," June 1985
- Southwestern Association of Law Libraries:
  - Annual Meeting Program Committee Chair, 1998
  - Dallas Association of Law Librarians
  - Special Committee on Tax Exempt Status 1998
  - President, 1993
  - Chair, Automation Committee and Union List Committee, 1990
  - President, 1981

#### Statement

I think I am fairly typical in being concerned about cost containment, improving my business skills, and juggling proliferating information formats. I see PLL's most important function as being an advocate for our needs as professionals and as legal information providers. PLL should continue to expand CAPLL's role as consumer advocate. I would also like the SIS to build and expand its ties with other disciplines that can enrich our work, such as business management, technology, and records management. Selfish though it may be, serving in leadership positions is the best way I know to ensure that the association continues to meet my professional needs.

**Elizabeth D. Kenney**  
 Branch Librarian, Boston Office  
 Dechert Price & Rhoads  
 Ten Post Office Square  
 Boston, MA 02109-4603

#### Former Positions

- Assistant Librarian, Sherburne Powers & Needham, Boston, MA, 1993
- Library Assistant, Spengler, Carlson, New York, NY, 1986-1991
- Library Acquisition Clerk, *Newsweek* magazine, New York, NY, 1981-1986
- Filer, Sullivan & Cromwell, New York, NY, 1977-1981

#### Professional Activities

- Committee Member, Edgar J. Bellafontaine Endowment Committee, Social Law Library, Boston, MA, Present
- Chairperson, Association of Boston Law Librarians ABLL WEB Committee, Present
- Organizer, Boston law librarians task force on salary information, in conjunction with Simmons College Graduate School of Library and Information Science, February 1999

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#### THE PERSONNEL COST FACTOR, continued from page 1

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- "Firm Librarians Are Not Endangered Species." Heacox, Stephanie. *The National Law Journal*, June 16, 1997, page A23.
- "Law Librarians Move Into Cyberspace." Marke, Julius. *New York Law Journal*, May 20, 1997, page 5.
- "Letters to the Editor." Gustafson, Glen. *The Recorder*, 1/29/99.
- "Librarians Should Improve It, Not Fight It. Outsourcing: It's Here to Stay." Heller, Charles. *Legal Times*, November 18, 1996, page S32.
- New Horizons: American Association of Law Libraries Educational Program Handout Materials*, Anaheim, CA, July 1998. [www.aallnet.org](http://www.aallnet.org) (excellent overview, page 353, and sample questions, page 365).
- "PMS (Pillsbury, Madison & Sutro) Lay Off Law Librarians." Gustafson, Glen. *The Recorder*, 1/29/99, page 4.
- Selected References on Outsourcing Library Services. Special Libraries Association. <http://www.sla.org/membership/irc/contract.html>
- The Outsourcing Institute Library. <http://www.outsourcing.com/>
- "What is the Cost of Misinformation? An Executive Summary from Exploring Outsourcing: Case Studies of Corporate Libraries." <http://www.sola.or/research/outsource.html>

**CANDIDATES FOR PLL/SIS OFFICES 1999-2000, continued**

- Instructor, Social Law Library Research Series, Securities Research, November 1998
- President, Association of Boston Law Librarians, 1997-98
- Recipient, 1998 AALL Excellence in Marketing – Best Use of Technology Award for the Association of Boston Law Librarians website (abll.org)
- Speaker, Internet Librarian, 1997 and 1998
- Speaker, Massachusetts Continuing Legal Education seminars, 1996-1998
- Guest Speaker, Advanced Legal Research class, Suffolk University Law School, Boston, MA, Northeastern University School of Law, Simmons College Graduate School of Library and Information Science

**Publications**

- "Your Freebie Legal Rolodex." Massachusetts Continuing Legal Education, 1998
- Letter to the Editor. *New York Magazine*, March 23, 1998, regarding its contribution to the perpetuation of the "fuddy-duddy" image of librarians
- "Municipal Law in Massachusetts." Massachusetts Continuing Legal Education, 1998
- "Salary and Demographic Survey of Boston Librarians." Association of Boston Librarians, 1998
- "Y2K and You." *ABLL Advocate*, 1998
- "Creating and Maintaining an Intranet." Course Materials, Law Librarians of New England, 1997
- "Managing the Internet in Law Firms." Massachusetts Continuing Legal Education, 1996

**Statement**

Law librarianship, like the libraries we work in, is evolving every day, in every way. My goal is to serve as a conduit for members of our association, and our profession; to enable us to network and communicate with each other in order to facilitate these changes in the most efficient way possible. The Information Technology boom has, and will continue to, present PLL with numerous opportunities to be of service to our membership. My primary duty will be to stick out my hand in welcome and in friendship to all members. I hope also to aid and educate all of our colleagues, as well as myself, through programs and literature designed to take the "byte" out of this new electronic frontier. In addition, I would like to promote law librarianship as a professional career.

It will be my pleasure to do for someone else what has been done for me.

**PLL/SIS OFFICE: TREASURER**

Lauri Flynn

Director of Information Resources  
Bank of America Legal Dept. #3017  
555 California Street  
San Francisco, CA 94104

**Former Positions**

- Northwestern School of Law, Lewis & Clark College, 1974-1988, Assistant Law Librarian, Technical Services Librarian
- Willamette University College of Law, 1972-1974, Acquisitions

**Professional Activities**

- NOCALL, President, 1993-94
- Consulting Committee Chair, 1996-present
- Education Committee, 1997-present
- 1993 Spring Institute Committee, Chair
- 1990 Spring Institute, Exhibits Chair
- AALL, Opening Luncheon Chair, 1992 Annual Meeting
- Editor, Publications Clearing House Bulletin, 1982-1983
- Chair, Special Committee on Int'l Placements, 1983-1985

**Statement**

I have been impressed with the publications, programs and enthusiasm of the PLL-SIS members and leaders in my 10 years in the private sector and have found PLL resources very helpful in dealing with workplace issues. I would like to be part of the SIS team, to continue the current programs, and to develop new programs and ways of helping us meet our continually changing roles and demands as private law librarians.

Joni L. Cassidy

President/Co-owner  
Cassidy Cataloguing Services, Inc.  
111 Frank E. Rodgers Blvd. South  
Harrison, NJ 07029

**Former Positions**

- Cataloger, New York County Lawyers Association (New York), 1983-1985
- Set up and staffed nursing library for New York City campus of Elizabeth Seton College (now part of Iona), 1983-1984
- Head of Public Services, Mercantile Library (New York), 1982-1983
- AV/YA Librarian, Port Jefferson Free Library, 1981-1982
- Set up and staffed Job Information Center for Eastern Long Island, 1979-1981

**Professional Activities**

- AALL member since 1986
- Chair, PLL/SIS Independents Group, 1997-1998
- Speaker, AALL Cataloging Institutes, 1988, 1992
- Co-coordinator, AALL Cataloging Workshop, 1994

**Publications**

- "Contract Cataloging," in *What else you can do with a library degree: career options for the 90's and beyond*. New York: Neal-Schuman, © 1998.
- "Cataloguing for special libraries: administrative perspectives." *Legal Information Management Reports*, vol. 8, no. 4, Fall 1996.
- "Guidelines for Technical Services in Private Law Libraries: Text, Survey, Results, Commentary," in *Managing the Private Law Library 1995*. New York: Practising Law Institute, © 1995. 183-210.
- "Working with Independent Contractors and Consultants," in *Managing the Private Law Library 1989*. New York: Practising Law Institute, © 1989. 9-26.

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**CANDIDATES FOR PLL/SIS OFFICES 1999-2000, continued**

**Statement**

As an independent who has the opportunity to work with many law librarians in all kinds of library settings, I believe I bring a unique perspective to any board or committee on which I serve. For fifteen years, I have co-managed a growing business while cataloguing over a hundred firm, corporate, association and academic law libraries, and helping their librarians plan for the future of technical services.

The PLL/SIS includes law librarians working in several diverse settings: private firms (small, medium and large), corporations, records management divisions, non-academic technical services and independents. I would like to see PLL take the lead in the movement of AALL toward a professional association in which colleagues appreciate the differences in our individual work environments and recognize that such diversity breeds a wealth of knowledge to be shared. I would like to see this open-minded view of what we have to offer each other extended to librarians who have left the library to join the legal publishers, online services providers, etc. as I believe they have a valuable contribution to make to the healthy survival of our association.

**PLL/SIS OFFICE: MEMBER AT LARGE**

Gayle Lynn-Nelson

Senior Regional Information Manager  
LEXIS-NEXIS  
125 Park Avenue  
New York, NY

**Former Positions**

- Library Manager, Fulbright & Jaworski (NY Office)
- Library Director, Summit Rovins & Feldesman (NY)
- Library Director, Vicinage of Morris & Sussex County Law Libraries (NJ)

**Professional Activities**

- Chair, AALL Mentoring & Retention Committee
- Immediate Past President, New Jersey Law Libraries Association
- Member/Faculty of MCLE Teaching Legal Research for LLAGNY

**Publications**

- "Essentials of the Modern Law Office," *The Navigator*, Winter 1998
- "Was this the Boston Marathon?" *NJLLA In Brief*, Sept./Oct. 1993
- "How do you rate?" SLA Chapter News, 1993
- "Conference Highlights: Automation of Library Functions in Law Firm Libraries," *PLL Perspectives*, Nov./Dec., 1990
- "Legal Research & the Private Law Firm." *PLL Perspectives*, Sept./Oct. 1990

**Statement**

Information professionals are in the midst of challenging and even threatening changes in their work environments, especially those in private law libraries. I would like to help them by acting as a guide to PLL to help find ways to enable members to show the value and versatility of information professionals and to help them translate their skills to their firms. Many librarians have begun to transform themselves successfully into new professional categories. PLL needs to find a way to keep those members and to help them adapt to today's new and changing environment. I hope to be a part of the transition that leads information professionals into the next century.

Joanne Dugan

Law Librarian  
Pierce Atwood  
One Monument Square  
Portland, ME 04101

**Former Positions**

- Librarian, Supreme Court of North Dakota, 1993-1994

**Professional Activities**

- Co-chair, 2000 PLL Education Committee
- Member, PLL Perspectives Advisory Committee
- Chair, AALL Placement Committee
- Frequent speaker for legal research seminars in Maine
- Operate independent law library services corporation

**Publications**

- Several reviews for *Legal Information Alert*
- Co-author, "Information Technology Solves Clients' Problems." *Maine Lawyers' Review*, 3:12 (1995)

**Statement**

When I became a law librarian six years ago, I entered a profession that is far more challenging and fulfilling than I could ever have hoped for. My knowledge of technology has increased tenfold, and my negotiating and problem-solving skills are constantly being put to the test as I try to satisfy patrons, staff, and management. It is a challenge I enjoy meeting every day.

I would like to serve as Member-At-Large on the PLL Executive Committee because it offers an opportunity to give back to the profession that has given me so much. I also welcome the chance to meet and learn from other private law librarians who are facing the same challenges I am: shrinking space and budget, technology that is constantly in flux, and preserving the library's central role in the law firm, even while the physical trappings of the library become less prominent.

## CHECKLIST FOR THE NEGOTIATION OF INTERNET SUBSCRIPTIONS

by Jean O'Grady, Wilmer, Cutler &amp; Pickering Washington, D.C.

Many of us who survived the negotiation and networking of CD-ROMs looked hopefully to the next wave of digital products for a simpler desktop solution. Now that we have website subscriptions, our lives should get a lot easier, right? Wrong!

I have listed below a sampling of issues that should be addressed in the negotiation of Internet subscriptions from legal and law related publishers.

1. Ask to see the license agreement. Some vendors will provide an order form for the product without providing full disclosure about the underlying rights and responsibilities of each party.
2. Most license agreements are one sided, providing all of the protections to the vendor and putting all of the liability on the purchaser. For example, most of the agreements I have seen do not acknowledge that the vendor has obligation to the purchaser if the website or some of the data becomes unavailable for a prolonged period of time. Negotiate for a reduction in price or an extension of the contract to compensate for the lost access.
3. Who controls the website? If the vendor does not have direct control of the website or the data, you will find yourself in endless rounds of finger pointing and triangulation.
4. Who is responsible for notifying you if the website becomes unavailable? According to most contracts: no one. Usually you find this out when you start getting a series of calls from frustrated researchers. Although no vendor has trouble finding you if you have an invoice that is past due, vendors have not yet recognized that the digital tools they are employing could be used to improve customer service. If a website goes down or a critical update does not get loaded on the website, vendors could disseminate important "alerts" for you to pass on to your users.
5. Password management. If you are negotiating a site license, you need to determine if you will be required to manage individual passwords for every possible user. Some vendors will allow access to anyone from your organization by validating the address of your server. Others will still require a password and still others will require that you establish a second password for those wanting to access the site from home or while traveling. You will need to determine whether you will be charged additional fees for adding these "off-site" passwords.
6. Cancellation. While most vendors allow you to cancel at the end of the term by simply opting not to pay the renewal invoice, others require advance notice of intent to cancel. One vendor's contract renews automatically in annual increments unless you affirmatively cancel the contract in writing within a 30-day window before the renewal date. Other contracts can be canceled at will by the vendor if they believe someone at your organization has violated the license. Such clauses may also call for the forfeiture of any prepayments you may have made for the balance of the contract term.
7. Usage statistics. So far, I have not encountered one vendor who was prepared to provide me with a report on the volume of usage. If there are several subscriptions at the website, it would be helpful to have the "hits" broken down for each title subscribed to. This will be particularly helpful when it is time to renew the license. I was recently able to negotiate a favorable rate for an Internet license by showing a historical report on the usage pattern for the comparable CD-ROM product which was on our LAN. It may be possible for your network staff to generate some reports that will be helpful in understanding the volume of usage of particular sites.
8. Authorized users. Make sure the contract is not unnecessarily restrictive. You need to decide who needs to be included in the definition of an "authorized user." If you negotiate a contract for a practice group of 30 lawyers, you need to account for access by non-lawyer support staff who may need to be able to retrieve documents on behalf of the attorneys.
9. Desktop software. Will use of the website require the installation and ongoing maintenance of desktop software in order to provide the end user with full functionality? It is not uncommon for the vendor of a website to expect you to install proprietary software requiring ongoing maintenance throughout the organization. Is that software Y2K compliant and will it function properly on your current desktop and LAN environment?
10. Content. Have the vendor clarify how the content or functionality of the website compares with the print, CD-ROM or dial-up you have purchased in the past. If all the data is not included, negotiate for a price reduction or the continuation of a substitute product for free.
11. Can you cancel other products? Make sure the price quote is not contingent on your continued subscription to other related products. Vendors are still trying to protect their subscriber base for existing products by slipping in clauses that commit you to continue your existing print subscriptions.
12. Will your users adapt? Sometimes end users are resistant to change and may want to stick with an old product with a familiar interface. Request test passwords that will allow the end users to try the product before you sign the contract.

## THE PILLSBURY SITUATION

On January 21, 1999, the San Francisco office of Pillsbury, Madison and Sutro LLP announced that its library operations would be contracted out to Library Associates, based in Los Angeles. The effective date of the change was February 8, 1999. The announcement stated that the decision was made after lengthy discussion, and library staff members would be given the opportunity to reapply for their positions through Library Associates.

The announcement was posted on law library listservs the following day, and the reactions began. The San Francisco legal newspaper, *The Recorder*, contained an article about the action on January 25, and Library Associates issued a statement on its webpage. PLL Chair, Glen Gustafson, who was quoted in the first *Recorder* story, wrote a letter to the paper that was published on January 29.

Two of these items are reprinted here. We are setting out Glen Gustafson's letter to the editor of *The Recorder* and the statement issued by Library Associates. The statement is printed with the permission of Diane Schwarz, president of the company.

### KEY SERVICE LOST WITHOUT LAW FIRM LIBRARIANS

by Glen Gustafson, PLL/SIS Chair

**Y**ou can't make a mongoose fly. Some people would not understand that a mongoose is not a bird. Likewise, some employment/legal temp agencies and law firm administrators would not know what is involved in providing a full package of library management and information retrieval services.

Your story, "PMS to Lay Off Law Librarians," looks like a reprise of the Baker & McKenzie attempt to cut costs by axing support services. It did not work with B&M and has not worked with other firms, but administrators still attempt to reduce costs by cutting off their best assets. Certainly there are many jobs in the library that can be performed by any competent clerk, but information professionals with a knowledge of the full range of resources are not easy to locate in temp services.

Administrators who read articles in *Business Week* and *Fortune* about plug-in employees who bring their laptop to a cubicle each day, may see library temporary employees as the answer to overhead costs. It is my opinion that law firms can not maintain an effective information resource if the major consideration is to reduce costs without an equal consideration for high quality service.

Law firm libraries can certainly use a good weeding of print sets as the collection is re-balanced for electronic resources. However, that does little to change the primary responsibility of law firm librarians to gather large amounts of information from a great variety of resources in as short a time as possible. Please note the resounding lack of success in creating the paperless office. Can firm administrators truly believe that the paperless library is around the corner? Even if the paperless library were to succeed, information professionals will be there to lead the way, to teach the attorneys how to use these new technologies.

Your story of January 25 states that "libraries in the firm's outlying offices will not be affected." This will not be entirely true. As attorneys in the Pillsbury San Francisco office find that they cannot access the material they need on CD-ROM products, they will be calling library staff in other PMS offices for help. In the age of electronic company intelligence, the Internet, and automation of library management systems, it is amazing to me that some administrators still view library staff as book shelveers and not much more.

On the matter of cost, the least expensive way to do legal research is to use a book that you have already purchased. In the paperless library, firms

will have to pay not only for the electronic product annually, but also for the licensing of the products if they are mounted on the firm's network. Costs can quickly triple as these fees are added on to library accounts.

The full-time information professional is a reservoir of institutional knowledge. Full-time, in-house law librarians are committed to supporting firm policy. We know how, when, and whether we should make exceptions to rules. We know how to teach attorneys to use book and computer resources each to their best advantage. Merely cutting salaries and benefits of full-time staff, to employ outsourced workers, is not the best answer. (*Maclean's* June 3, 1996; Vol. 109; No. 23; Pg. 28; ISSN: 0024-9262 "The high cost of 'dumbsizing'; has the restructuring gone too far?")

The business press has pointed out that when severance packages are an option, many top-notch seasoned employees choose the severance package rather than remain under the new management. Having experienced library staff outsourcing, one of our members in Chicago vowed never again to work in that kind of a management environment. Other librarians who have worked as temporary library staff point to the lack of support from law firm administration, and prefer full-time employment. Turnover of temporary library staff does little to ensure quality work product.

On the other hand, I am happy to see that Pillsbury has selected a competent independent library service. Deborah Schwarz, president of Library Associates, has been in the law library community for many years. She has been working with Pillsbury's library manager to make an orderly transition. Deborah told me that she hopes to retain a number of Pillsbury library staff under the new structure. Others who are not retained will receive severance packages.

I do not see the outsourcing of law library staff as a trend in law firm libraries. Law firm administrators will continue to consider outsourcing for a number of functions. It may make sense for photocopy service, or court services activities. In conjunction with the Association of Legal Administrators, the Private Law Libraries Special Interest Section of the American Association of Law Libraries will continue to monitor and advise law firm administrators how best to employ the management skills and technical skills of information professionals.

*Glen Gustafson can be reached by e-mail at: [ggustafson@smrh.com](mailto:ggustafson@smrh.com)*

## LIBRARY ASSOCIATES STATEMENT: OUTSOURCING AND LIBRARY ASSOCIATES

by Deborah Schwarz, President

The recent decision by Pillsbury, Madison and Sutro LLP's San Francisco office to outsource their law library operations to Library Associates has met with a flurry of commentary and speculation from the law library community. The specter of the Baker & McKenzie outsourcing project back in the mid-1990s is the ultimate comparison. Library Associates would like to correct errors in comparison and provide the facts.

### Pillsbury Facts

Pillsbury's management, which included the library manager, made the decision to outsource the library for a number of business reasons. The decision was not made to signify a vote of no confidence in the library staff, and Pillsbury took great pains to communicate that to the staff.

All members of the library staff were invited to apply for positions with Library Associates, and those that did were immediately re-hired with comparable salaries and full benefits. Those that did not apply were given generous severance packages, which included out-placement services. None of the other Pillsbury law libraries were part of this project.

Library Associates began working closely with Pillsbury (San Francisco) more than one year ago to resolve a number of issues and complete specific projects. We are well known by the library staff and by Pillsbury management. When the decision to outsource was made, we were the obvious choice. Pillsbury told the library staff they would not have considered outsourcing with any other company, because of that existing relationship with Library Associates.

### Outsourcing Comments

The common wisdom prevailing among many law librarians is that this move is a grave and sad commentary on the profession.

We disagree.

Outsourcing is neither a panacea nor the only or most obvious solution to achieve goals or resolve management issues. When it is utilized it does not signify the death knell for the profession. It does not mean that the law firm has elected to place library services in the same category as mailroom and photocopying services.

Library Associates is owned by an experienced law librarian, who has many years of law firm experience. The departments (Staffing and Technical Services) within Library Associates are run by professional librarians. Over the years that we have been in business, we have employed scores of librarians and information professionals. We've helped librarians to relocate, return to the work force, and switch from one field of librarianship to another. Our technical services division, which provides cataloging and retrospective conversion services to libraries, offers flexible hours and telecommuting, as well as regular full time employment.

Because we market to organizations with diverse information and knowledge of management needs, we have been able to put librarians to work in places that never had a librarian before.

Library Associates believes that law firms are not the only viable employers. Can we, as librarians, not be self-employed? Can we not be

employed by other librarians?

If Library Associates offers competitive salaries and benefits, job advancement opportunities, continuing education and encouragement to join and participate in professional associations, why would joining such an organization be detrimental to one's career?

Service companies like us have been providing various degrees of outsourcing to libraries of all types for many years now. The federal government has turned over many of its libraries to outside companies, and that trend continues. Law firms have been no stranger to outsourcing (check the professional literature on the topic). Certainly the law librarian (and staff) in many law firms have a unique place, and the firms' lawyers wouldn't think of doing without them or their services. When a firm encounters turn-over on many levels, however, and the library needs to be re-established and re-engineered, outsourcing may well be the answer, at least for a time.

We know that this project will be watched. Our aim is to achieve our goals and objectives and do Pillsbury and the rest of the library community proud. We are thrilled with this opportunity, and extremely proud of the caliber of the staff working with us.

Stay tuned - we'll return periodically with progress reports.

*A PRACTICAL GUIDE TO DOCUMENT AUTHENTICATION:  
LEGALIZATION OF NOTARIZED AND CERTIFIED DOCUMENTS.*  
A REVIEW

by Bernadette D. Mack, Balkin Library & Information Services, Rochester, NY

Years ago, I heard the tale of an attorney who put his paralegal on a plane to New York City in order to get a document legalized. Having *A Practical Guide to Document Authentication: Legalization of Notarized and Certified Documents* to refer to could go a long way toward saving those kinds of expenses.

For years I managed by using an out-of-print Government Printing Office publication listing consular offices and telephone numbers. It was so valuable to me that it never left my office. Each time I needed a legalization, I would call the appropriate office, hoping that I would find a knowledgeable, English-speaking person to ask for the latest requirements and fees. I would still do that today; however, with *A Practical Guide* in front of me, it is easier to ask the right questions and to confirm the requirements.

Even if you are prone to skipping book introductions, do not fail to read the one in this book. It contains clear, orderly, detailed instructions on the ins and outs of legalizations. After reading the introduction, anyone can go to the country section for information, including turnaround time,

consular and embassy office hours, national holidays, and what to send with the legalization request. Everything is set out in a format that even a novice can follow.

One weakness of *A Practical Guide* is that it lacks an index. Although countries are listed alphabetically, some may not be where you expect them to be. Antarctica is British Antarctica Territory, Vatican is the Holy Sea and Zaire is now Congo. So many countries have been renamed that your files, particularly patent and trademark files, may not have kept up with the changes.

For anyone who needs to record documents in another country, this guide is a must-have, and it works better than two aspirin to relieve the headache of legalization.

Sinnott, John P., *A Practical Guide to Document Authentication: Legalization of Notarized and Certified Documents*. Dobbs Ferry, NY: Oceana Publications, © 1997. (ISBN 0-379-21219-6) \$125

PLL EDUCATION COMMITTEE  
WASHINGTON, DC CONVENTION, JULY 1999

by Connie Dickson, Gibson, Dunn & Crutcher, Washington, D.C. and  
Donna Purvis, Baker & McKenzie, San Francisco, CA  
Co-Chairs

The PLL Education Committee met by teleconference several times during 1997 and 1998 to develop program ideas for the Washington Convention. We finally met as a group at the Anaheim Convention where we made final decisions on most of the programs we ultimately submitted to the AALL Selection Committee. In August, we made sure we had all the necessary information for completion of the forms, which were submitted by the deadline.

Tim Coggins was Chair of the Annual Meeting Program Selection Committee, and we were notified of the Committee's selections in September. Of the fifteen programs and three workshops submitted, seven programs were selected, an additional two were chosen to be merged with two submissions by others, and two workshops were accepted. Our programs are included in three of the five tracks: Management; Technology; Information Access and Policy; Foreign, Comparative and International Law; and Technical Services. The program titles are as follows:

*At the Crossroads: The Year 2000 Millennium Bug*

Todd Bennett is the coordinator of this program, which will include U.S. government officials and computer specialists.

*Collaborative Knowledge Sharing*

The speakers are Kathy Reese and Scott Robertson, both from US West. The coordinator is Paulette Toth, of Richards & O'Neill.

*Crossing the Road: Helping Legal Support Staff to Understand the Traffic Patterns of Basic Legal Research*

Bryan Hill, of Bowditch & Dewey, and Elaine Apostola of Mirick O'Connell will be the presenters, with others yet to be named. Elaine serves as coordinator.

*Getting the Client to Value Research*

This program is slated for the PLL meeting on Sunday, July 18. It includes as speakers Mark Estes and Susan Sneider, of Hildebrandt. The coordinator is Kathy Fletcher, of Wiggin & Nourie.

*Gumshoe Librarians*

Anne Ellis put this program together for the PLL before joining West Online. She will be coordinating, and the speakers include Connie Kaplan of Kroll and Associates, and Joan Feldman of Computer Forensics.

*Privacy Law in the Internet Age*

Speakers include attorneys working in the field of privacy law. The coordinator is Pat Gudas Mitchell, of Piper & Marbury.

*The Telecommuting Librarian -- The Future Is Now!*

Rita Holt of McKenna & Cuneo is coordinating this panel of librarians, lawyers, and administrators who will address the role of telecommuting.

Two programs will be merged with other similar programs. The first is *The Paperless Court: Myths and Realities*, originally developed by Amy Padfield. The second is *Patent and Trademark Depository Library Program*

*Partnerships: Intellectual Property Resources for Attorneys and Librarians.*

This program was prepared by Cynthia Banicki, of PTO.

Two all-day workshops will be presented on Saturday, July 17:

*All Systems Are Not Created Equal: How to Navigate the World of Integrated Library Systems*

The workshop will be coordinated by Donna Purvis, and the primary presenter is Mary Dzurinko.

*Second Generation: The Advanced Intranet Website*

Howard McQueen and Jean DeMatteo of McQueen Consulting are the presenters, and Connie Dickson is the coordinator.

As we move closer to Convention time, the PLL Education Committee will provide you with more details and descriptions of these programs and presenters.

The Committee was a veritable brain-trust of creative and innovative people who did an outstanding job of developing ideas and putting together extraordinary proposals. While they could not all be selected, the AALL Selection Committee encouraged the PLL to resubmit several of the programs for consideration at the Philadelphia Convention.

## INDEPENDENTS CORNER

by Ruth G. Balkin

Balkin Library & Information Services, Rochester, NY

**A**s you may know, I am the Chair of the PLL/SIS Independents Group (ILL). If I have not met you at a previous AALL meeting, welcome to our group. If you have not heard from me by e-mail, do not have e-mail, or have changed your address, please let me know. I should be able to distribute some sort of form by e-mail to most of you, print mail to the rest. The important thing is to keep in touch with me, especially if you or your company does space planning and moves or automation. I get requests for consultants at least once a month.

Our program in Washington will be entitled "Strategic Alliances Build Business: Internal Strategic Alliances for Librarians" and will include internal and external marketing and business development for your firm. Do you know you can generate revenue for your firm? The speaker will be Elizabeth Kalb, of Xerox Business Services' Legal IBU. If you have any suggestions, please contact me or call Susan Rubinstein at 610-872-9093. She is vice-chair/chair-elect.

We need help with the program and business meeting agenda for our meeting in Washington. The agenda will include the choosing of vice-

chair/chair-elect. Becky Davis, who has volunteered to update the print directory, could use help with that project. The directory has not been updated since 1994. We also need volunteers to write articles for PLL Perspectives.

Finally, I am reviewing the AALL Resource Guides for our local legal and business newspapers. We need to place articles in newspapers and magazines around the country to get the word out beyond the library community.

If you have any suggestions about any of the above, let me know. Let's make this group active, visible and prosperous.

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