Final Report of the Special Committee on the AALL Archives Policy Review, June, 2005

Committee Members:
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Introduction

The Special Committee on the AALL Archives Policy Review was charged with a review of the existing archival policy (www.aallnet.org/about/policy_archives). Specifically, the committee was asked to consider:
1. what categories of Association information need to be retained;
2. what categories of Association information need to be retained that are now not retained; and
3. what categories of archived Association information would be suitable for electronic storage

During preliminary discussions a number of issues were identified as being crucial in carrying out the review. Although solving the technicalities of implementing an electronic archive was not within the scope of this review, technical issues could not be ignored. Indeed they comprised a large part of the conversation when the committee chair met with the Association archivist and other University of Illinois staff on February 15, 2005. The committee determined, following this conversation, that an electronic archive certainly is feasible and that targeted software is available and continues to improve. However, the Board should be aware that long-term solutions for an electronic depository would require the integration of planning for technical implications into policy decisions. This will be particularly true if the Board decides to create an independent electronic archive.

The committee met at the AALL Annual Meeting in Boston and by email and conference call. The committee chair also met with the Association staff on February 14, 2005 and had telephone conversations with the editors of Law Library Journal and Spectrum.

An interim report was submitted to the Board in April 2005. Following the Board’s feedback, the committee met again by conference call and email. It subsequently revised the existing Archives Policy to reflect an electronic archive, and developed guidelines for submission of documents to the Archives.

Recommendations:

The committee recommends a simple straightforward approach to the question. Many categories of Association information are suitable for electronic storage and are already
produced electronically. There is a perceived tension between doing what we have always done and moving forward to an electronic archives. It is based on a fear of relying only on electronic sources which are not tangible. Additionally, there is a concern that print and other archives will be lost. These fears must be balanced against the continuing cost and space issues of maintaining a traditional print archive. Additionally, an electronic archive is much more accessible to members. There are examples of successful electronic archives.

The Committee recommends that AALL develop an electronic archive and that it base the electronic archive at the University of Illinois electronic archive site – http://web.library.uiuc.edu/ahx/. This is a stable site with developed finding aids and subject guides. As the Association’s current archive is based at the University, there will be continuity. Although it would be possible to create its own site with available archiving software this would be a massive undertaking and is not recommended at this time. An electronic archive should be started as soon as possible given the growth in born digital documents and files. All entities should be required to submit documents in electronic format whenever possible.

The current archive located at the University of Illinois should not be closed and the Association should continue to send those items not suitable for digital conversion to that archive.

Initially, the electronic archive should be built with currently produced documents which are either born digital or converted to digital format. Following that, a schedule for converting older print documents should be developed. For example, as older documents are retrieved from the print archive they could be digitized and added to the electronic archive. Additionally, there should be a schedule for moving designated parts of AALLNET to the electronic archive.

The categories of information listed in the current policy are still valid and have not been changed. The revised policy recognizes that it is the production format which has changed over time. However, the revised policy has been broadened to include the transfer of new digital formats such as discussion lists and blogs and makes provision for other digital formats. It also provides for the archiving of the Washington Affairs Office letters, testimony and briefs. Finally, it mandates snapshots of AALLNET on a consistent basis. The policy recognizes that much correspondence, committee files and other records are never produced in paper and that it is important to ensure these items are transferred to the electronic archive when appropriate.

AALL staff support the development of an electronic archive and the committee recommends that staff be involved at the technical level and in the management level.

The committee recommends that Annual Reports and Annual Meeting proceedings be created in a born digital format that is archived on an annual basis. The most recent year should be available on AALLNET.
The committee recommends a committee be established for the initial creation of the archive and implementing of the policy. Members of the committee might include representatives from the Publications Committee, from the SIS Council, and from other committees such as Computing Services and Technical Services. This committee should also have staff representation and there should be a liaison with the Archive at the University of Illinois.
The Draft Revised Policy

Draft Revised AALL Archives Policy

Special Committee on AALL Archives Policy Review
July, 2005

AALL Archives Policy

See also: Archives Contact

Since 1906, the American Association of Law Libraries (AALL) has advanced the understanding of law librarianship and represented the interest of members of the profession. Through its meetings, publications, communities, and professional contacts, AALL has developed and increased the usefulness of law libraries and provided continuing education for librarians. In 1980, the AALL deposited its archival materials at the University of Illinois, so that a core of records having high research value would be preserved according to professional archival standards. Members of the AALL, scholars, students, and other researchers can use the AALL's archives to expand their knowledge of law librarianship and AALL's role in its development.

Recognizing the volume of materials currently “born electronic” and available in no other format, it is important to ensure these items are transferred to an electronic archive when appropriate, using AALLNET as a gateway by providing a link on the home page. Additionally, whenever possible print items should be digitized and placed in the electronic archive.

It is not possible or sensible to include every item produced by AALL. The Association maintains an archives, not a museum. Final versions of materials in print, electronic, and future formats are included, as well as objects. The Archivist has final judgment on specific submissions and their uses based on this revised policy and guidelines. Business records of the Association are not included in the policy and guidelines.

Items to be transferred include:

1. Official records: constitutions and by-laws, minutes and proceedings, transcripts, lists or officers and members.
2. Office files: correspondence and memoranda (incoming and outgoing) and subject files concerning projects, activities and functions.
3. Historical files documenting policies, decisions, committee and task force reports, questionnaires, including Board Books and other materials produced in conjunction with Executive Board meetings.
4. Publications: one final record copy of all programs, journals, monographs,
newsletters, brochures, posters and announcements issued by the association or its subdivisions. “Publications” as used here also refers to electronic discussion lists, blogs and other information in electronic or other formats whose final version may be included, or for which a periodic snapshot may be made for archival purposes.

5. Washington Affairs Office letters, testimony and briefs.
6. Audio-visuals: photographs and sound recordings.
7. Personal papers of members which relate directly to association work.
8. Charts and maps.
9. “Snapshots” of AALLNET on a consistent schedule.

Records which should not be transferred to the Archives include:

1. Records of specific financial and membership transactions.
2. Letters of transmittal where the date and routing information is on the document transmitted.
3. Requests for publications or information after the requests have been filled.
4. All blank forms and unused printed or duplicated materials.
5. All duplicate material: keep only the original copy and annotated copies.
6. Papers, reports, workpapers and drafts; which have been published;
7. Replies to questionnaires if the results are recorded and preserved either in the archives or in a published report.

This list is intended as a general guide

Material should be transferred in the order in which the records creator maintained it. A letter briefly identifying the material and describing the activity to which it relates, and a detailed inventory of the materials should accompany the shipment.

Send all Archive materials to:

University of Illinois at Urbana-Champaign
University Library
University Archives
19 Main Library
1408 West Gregory
Urbana, Illinois 61801
(217)-333-0798

The following policies governing the use of the AALL's archives are intended to be as liberal as possible with due consideration given to the needs of scholars, restrictions imposed by authors, donors, or the AALL, laws concerning literary property rights, the nature of the materials, and the physical preservation of the
documents. The Archivist has final judgment on the use of the archive based on this policy and the “Guidelines for the Transfer of Documents to the AALL Archive”.

CONSULTATION

1. Any person may make written application to the AALL Headquarters or the University of Illinois Archivist for permission to examine, or have examined, the archives. Permission, subject to restrictions on access imposed by the writer, the donor, or the AALL, will be granted at the discretion of the AALL Archives Liaison, normally an AALL member on the staff of the University of Illinois Law Library and so designated by the AALL. In the absence of the Liaison, permission may be granted by the University Archivist. An appeal of denial of access may be made in writing to the Executive Board. The completed User Application forms shall be retained by the University Archives.

2. Staff of the AALL Headquarters office and individual members of the AALL Executive Board during their tenure shall be exempt from the permission requirement for consultation and photocopying of material except that to which specific restrictions have been attached.

3. Permission, as outlined in paragraph 1 above, is not required for examination of publications (any document reproduced in multiple copies for general distribution) in the AALL Archives.

4. Archival materials in print or other physical formats are to be used only at the Law Library or University Archives. No archival materials may be taken from these two areas without specific written permission of the Archives Liaison or the AALL Secretary. Archives users are required to conform to the regulations governing handling and note-taking which are specified by the Liaison and the University Archivist. Materials in the electronic archive should be accessed electronically and may be accessed remotely following permission to examine.

COPYING

5. Archives may not be copied by any process unless the applicant gives written assurance, by signature on the User Application that no document or substantial portion of a document will be published or reproduced without the subsequent express written permission of the writers or their legal representatives and the AALL.

6. Permission to copy will normally be granted upon receipt of such assurance, provided that copying complies with the "fair use" provisions of the Copyright Act.
7. For researchers who cannot come to the University Archives or Law Library, copies of documents may be secured through the Liaison or the University Archives. Reasonable expenses and service charges may be assessed the applicant. The Liaison or the University Archivist reserves the right to refuse a request if it is adjudged that photocopying or scanning might damage the material, or if the request is so broad as to require unreasonable amounts of staff time. Documents currently in print format should be digitized and added to the electronic archive when a request is made to access them.

**PUBLICATION**

8. Permission to examine or copy archival material does not convey the right to publish, display, perform, or broadcast (hereafter any or all of these activities are referred to as publish) the material except for publication under the "fair use" provisions of the Copyright Act. Permission to publish may be secured by joint authorization of the AALL President and the holder of the literary rights, his/her legal representative or assigns.

9. Permission to publish will ordinarily be granted provided that: if a research project is contemplated, it meets commonly accepted standards of scholarship, and written permission for the specific use is secured from the copyright holder.

10. Where permission to publish is granted, the applicant agrees a) to indicate in the published or that the original is located in the Archives of the AALL and b) to assume full and complete responsibility for any infringement of copyright or literary rights that may grow out of use or publication of the material.

Golden Rule for Using Library Resources: Overuse is a form of vandalism.
The Draft Guidelines:

Draft Guidelines for the Documents to the AALL Archives:

1. These guidelines apply to print, born digital, and digitized documents and are made pursuant to the Archives Policy

2. The recommended format for digital documents is PDF. Only final copies will be sent.

3. The Association should continue to monitor technology changes to ensure that the most up-to-date, accessible and practical methods are used.

4. Staff, board members, committee, task force and SIS chairs are responsible for ensuring documents related to their work are sent to the Archive. They should use the established schedule to determine what is sent.

5. The Association will hold an annual “archives day” at which time the above people will be reminded to send documents to the archive.

6. The Association should always follow best practices as recommended by the Society of American Archivists and should monitor the guidelines developed by LIPA as they affect AALL Archives. This includes following recommendations for back-up or mirror sites.

7. A snapshot of AALLNET will be sent to the electronic archive on a schedule to be determined in consultation with the AALLNET Editor.

8. Determination of those sections of AALLNET to be archived in their entirety before being removed from AALLNET should be done in consultation with the AALLNET Editor.

9. Only approved submission and request forms will be used and will work in accordance with agreements made with the University of Illinois.
Appendix 1 – Persons consulted (in chronological order)

Paul Healey – Spectrum editor
Frank Houdek – LLJ editor
AALL staff
William Maher – University Archivist, University of Illinois at Champaign-Urbana
William Mischo – Head of the Grainger Engineering Library Information Center, University of Illinois at Champaign-Urbana
Christopher Prom - Assistant University Archivist, University of Illinois at Champaign-Urbana
Allison Feist – archival student, University of Illinois at Champaign-Urbana

Appendix 2 – Archival principles and Issues identified

Archival Principles:

The committee learned that the archiving reference model is: submission, management, access.

Additionally, archival guidelines of what should be kept include: (not limited by format)
1. Official publications and anything largely disseminated
2. Official records, files, reports of committees, task forces
3. Personal papers

Issues Identified:

The many issues identified during conversations among the committee and with others mentioned above can be categorized as follows:

Practical implications:
-consider what items people are currently accessing – usage can serve as a guideline
-it is crucial to develop a plan for education/application/management of archives
-create a mechanism for future decisions/review – will there be an archives editor – who checks/monitors/liaises
-there is a perceived lack of knowledge about the current archives – how do we encourage use of the retention policy
-how are electronic boardbooks archived
-although the current policy is quite clear about what goes to the archives there is perceived ambiguity about what should be sent

Technical implications:
- ensure site security and investigate the need for backup or mirror sites
-next development in PDFs is searchability – also PDFs are secure and platform independent
-need to decide where the information will sit and ensure the tools to access it
-consider the organic nature of URLs – information will move around
-technical examples for electronic archiving include: “institutional repository technology” (similar to open archives) – this is an important way to capture fugitive/grey literature much of which is born digital

-software is available which harvests from PDF and HTML documents as well as TIFs and JPGs – such software includes Greenstone and D-Space – there is also emulating software

-electronic archives can contain finding aid and subject guides

-conceivably an electronic archive could be more widely accessible – what about privacy issues and how is access controlled

-server space not likely a concern

**Philosophical implications:**

-“what do you want to keep and how will you make it available”- Bill Maher

-consider the enduring value of an item – what will be the appraisal process

-be strategic – “complete current live access is not appropriate or realistic”

-what do we do with a variety of things which have historic value and how do we determine that value

-what about ephemera – particularly from SISs and committees

-everyone consulted agreed that long-term preservation is important – continuing to maintain an archives is of concern to all generations

**Format implications:**

-should discussion lists and blogs be archived and if so how

-how do we ensure archiving of born digital – what about email files

-balance between original formats and electronic

-how to deal with ephemera

It is important to remember that the Association is and should continue to maintain an archives and not a museum. It is not necessary to save everything.

It is also important to remember that AALLNET is not meant to be an archival source but rather a living record of the Association’s activity. It should not be considered as a *de facto* electronic archive. There will need to be a plan governing when things migrate from live to archives. AALLNET could be the gateway though into an electronic archive by providing a link at the home page.

AALLNET itself should be considered for archiving. Clearly it is not possible or sensible to attempt to archive it on a continuous basis. A schedule for taking a “snapshot” of AALLNET should be maintained and these snapshots should form part of an electronic archive. Although AALLNET would be shot on a certain schedule there will of course be actual items on AALLNET now included in the policy or mentioned elsewhere in this report which should be archived as discrete items.

Staff identified the following items as particularly important for archiving:

1. electronic files and emails
2. board materials
3. SIS and committee materials
4. program information
5. conference and annual meeting documents
6. discussion lists
7. membership information which is self-archiving in the IMIS system

There were questions about general headquarters records – do they come under general business records retention policies /corporate governance?

**Timelines:**

An electronic archives would not be created overnight. There would need to be a schedule for developing the archive with a starting point for moving current born digital materials to the archive and converting current print materials into an electronic format. As most print materials are initially created in an electronic format conversion should not be difficult. This would be followed by a schedule to convert print materials in the present archive to digital format

The Society of American Archives has excellent example of a schedule in its report.

**Financial Implications:**

- resource allocation – priorities must be determined – board must commit funds
- current contract with archives would likely need to be renegotiated – how will it affect what we pay now