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[crivblog.com](http://crivblog.com)

# The CRIV Sheet

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## Editor's Corner

It is with some sadness that I introduce the final issue of *The CRIV Sheet* for volume 36. It has been a pleasure to work with all of the authors over the past year. I would like to also take a moment to thank my assistant editor Sara Paul Raffel for all her hard work this year. Her help has been invaluable. I hope that we have been able to continue *The CRIV Sheet's* tradition of covering issues that touch on a wide variety of vendor relations topics, from a variety of perspectives. In this issue we hear about the issue of vendor-supplied MARC records from the perspective of both a librarian and a vendor. Caroline Walters discusses her experience working on the task force formed this year to address this issue, and which released its report in February. Then, Alexa Robertson, who also served on the task force,

discusses her experience creating and distributing MARC records as a vendor representative. Kurt Mattson rounds out this issue by relaying a frustrating vendor interaction and a plea for vendors to be more open to forming long-term, focused, productive business relationships with customers.

Finally, I offer another solicitation for contributions to *The CRIV Sheet*. Our November 2014 issue will cover all the vendor relations-themed sessions at the Annual Meeting in San Antonio. If you would like to attend one of those sessions or write a report about it for *The CRIV Sheet*, please contact either me or Sara Paul Raffel. Our editorial policy is here: [www.aallnet.org/main-menu/Advocacy/vendor-relations/CRIV-Sheet/policy-criv.html](http://www.aallnet.org/main-menu/Advocacy/vendor-relations/CRIV-Sheet/policy-criv.html). Enjoy this issue!

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Cynthia Myers George Mason University Law Library

## From the Chair

As the outgoing chair, this is the last "From the Chair" column that I will write. I have been privileged to serve as chair this year. I would encourage AALL members to volunteer for AALL committees and especially for the CRIV committee. This committee can be a rewarding experience for members, and I want to thank everyone who served this year. I am sure that next year's committee members will be as dedicated as this year's in carrying out CRIV's important mission.

CRIV has had an active year in answering member's requests for assistance, producing *The CRIV Sheet*, maintaining the CRIV Blog, and administering the New Product Award. CRIV has also worked with the vendor liaison to share information and work for improvement of librarian-vendor relations.

With the AALL Annual Meeting only a few months away, I'd like to highlight some of the CRIV activities that will be taking place in San Antonio. I invite you

to attend session H3: The Bookless Law Library: Potential Reality or Flight of Fancy? which will take place on Tuesday, July 15, from 3:45-4:45 p.m. The Annual Meeting CRIV Vendor Roundtable will take place on Monday, July 14, from 11:45-12:45 p.m. This is an excellent opportunity to meet vendor executives and vendor library relations staff.

Additionally, the CRIV annual meeting for incoming and outgoing members will be held on Saturday, July 12, from 4-5 p.m. This meeting is open to the general membership. And finally, CRIV will have a table in the Exhibit Hall and at the CONELL Marketplace. Please come and visit us at the Annual Meeting!

As always, CRIV is here to assist you with vendor issues. Please contact us for help by using the Request for Assistance form on page 8 and also available at [www.aallnet.org/main-menu/Advocacy/vendorrelations/request-assistance.html](http://www.aallnet.org/main-menu/Advocacy/vendorrelations/request-assistance.html) or by contacting me directly.

# The Task Force on Vendor-Supplied Bibliographic Records Creation and Distribution Models: A Librarian's Perspective

I have just sent off the final **Report of the Task Force on Vendor-Supplied Bibliographic Record Creation and Distribution Models**. As I write this article, it is mid-February and I find myself musing about the process, eagerly waiting to see what impact this report will have on our profession, on research and discovery, on our shrinking budgets, and on the difficult choices we face as we strive to provide a seamless and elegant search environment for our patrons.

My hope is that by the time you read this article, you will be fully aware of the issues at stake. But in case our efforts are waning or we are struggling to persuade publishers about the importance of this proposal, let me share with you again why we need to continue this dialog.

A brief background: At the 2013 CRIV Roundtable in Seattle, I raised the subject of the unsustainable model of libraries procuring MARC records for a fee (usually through a third-party supplier or for an added fee by the publisher) and the desire to work with publishers and vendors to alleviate the challenges we face under the current system. Although several publishers expressed interest in learning more about the predicament libraries face regarding MARC record access, it was clear that additional action was needed in order to facilitate meaningful dialog with the publishers regarding this issue.

Brian Striman, chair of the TS-SIS, decided that an investigative team would be a good place to start, and he helped me assemble a task force between TS-SIS members and CRIV\*. We began our work in September, identifying the issues and researching current business practices to outline “the lay of the land” as it pertains to MARC records for electronic resources. This document, researched and organized by a sub-group led by Yael Mandelstam, describes in great detail the current business practices and dissemination of MARC records for the major legal providers. Their work was exhaustive, and it shows that a growing number of publishers are now providing MARC record sets with their products. It also illustrates the variety of ways publishers are handling these records. In the best-case scenario, publishers contract with third-party cataloging agencies or hire in-house catalogers to create high-quality records, add these records to WorldCat, and continue to maintain the records over time, all as part of the cost of production. While the report

demonstrates that progress has been made in this area, librarians need to work together to persuade other major legal publishers to join in the creation of greater and more controlled access to electronic materials.

And why is it so important to continue this campaign? As mentioned in the report, the present model of libraries paying separately for MARC records is unsustainable because the sheer volume of material contained in the databases we purchase cannot reasonably be cataloged in-house (as one would catalog print materials), and paying great sums of money to purchase these records is not affordable for many libraries. The information age places tremendous pressure on librarians to make sure this valuable—and expensive—information is findable. If librarians cannot keep pace with cataloging and organizing the information that is now being published electronically, researching will be a little like looking for that information in a cave, with no lights.

Perhaps this analogy goes a step too far. Researchers could certainly jump from database to database to find what they need. Clearly the information is not necessarily in one *dark* cave; but it is in many circuitous caves, each with its own pathways and dead ends, and each requiring unique navigational skills to find that information. This is why the public catalog plays such an important role in finding information and has always been, and should always be, the first and best place to begin research. But that can only be true if patrons can reliably expect to find in the catalog all the library's resources, electronic and print.

As mentioned in the report, cataloging some electronic resources *but not all* electronic resources can be terribly misleading. Patrons could mistakenly assume a library does not have access to a title because they cannot find it in the library's catalog, when in reality the library does have it. When that happens, that title may not be used and in some sense it might as well not exist.

The catalog maximizes the opportunity for discovery. Having MARC records as part of our electronic subscriptions and purchases not only increases discoverability, it also aids in the gathering of statistics. As librarians balance budgets and research demands, it is imperative to ensure that we are spending our money wisely and on databases that are

being used. Cost control and analysis is becoming increasingly important. Many libraries can no longer afford to buy competing products with overlapping content. Choices must be made and most often these decisions are based on usage. Again, if the user does not know a resource is there, it will not be used.

So why do we need publishers to help us? First of all, our relationship with one another is inter-reliant. They supply the information and we buy the information. But it needn't end there. A collaborative approach to access will help both libraries *and* publishers. Both entities—publishers and libraries—are distributors of information. In order to achieve the highest potential for discovery, the distributors of information must partner to present that information in an organized fashion. It is in the publisher's best interest to help librarians sell their information to researchers. In this model, publishers will help librarians promote their product by making it easy for patrons to find it and to hopefully love it and use it again and again!

As I said, it is mid-February, and I wish I could see into the future to see how much progress we have made together by the time of this publication. Maybe our efforts have made an impact and legal publishers that are not currently providing MARC records to libraries are beginning to do so. If that is true, we still have work to do to make access the best it can be. I hope that many of you will join in this discussion; talk to your publishing reps; and join us at the CRIV Roundtable, TS-SIS Roundtable, and any and all venues at AALL that will help to promote this effort. So if by now talk has died down, think about it again, read the report that can be found on the TS-SIS website, [www.aallnet.org/sis/tssis](http://www.aallnet.org/sis/tssis), and look for me in San Antonio. I'd love to talk to you about it.

#### **\*Task Force Members**

Caroline Walters (Harvard University), Chair  
Victoria Coulter (University of Wisconsin), Angela Jones (Southern Methodist University), Alan Keely (Wake Forest University), Yael Mandelstam (Fordham University), Alexa Robertson (Practising Law Institute), Jacob Sayward (Fordham University)

Alexa Robertson    Practising Law Institute

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## **Road Map to Creating MARC Records: A Vendor's Perspective**

I was privileged to participate in the **Task Force on Vendor-Supplied Bibliographic Record Creation and Distribution Models**, offering insight from the vendor's perspective. I managed the creation and distribution of MARC records for the Practising Law Institute's (PLI) materials.

The journey to completion of PLI's MARC records took about one year. It coincided with the development of PLI Discover PLUS, which is our e-book library. The first few weeks were exploratory, as I learned about the available options. I then identified three possible ways to accomplish this project:

1. In-house cataloging: Publishers hire a staff librarian to create the records.
2. Contract cataloging: Publishers work with a third party to create records for their titles. They pay the third party and own the records outright. The cost of the records varies.
3. Third party partnership: Publishers also work with third parties to distribute and sell the records. In this option, the third party has full access to the collection, catalogs it, and then sells the records directly to the library clients.

Upon initial review, PLI did not find option No. 1 viable for our organization, so I began exploring options 2 and 3. I began identifying and meeting with potential vendor partners. The cataloging vendors provided options and ball-park prices, as well as requirements to obtain our digital content. I provided them with sample content, and they provided sample records for PLI to review.

I am fortunate enough to have a library background and know firsthand how collaborative the community is. I reached out to librarians to provide guidance. Librarians reviewed the samples and chimed in on their opinions of options 2 and 3. At the time, I was soliciting feedback primarily through existing PLI clients. They opted overwhelmingly for option No. 2 and wanted those records to be included in the subscription cost. Ultimately, they felt that it should be part of the product. Because MARC records both increase the discoverability of PLI materials and promote usage for clients, it made sense for PLI to invest in MARC records to accompany its e-book collection.

In addition, librarians reviewed the sample records, and we were able to make changes based on their feedback. We created a set of records for our Discover platform, which was the predecessor to PLUS. From

there, we sent the record set to interested clients free of charge so they could review how the records worked in their catalogs. This review led to the creation of two file types, since we found that some libraries preferred one over the other. The final step was having the AALL Vendor-Supplied Records Advisory Working Group (VRAG) review and provide feedback.

After that, we launched PLUS, and our MARC records are now available to subscribers. We do continue to welcome feedback. If any publisher is looking to

tackle a similar initiative, my advice would be to solicit feedback from the library community. Once I started speaking with librarians, I was able to let them help make the big decisions. I had to balance the variety of feedback and try to create a record set that worked for everyone, which meant compromise in some places, but there was always a clear majority, which makes any decision a little bit easier.

More information on VRAG is available at [www.aallnet.org/sections/ts/committees/Cataloging/Working-Groups/Vendor-Supplied-Records](http://www.aallnet.org/sections/ts/committees/Cataloging/Working-Groups/Vendor-Supplied-Records).

**Kurt Mattson** Lionel Sawyer & Collins

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## Flexibility and Fluidity in Negotiations with Vendors

When a customer has a contract with a vendor for a product and usage of that product declines or is less than expected, sometimes an uncomfortable conversation is in the offing. How the vendor reacts during such a conversation can have long-term consequences for the vendor-customer relationship, either good or bad. This has been my experience as the customer in my current position as library director at a law firm—and also from the standpoint of the vendor. I worked for a vendor as a field rep and manager for 12 years. Some might diplomatically call my experience a “unique perspective.” Perhaps it is just that I have high expectations for servicing an account.

Recently I opened up such a discussion with a vendor about changing the rates, content, or access mid-contract. Our firm was in the middle of a multi-year contract with the price increasing each subsequent year—an agreement that was put into place as an addendum prior to my arrival at the firm. Unfortunately, the use of this resource had decreased to a very low level. I asked our representative to consider restructuring our contract. After a lengthy phone conversation, the best course, I was told, was for us to meet to discuss the situation. We agreed to take the meeting, but worried whether the vendor would listen to our concerns.

Prior to the meeting, in my phone conversation with the vendor, I explained: (1) the information we were paying for was duplicative of other sources; (2) it wasn't being used; and (3) the firm was not realizing the value of the contract.

I certainly understand the basics of contracts. Once you have made an agreement, you have to live with it. Offer—Acceptance—Consideration. However, I was hoping that the vendor was listening to the subtext:

as a customer, I was not happy. I felt as though I was paying too much and receiving little value. However, the vendor did not seem to hear that. Rather, it simply fell back on what might be legally correct, but from a customer service standpoint, that is poor service. I was simply told, “You have a signed contract.” Then the vendor turned the discussion to new product enhancements and content and their superiority to other vendors' products. The vendor was unprepared to address my concerns. He simply was not listening to me.

Each time I tried to raise my concerns, the vendor deflected them, and the conversation immediately returned to benefits and features. Indeed, we had a signed contract; however, the vendor's unwillingness to work with me in light of the fact that my expectations of the product were unmet seems, to me at least, bad business practice.

Every interaction with a customer is a “Moment of Truth,” as customer service guru Karl Albrecht explains. A Moment of Truth is defined as any episode in which the customer comes into contact with any aspect of the organization and gets an impression as to the quality of its service. In Albrecht's view, every Moment of Truth presents the vendor with “the opportunity to please or delight the customer by going above and beyond their expectations.” At the same time, each customer interaction introduces the risk that the vendor will “disappoint, confuse, or enrage the customer.”

Whether it is a request for training or an initial conversation about a contract renewal, the vendor should treat each customer interaction as an opportunity to learn more about the customer's needs. With active listening, representatives can discover more about their relationships with their clients. Such Moments of Truth are fertile ground for exploring

new topics, new products, and new agreements. As a vendor learns more about the customer's business, they have the opportunity to discover the customer's needs and to satisfy them with their customized solutions.

The chance to discuss a new contract may arise when it's not expected. It may sound somewhat trite, but words I haven't heard recently from a vendor are, "That's a good question" and "What if . . . ?" when a question or, more likely, an issue, is raised. In addition to solving the problem, the vendor could seize that opportunity and ask, "Since X happened, what if we were to do Y?" This might help ensure that the issue doesn't happen again and might also enhance the customer's experience.

A former co-worker of mine once said, "You can't be short-sighted enough for this company." What that meant to the field staff was that the company's focus (and its employees' commissions) was dependent on what we did *this year*, not in the future. It's this reality of vendors in our industry that in some circumstances puts them in direct conflict

with our strategies as librarians. The library is always struggling to maintain a budget that is as predictable as possible. Long-term contracts and fixed rate agreements help us achieve this. However, some vendor representatives are paid solely on the current year's sales. They are given little or no incentive to plan long-term to develop a solution for the firm that will give it predictability.

Without an incentive to think long-term, a representative has little chance to develop his or her position at the firm into a trusted partnership. Vendor and customer remain, unfortunately, opposed to each other. There is the vendor representative that is motivated by his or her commission plan, and this should warrant some degree of sympathy. After all, he or she is just working within the system set up by the vendor. As a result, it's becoming increasingly rare that I see vendor representatives making a long-term investment in a productive business relationship, which I think is critical to the success of the representative and the vendor.



vendors

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### **Will you be in San Antonio?**

Please join us for the Committee on Relations with Information Vendors (CRIV) Vendor Roundtable!

## **The Role of Customer Feedback in Vendor Decisions**

Do you ever wonder how vendors use your feedback? This year, the CRIV Roundtable will be an informal discussion on the role of customer feedback in vendor decisions. This session will be held during the AALL Annual Meeting in San Antonio from 11:45 a.m. to 12:45 p.m. on Monday, July 14, at the Henry B. Gonzalez Convention Center, Room 007B.

We look forward to an interesting and informative discussion between vendors and librarians!



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librarians



# Request for Assistance: Committee on Relations with Information Vendors

*Note: Prior to filing a request for assistance, individuals are expected to have made a reasonable attempt to resolve the issue at hand. To avoid duplication of effort, please provide a complete account of your efforts to communicate with the vendor. Copies of notes from conversations with the vendor are helpful.*

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Library: \_\_\_\_\_

Address: \_\_\_\_\_

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Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Vendor: \_\_\_\_\_

Nature of problem: \_\_\_\_\_

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Please send this form and supporting documentation to:

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3301 Fairfax Dr.

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Fax: 703/993-8113

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You may also complete this form online at:

[www.aallnet.org/main-menu/Advocacy/vendorrelations/request-assistance.html](http://www.aallnet.org/main-menu/Advocacy/vendorrelations/request-assistance.html)