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# The CRIV Sheet

## Editor's Corner

We begin a new volume of *The CRIV Sheet* with this issue. *The CRIV Sheet* continues to provide its readers with information on vendor/library relations and to encourage dialogue regarding publishing practices, cost-savings suggestions, complaint resolution, and more. I appreciate the guidance that Joe Thomas, head of technical services at Notre Dame Law School's Kresge Library, offered me last year during my stint as assistant editor. It is my pleasure to work with assistant editors Ed Edmonds and Mitchell Johnson on volume 33.

Although summertime seems fleeting and distant from the vantage point of chilly November days, the take-away lessons from AALL Annual Meeting programs are still very useful to us. In this issue of *The CRIV Sheet*, we offer several summaries of AALL Annual Meeting educational programs related to

vendor relations. If, like me, you were torn between two or more programs in the same time slot, you will be glad for these contributions to your reading list.

We are also pleased to offer an update to Richard Vaughan's 2006 *CRIV Sheet* article on serials cancelations. Finally, CRIV invites your nominations for the New Product Award. Past winners include Fastcase's iPhone app (2010), William S. Hein & Co., Inc.'s *Subject Compilations of State Laws* (2009), and Cassidy Cataloging's Marc records collections (2008), to name a few. A description of the award and the nomination process completes this issue.

*The CRIV Sheet's* editorial policy is online at [www.aallnet.org/about/policy\\_criv.asp](http://www.aallnet.org/about/policy_criv.asp). Please let me know if you have any comments about this issue, past issues, or future issues, and, as always, *The CRIV Sheet* welcomes and encourages your contributions.

## From the Chair

As the incoming chair of CRIV, I would like to welcome you to the first issue of *The CRIV Sheet* for the 2010-2011 term. Having served on CRIV for the past three years, I can assure you that CRIV is alive and well, and we are looking forward to a very productive year. I am fortunate that AALL President Joyce Manna Janto has appointed Shaun Esposito to serve as the vice chair this term, and I look forward to working with him.

CRIV functions through the work of a number of subcommittees and, during our CRIV meeting in July at the AALL Annual Meeting in Denver, we firmed up the following subcommittee assignments. This year *The CRIV Sheet* will be ably handled by Editor Mary Jenkins (2009-2012) and Assistant Editors Mitchell Johnson (2010-2013) and Ed Edmonds (2010-2011). The Education Subcommittee, which is responsible for CRIV's program proposals for the Annual Meeting and webinars throughout the year, is comprised of Michelle Cosby (2008-2011), Liz Reppe (2010-2013), Carol Suhre (2009-2010), and myself. The CRIV Page and Tools Subcommittee website is handled by Webmaster Shaun Esposito (2008-2010) and Brandi Ledferd (2010-2012). The CRIV Product Award Subcommittee is chaired by Michelle Cosby with the assistance of Liz Reppe (2010-2013).

This year, CRIV will be taking a slightly different approach to the Member Advocacy Subcommittee,

which handles "members' requests for assistance." Historically, the chair of CRIV comprised the entirety of the Member Advocacy Subcommittee and handled the majority of requests for assistance. This year we have a three-member subcommittee to better focus on the differing issues arising in law firm, court/government, and academic libraries due to variances in license agreements, subscription plans, and payment plans. While all requests will still be filtered through the chair, Brandi Ledferd will focus on issues germane to firm libraries, Carol Suhre will focus on issues unique to court/government libraries, and I will focus on issues pertaining to academic libraries.

The other members of CRIV this year are Michael Bernier (2010-2013), who adds a vendor's perspective, and Cynthia Myers (2009-2012). The 2010 Annual Meeting offered CRIV the opportunity to be a very active participant. Aside from holding our annual committee meeting, CRIV hosted the Vendor Roundtable, which was well attended by both vendors and librarians (see "CRIV Vendor Roundtable" on page 3). The Annual Meeting also enabled CRIV to reach out to newer librarians through its participation in the CONELL Marketplace, as well as to the general membership through the CRIV table in the Exhibit Hall. Lastly, CRIV sponsored the program "AALL, Boycotts, and Antitrust: Is There a Nexus?" and CRIV members served as correspondents reporting on a number of other AALL programs, the reports of which

appear in the pages of *The CRIV Sheet* that follow.

CRIV members will be tackling a number of initiatives this coming year. The Education Subcommittee is working on several program proposals for the 2011 Annual Meeting and is also compiling topics for consideration at the Vendor Roundtable in Philadelphia. The CRIV Page and Tools Subcommittee is acutely aware that our site is dated and has begun work in preparation to roll out an improved and streamlined web page when AALL releases AALLNET 2.0. Meanwhile, the New Product Award Subcommittee is actively seeking nominations of new and innovative commercial information products for the award.

Internally, the committee will be holding monthly conference calls and using collaborative technology to keep members actively working on issues and hot topics in the area of librarian-vendor relations of interest to the membership. And, of course, CRIV's Member Advocacy Subcommittee will continue to support the AALL membership by honoring our purpose to "facilitate communications between information vendors and the members of the Association by monitoring complaints and providing constructive suggestions to vendors of information in any format." We welcome your comments and look forward to working with the Association's membership and information vendors in this regard.

**Robert Myers**

Case Western Reserve University School of Law

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## **CRIV Vendor Roundtable**

This year's CRIV Vendor Roundtable was well attended by both librarians and vendors. The event was hosted by Amy Eaton, outgoing CRIV chair, with Rob Myers, incoming CRIV chair, serving as moderator. As at recent past Vendor Roundtables, CRIV selected topics of current interest to the membership and provided them to the vendor attendees prior to the roundtable for the purpose of a relevant and informed discussion.

This year's main topic was green practice initiatives that vendors and librarians have implemented or are in the process of implementing. As it turns out, most of the publishers have been engaged in green practices for quite a long time—not only out of concern for the environment but also due to the cost benefits realized. Thomson Reuters (West) began recycling in 1906, and today its print products consist of 30 percent post-consumer recycled paper, its book covers are 100 percent recycled, and it uses soy-based inks. The Thomson Reuters printing facility in Eagan, Minnesota, has won the Printing Industries of America award for outstanding environmental performance nine years running.

BNA's books are made from 100 percent recycled paper, and it is also using soy-based inks. BNA is moving toward "print on demand," thereby limiting its press runs and requiring less stock to be warehoused. Hein has similarly moved to print on demand and greatly reduced its back stock. Hein is now digitally producing all of its microfiche—a process that uses far fewer chemicals. Hein has also implemented Electronic Data Interchange (EDI) for customers who have requested it and who use Voyager or Innovative OPACs, thus eliminating the

use of paper in the preparation and payment of invoices.

Reed Elsevier (Lexis) is reducing waste by 10 percent per year with an overall goal of 60 percent for recycling (it is presently at 47 percent). Another environmentally-friendly and cost-effective initiative employed by Reed Elsevier is the use of home-based employees. All of the publishers present said they are relying much less on printed marketing brochures and printed catalogs than in the past and are instead using e-mail and web-based catalogs. Other green initiatives undertaken by some of the publishers include providing bicycles for employees to bike to work, locating facilities along public transportation lines, using giant vats of ink rather than 55-gallon drums, looking into Leadership in Energy and Environmental Design (LEED) building certification, and not passing out printed materials in the AALL Exhibit Hall.

Librarians also had the opportunity to share thoughts on their own green practices. While not quite as innovative or impactful as the vendors, it was interesting to compare notes. All the libraries represented were recycling pages removed in the looseleaf filing process, and some of the libraries were even recycling or repurposing looseleaf binders. Some libraries had set all their printers to duplex or two-sided printing, and others were beginning the practice of sending all the withdrawn books for which they could not find homes to recycling facilities.

Most libraries were already recycling scrap paper at the reference desk for writing down call numbers and other notes. A number of librarians said they no

longer keep publisher catalogs—rather they rely solely on publishers' online catalogs and use online vendor services, such as Yankee Book Peddler, for selecting and ordering monographs. The conversation then turned to publishing law reviews and journals electronically. A lively debate ensued concerning Berkeley Press' Digital Commons, born-digital law reviews, open source commitments, and the costs versus benefits of continuing to publish printed journals.

After concluding the green practices discussion, the related topic of e-books was addressed and, in particular, what steps legal publishers have taken toward implementation of e-books. Most of the publishers seem to be watching the e-book market and are cautiously experimenting by releasing a select

number of titles. All of the publishers cited several issues that caused them to take a "wait and see approach"—digital rights management and sharing among users, multiple e-book reader devices available on the market, the need to take a device-neutral approach, customer format preference, price points, and pricing options.

Librarians had the opportunity throughout the roundtable to ask the vendors questions tangentially related to the topics of green practices and e-books. Often the vendors could provide a direct response, but when they could not, they took down the librarian's contact information and promised to follow up with an answer. In all, the roundtable was a cordial, collegial, and informative affair for librarians and vendors alike.

## Denver 2010: Annual Meeting Educational Program Summaries

Robert Myers Case Western Reserve University School of Law

### Program A-3: Mapping a Digital Collection Development Policy: New Sign Posts or a Whole New Road?

Speakers:

**Teresa C. Stanton**, University of California Berkeley Law Library; **Steven J. Melamut**, University of North Carolina at Chapel Hill Law Library; **Ellen Meltzer**, California Digital Library; and **Hilary T. Seo**, Iowa State University

This exceptional program presented guidelines for the acquisition and maintenance of a variety of forms of electronic resources by following the life-cycle model of digital collection development. Each of the four highly informative speakers focused on one of the four stages of the life-cycle: 1) acquisition and selection; 2) licensing and copyright; 3) discovery and access; and 4) preservation. I was not able to attend the program due to a last-minute scheduling conflict and, thus, I'm writing this report based on listening to the MP3 of the program downloaded from AALL2go ([www.softconference.com/aall](http://www.softconference.com/aall)). If you were unable to attend the program and are interested in the topic, I highly recommend downloading the MP3.

Teresa Stanton, director of collection services at Berkeley Law Library, began the acquisition and selection phase of the program by asking whether we need a different collection development policy to handle electronic resources. Isn't digital just a different format, and haven't our existing collection development policies always been able to deal with different formats? In answering this, Stanton reviewed 100 collection development policies available on the

Academic Law Libraries Special Interest Section (ALL-SIS) website. Of the 100 policies, 45 had completely separate sections on electronic resources, reinforcing Stanton's belief that "digital is different."

Stanton cites three forces that make digital resources different from other formats: 1) the growth and diversity of information technology; 2) user demand; and 3) publishing models. The growth and diversity of information technology has created user demand expectations "for having everything instantly wherever they are, whenever they want it." Publishing models have evolved to include the internet as a mode of delivery, online legal treatises, self-publishing, open access, and access to information stored outside the library—all of which make digital different from other formats. The digital world is changing rapidly and having a major effect on library budgets, services, staffing, and workflows.

Aside from budgeting for digital content, libraries must also budget for equipment and staffing to build pathways and review license agreements. In terms of services, libraries must be prepared to offer access to those both inside and outside of the library. In terms of staffing and workflows, digital is creating a blending of functions among the traditional public services/technical services division of labor. Stanton concluded by stating that her bibliography, along with elements to consider in writing a digital collection development policy, is available on the

Berkeley website and AALL2go. Both are great resources if you are considering drafting a digital collection development policy.

Next up was Steve Melamut, information technology services librarian at the University of North Carolina at Chapel Hill Law Library. Melamut's presentation focused on the licensing and copyright stage of the digital life-cycle. He stressed that things were simpler back in the print world when everything was governed by copyright law and fair use. Under copyright, librarians knew what we could and couldn't do.

Digital resources, however, are covered by license agreements, and "license agreements trump copyright law." License agreements are contracts and, as such, the publisher may be willing to negotiate the clauses of the contract. It is important to read and negotiate the license agreement. Contracts often list specific acceptable uses while prohibiting anything outside the list. You must be very careful about this type of contract as you do not want to curtail unnecessarily what you can do. The better license agreements spell out precisely what you can do so that there is no ambiguity as to interlibrary loans, document delivery, electronic reserves, course packs, or restrictions on the amount of use in an academic setting. Likewise, it needs to be clarified who is a user—faculty, staff, and students? Does that include adjunct faculty, dual appointment faculty, and emeriti?

Melamut went on to list a number of items that you will want included in or allowed under the license agreement: the ability to create links to the data; the ability to not only download but also to copy and paste; the ability to have remote access through proxy servers and not just a virtual private network (VPN) or password access; accessibility compliance under the *Americans with Disabilities Act*; and the ability to check whether the databases' links are functioning through the use of link-checker software. Lastly, and perhaps most importantly, libraries need publishers to explicitly state that they have the right to provide users with access to the material from the original copyright holder. Melamut suggested the California Digital Library's website as an excellent place to find further information about digital licensing.

Ellen Meltzer, information services manager for the California Digital Library, covered the discovery and access stage of the digital life-cycle. Meltzer provided an overview of the California Digital Library (CDL), explaining that the CDL takes a life-cycle approach to digital collections through five integrated programs: 1) Collection Development; 2) Digital Special Collections; 3) Discovery and Delivery; 4) Publishing; and 5) the University of California Curation Center (i.e. preservation). Meltzer revealed that in 2007,

electronic resources accounted for only 1.2 percent of the University of California's holdings but that there were 39,293,150 electronic transactions that year as compared to only 3,624,662 book and serial circulations and 225,690 interlibrary loan borrowing transactions—suggesting that electronic holdings provide a big payoff.

To further elaborate on this, Meltzer quoted David Lewis, dean of the library at Indiana University, who predicted in 2007 that in the next 20 years, less than 50 percent of the library's budget will be spent on hardcopy while more than 50 percent will be spent on e-resources. The number and type of e-resources have exploded over the past few years and now include not only databases but also e-journals and articles, e-books, websites, government documents, datasets, blogs, visual materials, and Twitter feeds. Cataloging the web has become important as the average website lasts only about four months and is the reason that the CDL started Web Archiving Service (WAS).

According to Meltzer, in order to have high usage, patrons must be able to locate and access electronic resources. She suggested library research guides, specialized indexes, Google Books and Google Scholar, open access sites, Open Library, library catalogs, WorldCat, Internet Library, university mass-digitized works, and shared digital depositories, such as the HathiTrust, as examples of places where patrons find and access e-resources. In order to promote access, users must be able to discover the resources; this is best done by putting access to the resources in the path of the user. This is an area that is expanding and now includes mobile applications to access specific areas of the web (e.g., Yale Law Library's mobile app). Meltzer concluded by asking, "In an ideal world, where do your users expect to find digital resources?" and "Are you meeting those expectations?"

Hillary Seo, associate professor, head of preservation, and acting digital coordinator at Iowa State University, presented the final stage of the digital life-cycle: preservation. Seo defined preservation as those policies and activities implemented to ensure long-term access to information. Digital preservation is the preservation of digital content and is different from print preservation. Print preservation often occurs at the end of the process. One waits to see if a book has received much use and, if so, it is preserved; otherwise, it is withdrawn.

With digital preservation, libraries must make decisions early. Waiting only makes the process more difficult and more costly. Although no hard data are available, it is generally thought that digital preservation is more costly than print preservation.

Digital preservation is important because digital media is not intended to be a long-term format. It is unstable and not meant to last as technology changes. Obsolete technology can render a file useless (e.g., the floppy disk).

Technology and libraries are at odds. Libraries want stability while technology vendors want to move forward with new technologies that increase revenues. Seo noted that there are three levels of digital preservation: full, limited, and the basic, or bit, level. Full preservation is complete duplication of the item, including usability and functionality, as the creator meant it to be. Limited preservation allows one to preserve the intellectual content but it may not preserve the full functionality of the item. Basic or bit level preservation means you can retrieve the data but it may not be usable without migration or emulation.

Migration, emulation, and normalization are all parts of a preservation strategy. Migration is the planned, scheduled transfer of information with the intention to preserve it. Emulation means that the file must be able to be used in the future as an exact rendering. Normalization means the file will be moved to a standardized format that the institution is committed to preserving.

Seo then turned her attention to the topic of institutional repositories, which are “asset management systems that provide access and storage to electronic objects.” Some institutional repositories include an archival/preservation aspect but many do not. This is where Trusted Digital Repositories (TDR) come into play. A TDR, as described by Seo, is “one

whose mission is to provide reliable, long-term access to managed digital resources to its designated community, now and in the future. They can be local repositories, third-party agreements, collaborative or consortial programs, whichever is most suitable and sustainable to the institution.”

TDRs must have the following aspects regardless of whether the TDR is one’s own repository or operated by a third-party: 1) an administrative policy that adheres to national and international standards and best practices (i.e., proof of commitment to long-term access); 2) organizational viability integrated into the mission and strategic plan of the repository and the institution; 3) staffing levels that are appropriate to the processes and procedures; 4) continuity plans established in case of failure or if the repository ceases to exist; 5) proof of financial stability; 6) technological and procedural suitability; 7) system security including disaster plans and recovery; 8) procedural accountability that evolves over time; and 9) Open Archival Information System (OAIS) compliance.

Seo concluded that selections/acquisitions staff must realize that preservation policies play a role and that the best product from a user standpoint may not be the best product from a preservation standpoint.

In all, the program was well presented and highly informative. If you are interested in digital resources, I highly recommend you download the MP3 and handouts from AALL2go ([www.softconference.com/aall](http://www.softconference.com/aall)).

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**Amy Eaton** Perkins Coie LLP, Seattle

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## **Program H-1: The Economics of Interface: Vendors Respond**

Speakers:

**Ed Walters**, Fastcase; **Molly Miller**, LexisNexis; **Michael Dahn**, Westlaw; **Julie Jones**, U.S. Courts Library

Julie Jones of the U.S. Courts Library proposed this session as a follow-up to an article she published in 2009 ([www.aallnet.org/products/pub\\_llj\\_v101n01/2009-01.pdf](http://www.aallnet.org/products/pub_llj_v101n01/2009-01.pdf)). Representatives from three major online legal research products were invited to give a brief presentation on user interface and its impact on legal research. This was followed by a summary of Jones’ article and then opened up to questions from the audience. The session was very well attended, and the question and answer session was fascinating. I recommend anyone interested in the topic read Jones’ article and download the session from AALL2go ([www.softconference.com/aall/sessionDetail.asp?SID=208473](http://www.softconference.com/aall/sessionDetail.asp?SID=208473)). A brief summary follows.

First up was Ed Walters, chief executive office of Fastcase. Walters is a passionate believer that nerdy is sexy and discussed the top design principals used by Fastcase when designing its product. Many of these principles were inspired by the design aesthetic of Dieter Rams, head designer for Braun.

Good design should be innovative—it should do things that are new. Great design should be useful. It should serve utility and not the other way around. Great design should be intuitive. User interfaces (UI) should be consistent across platforms. The UI shouldn’t change based on the database or user (i.e., student, lawyer, librarian). Great design should be minimal, thorough, honest, and transparent. It should tell you what you are buying, what you are paying for, and what you are accessing with no surprises. Great design should be beautiful and unobtrusive. The final

principal concerns building great products. Can you build beautiful products by focus group or committee? No—as Steve Jobs says, you must build products you would like to use.

Walters completed his presentation by unveiling Forecite on Fastcase. Forecite reads all the cases in the search results and compares most frequently cited cases against your search results. If there are highly cited cases that do not appear in your search results, Fastcase will add them to your search results. Forecite uses cite analysis as a safety net to make sure your search results include all relevant cases.

Molly Miller, vice president of customer discovery and innovation of LexisNexis (LN), was the next vendor to speak. LexisNexis Customer Discovery and Innovation is devoted to understanding customer problems in order to innovate. The focus is on innovating for customer problems, not just for the marketplace. They start with customer problems and learn what the stumbling blocks are with the products. LN then takes these problems through a gold standard process, part of which involves holding UI labs at the AALL Annual Meeting and working with customers to review concepts and the process.

Changes in the UI are built to address problems; then customer innovation teams work with the users to test the process. LN understands that customers want different things based on their roles. Out of this gold standard process, LN develops innovations like LexisNexis for Microsoft Office (LMO). If you have looked at LMO, you see that it is not built on an LN UI but on a UI that most customers use in their daily work. In addition to the new Lexis.com UI, LN is working with customers every day to help build new products. Miller noted that librarians interested in working with the customer innovation teams should contact her directly.

The last speaker, Michael Dahn, vice president of WestlawNext Product Development, began by noting that as a former law librarian, he is aware of the problems librarians and their patrons face in their worlds. Dahn agreed with Walters that design should be innovative and honest. But he noted it should also be effective for the work that you do. Westlaw is thinking beyond standard UI access via desktops to mobile devices—UI should be available wherever you go. Westlaw wants to make sure the landscape is covered and that you can use its product wherever you are working. Information should be easily available no matter the product you use.

The first step in Westlaw’s process is to understand the customer work flow. What is the customer trying to achieve? How can the Westlaw UI make the workflow more efficient and effective? ThomsonReuters (TR) uses focus groups, eye mapping,

and observation of attorneys conducting online research to help develop its products. They look at real work scenarios. Customers use online databases to answer research questions, and TR attorneys review results. When they see the user struggling, they want to figure out ways to solve the problem. The current Westlaw.com UI lists various databases, and the user has to determine the best database for the project. In order to improve results, Westlaw posts secondary law results on the side of the results screen (ResultsPlus).

Dahn noted that UI goes beyond arrangement on the screen to what goes on behind the screen to deliver more effective results. He believes that WestlawNext simplifies the process—you don’t have to know where the answer is before you start. You don’t need to know the jurisdiction. Your search brings up relevant documents in secondary sources and primary sources very quickly and easily. Dahn also briefly discussed pricing, stating that pricing is about establishing long-term relationships.

After the vendor presentations, Jones quickly reviewed the conclusions in her paper and asked the panel, “Did I get it wrong?”

Dahn answered that she absolutely got it right in terms of understanding UI. In terms of what drives business, however, he thought she got it wrong. Westlaw makes the vast majority of its money by selling subscriptions to the product, and it does that by building a useful product.

Miller answered that LN looks at what customers request the most. It does not just look at usage patterns. Case law and statutes are always at the top of the list. Secondary materials are very important, but LN finds that people need a case for immediate delivery so that is where LN focuses. Miller noted that LN could make it easier to get to secondary resources from the primary resources and noted that LN is not making more money by desurfacing secondary materials.

Walters noted that the more expensive things are, the less they will be used. Fastcase works under the notion that simple is better. A user can customize his or her product and decide the order of search results. Fastcase built a transparent product and focused on developing capabilities to ensure that all authoritative cases are captured in the search results.

The session then moved into a panel-audience discussion. Topics included the placement of secondary resources in the directory; hyperlinking, or lack thereof, in secondary resources; the observed sales slant of some of the presentations; the focus of vendor trainers on primary resources; and the need for more customizable databases and UIs. Unfortunately, the session ended with a long line of librarians still waiting to question the panel. It was all very interesting, and I again urge readers to listen to the full session.

## Program I-6: The Frugal Librarian: Pinching Pennies (Relatively) Painlessly in Your Law Firm Library

Speaker: **Michael Saint-Onge**, LexisNexis

As defined by speaker Michael Saint-Onge, “frugal” is practicing economy with others’ money. In the “death time slot” (right before lunch), this long-time AALL participant and team leader for LexisNexis Librarian Relations set out a number of relatively painless ways to pinch pennies in response to flat or falling budgets. Quickly identifying budget as the number one challenge for all types of law librarians today, he used his own expertise and responses from e-mails received on the Private Law Libraries online discussion list to illustrate the paradigm shift from formerly rigorous purchasing practices, complicated by staff downsizing and lost space.

Saint-Onge repeatedly emphasized there was no one solution for library management to combat poor finances in light of corporate America’s one and a half years in a bad economy. Quoting Richard Bach, author of *Jonathan Livingston Seagull*, he said, “Argue for your limitations, and sure enough, they’re yours.” Saint-Onge asked the audience to dispense with automatically thinking, “That won’t work,” as he quickly and enthusiastically elaborated on a lengthy list of suggestions.

For example, there are always functions taking place that patrons don’t see. Some of these tasks can be discontinued. The cyclical nature of the law firm has been to staff for the valleys, not for peaks, so Saint-Onge suggested outsourcing, using library school interns, splitting administrative duties with other departments, justifying law library staff by billing time, and being upfront about staffing challenges to the firm’s administration. Perhaps staff members do not feel as valued or on the same level as a senior paralegal but, in recognition of jobs well done, small rewards might include extra time off, leaving early or flex time, gift cards, nice lunches, attendance at professional meetings, and positive notes in the personnel file.

Attention should be given to online resources to avoid paying twice for the same resources. Bundling is always available, and limited seat licenses can be tied to mandatory training. Statistics could help to

ensure you that you are using every subscription optimally. Saint-Onge reminded the audience about flat-rate contracts, getting other departments to pay for what they use, beginning a search for free services on the open web, and monitoring usage regularly. He emphasized the importance of documenting use and sharing pricing information with your patrons. By educating users, you make them responsible at some level for each online or print source. Nag if necessary to make a client number mandatory for sign-on for cost recovery and redistribution purposes.

The cost of print resources can be examined by eliminating duplication. Sales representatives will inform you of sales and discounts, but consider adding just the advance sheets or subsets using the *Legal Information Buyer’s Guide and Reference Manual* to finely tune any new acquisitions and to forecast future supplementation costs. Saint-Onge also reminded us to ask to review a book or to resource share, citing the fair use doctrine that permits five interlibrary loan transactions a year.

Saint-Onge suggested that firms, schools, and offices eliminate office copies if an item is also available in the law library. Put the price on the front of a book and have the secretary maintain that pricing information. Buy in bulk and seek cheaper alternatives such as unannotated versions. In the spirit of “going green,” use both sides of the paper, limit copies, exchange books, and e-mail PDFs.

Saint-Onge wondered if library copies disappear when particular books are not on the shelves of an attorney’s office. He suggested tagging library copies in hot pink. Be consistent, as practice groups change, but don’t send e-mails asking if a certain title is needed. Ask if renewing on an every-other-year basis would suffice, requiring that users indicate titles have been evaluated. An incentive program to consider would be a Starbucks gift card for each title dropped.

This level-headed and experienced speaker offered reasonable responses to the reality of these difficult economic times. He acknowledged it is possible to be upbeat and still control costs. A can-do attitude builds the reputation of the law library.

## Serials Killer 2.0

Canceling legal serials has become a routine task for law libraries over the past few years. The days of expanding collections appear to be something viewed only in our collective rearview mirror. The causes of the reduced physical collections range from shrinking space and budgets to the explosion of electronic publications and their availability in research databases like HeinOnline. Blogs and online discussion lists regularly post opinions on what this means to the profession of librarianship, to legal education, to legal research, and, sometimes, to the world at large. What we know for sure is that it is happening, and technical service librarians are the ones being called upon to carry out the process.

In 2006, Richard Vaughan wrote an article for *The CRIV Sheet* titled “Confessions of a Serial Killer: The Nitty Gritty of Canceling Legal Continuations” (v.28 no.2, February 2006). It had been hoped that the article would inform technical services librarians who faced similar situations just how to go about canceling a large number of subscriptions/standing orders efficiently and effectively. As it turned out, the article hit a chord, and several colleagues reached out to say they appreciated the piece.

Fast-forward a few years—things haven’t really changed that much. Law library budgets continue to slide downward with the rest of the economy, while space has become even harder to find. To no one’s surprise, the Indiana University Law Library staff found themselves once again canceling titles during the 2009-2010 fiscal year. Using the experience gained in 2005-2006, this time the process went surprisingly well. One particular reason it was easier the second time around was that staff was primarily canceling periodicals—a much more predictable entity than many other legal serials. Also, the vast majority of the law library’s periodicals were obtained from one vendor, William S. Hein & Company, which allowed for a more efficient communication stream between the library and the vendor. In fact, so smooth were the communications that the two people most involved in the project, Shannon Sabo from Hein and Richard Vaughan from Indiana University, joined forces to produce this article.

Sabo has been with the Hein Company since 2007. Actually, she worked for Hein back in the early 2000s but left to complete her BA from SUNY-Buffalo and then returned after graduation. She holds the title of customer service representative, and, while she was intricately involved in this project, her daily workload covers everything from orders, returns, and claims, as well as special projects. In the near future, she’ll also be working on some of Hein’s publications projects.

Vaughan has been the acquisitions and serials control librarian at Indiana for the past 19 years.

While cancellations are a task that no vendor wishes to perform, Hein understood that in this case they were unavoidable and worked with the Indiana law library to ensure that its needs were met. As this particular project progressed, Sabo and Vaughan worked together, creating an informal procedure for canceling individual titles as efficiently and promptly as possible. The process was truly give-and-take as they communicated each other’s needs to get the job done. The end result was that when the library provided Hein with the information Hein needed, in the format that worked best for Hein, Hein was able to promptly cancel the titles the library wanted canceled, enabling the library to save money it needed.

What follows are some of the fundamental areas that Sabo and Vaughan focused on to help ensure that this cancellation project proceeded efficiently and successfully.

**Key 1 – Timing:** As soon as your library knows that it wants to cancel a title, inform your agent so that he or she avoids renewing, shipping, or purchasing material the library does not want to receive. Delaying the process can risk incurring charges the library is trying to avoid. If a library knows all the titles that it will be canceling in advance, sending one complete list of titles is preferred so the vendor can start processing them immediately.

**Key 2 – Subscription Expiration Date:** Canceling in advance of a volume’s publication, or before the next subscription period begins, is recommended. This sounds obvious, but canceling a 2010 subscription in October of 2009 will always be easier than canceling this same subscription in May of 2010. Publishers often ship material ahead of receiving payment, and agents often pay for material prior to billing their customers. If your library wants to cancel a title that is currently shipping volume 60, for example, you should be prepared to receive the rest of volume 60 and accept a cancellation with volume 61.

**Key 3 – Publisher Policies:** Many subscription publishers have tightened their cancellation/refund policies, and vendors are seeing fewer publishers allowing mid-year cancellations. For subscription titles, vendors will almost always have to cancel with the next volume (or subscription period, depending on how the publisher bills for material). Once most commercial publishers receive payment or have shipped the first issue, they are reluctant to refund, if they will refund at all. Law reviews and journals often rely on subscription payments to produce their

issues, so canceling mid-volume is not preferred or often even allowed.

**Key 4 – Refunds:** Your serial agent doesn't dictate policies on subscription refunds. Each cancellation is subject to the individual publisher's cancellation/refund policy. Vendors ask that payment be honored for the material they have paid for if no refund is available. As previously noted, many publishers will simply not refund if they have been paid or if they have shipped material. Hein has noticed increasing difficulty receiving refunds even after a publisher has stated that it can issue a full or partial refund.

**Key 5 – Notification Format:** Send cancellations by e-mail whenever possible. If sending multiple cancellations, using a Microsoft Excel spreadsheet is the preferred format (at least for the Hein Company). This way Hein can annotate the spreadsheet showing the volume with which the cancellation becomes effective and then return the updated spreadsheet to the customer as a confirmation. That said, however, Word documents or lists typed in the body of an e-mail will work as well. These e-correspondences provide a documentable record of the cancellation that is harder to create and save when contacting a vendor by phone and protects both parties from miscommunication. Hein, in turn, processes the cancellations through its computer system and contacts publishers by e-mail whenever possible.

**Key 6 – Information Accuracy:** Generally, all the library needs to supply in order to initiate a cancellation is the title, but listing the vendor's title

ID is helpful. If the vendor has any trouble locating a title on your account, you may be asked to provide additional information, such as the invoice number for the last payment of the subscription or the check number for that payment.

**Key 7 – Follow-up:** Because many law reviews are student-staffed, old subscriber lists are often used inadvertently or lists are not updated once the vendor's cancellation notices are sent. If a library receives an issue or two beyond a cancellation volume for law reviews, it's usually safe to say the issues can just be recycled. If it continues, notify the vendor and they will remind the publisher of the cancellation. For commercial titles, it is very important to inform the vendor if you receive material beyond the cancellation volume. Commercial publishers are far less forgiving than school-run law reviews, and there is sometimes material in transit at the time of a cancellation. If a questionable item arrives after a title cancellation, it is better to contact the vendor to be sure there will be no lingering invoicing issues in the future.

We suspect that libraries don't like cancellations any more than vendors, but cancellations are a reality of the world we live in today. If you find your library is in a situation in which you have to cancel subscriptions, it is our hope that you will consider the fundamental areas explored above to guide you during this difficult task. Considering these fundamental areas will help make the process as efficient as possible for all parties involved.

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## AALL New Product Award

Have you discovered any great new library products this past year? If so, let us know! It is time to nominate these products for AALL's New Product Award.

The New Product Award honors a new and innovative commercial legal information product that enhances or improves existing law library services and/or procedures. New products may include, but are not limited to, printed material, computer hardware and/or software, or other products or devices that aid or improve access to legal information, the legal research process, or procedures for technical processing of library materials. Any product that has been re-introduced in a new format or with substantial changes is also eligible. A new product is one that has been in the library-related marketplace for two years or less.

All AALL members are encouraged to think about the exciting new information products being used in their libraries and to send us their nominations for this award. Interested vendors may also self-nominate their new products. Recipients of the New Product Award need not hold membership in AALL. Nominations can be sent by mail to the address below or via e-mail.

*To Submit a Nomination for the 2011 Award*  
Nomination forms can be found on the CRIV website under the New Product Award tab or at [www.aallnet.org/committee/criv/news/newproductform.pdf](http://www.aallnet.org/committee/criv/news/newproductform.pdf). The deadline for receipt of submissions is January 31.

### *Librarian Nominations*

If you are a librarian nominating a product, please give as much information about the product as possible. The New Product Awards Subcommittee will contact the publisher of the product for any further information required.

### *Vendor/Publisher Nominations*

If you are a vendor or publisher nominating a hardcopy product, please submit the form along with a sample product, if available. If you are nominating a web-based or online product, please submit the form with all necessary contact information, including URL(s) and temporary log-in and password information.

For hardcopy products, brochures, and/or any other materials, we recommend that you send four copies for the New Product Award Subcommittee and the AALL Awards Committee.

### **Submit completed forms and documents by January 31 to:**

Michelle Cosby  
Faculty Services Librarian  
North Carolina Central University School of Law  
640 Nelson Street  
Durham, NC 27707  
919.530.5241 (Office)  
919.530.7926 (Fax)  
[mcosby@nccu.edu](mailto:mcosby@nccu.edu)

# 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: \_\_\_\_\_

E-mail: \_\_\_\_\_

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

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

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Please send this form and supporting documentation to:

Robert Myers

Associate Director for Collection Management, Acquisitions, and Planning

The Judge Ben C. Green Law Library

Case School of Law

Case Western Reserve University

11075 East Boulevard

Cleveland, Ohio 44106

216/368-8656

Fax: 216/368-1002

robert.myers@case.edu

You may also complete this form online at:

[www.aallnet.org/committee/criv/publisher\\_communication/requestform.htm](http://www.aallnet.org/committee/criv/publisher_communication/requestform.htm)