

Contents:

- 1- Annual members' meeting -p.1-2
- 2- Subscription prices in 2011 -p.2
- 3- Status report on Haiti project -p.2-3
- 4- Our law review preservation problem -p.3-4

Report on the 2010 Annual LLMC Meeting

LLMC has held annual meetings for its member libraries during the annual AALL conventions since 1978. Our 33rd annual meeting was held at AALL in Denver. The meeting was conducted under rules adopted at the 2003 meeting, when LLMC's fide-era libraries voted to transfer control of the Consortium's assets and their accumulated voting rights to *LLMC-Digital's* Charter Members. As usual, the main business of the annual meeting was elections for new members of LLMC's two governing bodies, our Board of Directors and Advisory Council.¹ The voting rights for delegates' reflected each library's subscription status to *LLMC-Digital*. Some 37 representatives of the 265 Charter Member libraries attended.

Elections 2010:

In the Board of Directors election two full-term, four-year slots were open due to the completed terms of **Richard Amelung**, Asso. Dir., Saint Louis University Law Library, and **Julia Wentz**, Dir., Loyola of Chicago Law Library. The outgoing Board of Director's presented two nominees for these positions: **Marcia Koslov**, Dir. of the Los Angeles Law Library, and **Richard Amelung** for a second term. Both were elected by acclamation.

In the election for Councilors, six slots were open due to term expirations for **Joel Fishman**, Asst. Dir., Duquesne U. Law Lib.; **Yolande Goldberg**, Senior Catalog Policy

¹ The 18-person Advisory Council constitutes a representative group available to provide advice to the Board when major issues come up on short notice. While the Board has referred questions to the Council only sporadically, in those instances when it was needed, the "sounding board" mechanism has proved quite useful. In addition, over the years various councilors have served on special committees set up by the LLMC Board to address specific issues. While we sometimes get out of sync due to resignations, etc., typically a third of the Council seats fall vacant each year.

Specialist, L.C.; **Marcia Koslov**, Dir. of the Los Angeles Law Library; **Margaret Leary**, Dir., University of Michigan Law Lib.; **Jeanne Price**, Dir., U. Nevada-Las Vegas Law Lib.; and **Ann Rae**, Dir. (Ret.) U. Toronto Law Lib.. The following of our colleagues were nominated and elected by acclamation: **Neil Campbell**, Dir., University of Victoria (Can.) Law Library., **Yolande Goldberg**, for a second term; **Dan Lavering**, Dir., Judge Advocate General's School Lib.; **Margaret Leary**, for a second term; **Grace Mills**, Dir. Hamline Univ. Law Lib., and **Jeanne Price**, for a second term. Our full leadership for the upcoming year, 1910/11, is listed below.²

In concluding our report on the 2010 LLMC elections, and on behalf, we know, of the whole LLMC community, we want to express our most sincere thanks to **Julia Wentz** for her recent service on the Board, and service

² (Final year for each term follows the name.)

— Board of Directors:

- Richard Amelung** *Asso.Dir., St.Louis U.L.L. (14)*
- Darin Fox** *Dir., U.Oklahma L.L. (11)*
- Jonathan Franklin** *Asso.Dir., U.Wash. L.L. (12)*
- Barbara Garavaglia** *Asst.Dir., U.Mich. L.L. (12)*
- Joe Hinger** *Hd.Tech.Serv., St. John's U.L.L. (13)*
- Marcia Koslov** *Dir., Los Angeles L.L. (14)*
- Kathleen Richman** *LLMC Executive Dir. (ex officio)*
- Regina Smith** *Dir., Jenkins Memorial L.L. (11)*
- Judith Wright** *Dir., U.Chicago L.L. (13)*

— Advisory Council:

- Glen-Peter Ahlers** *Dir., Barry U.L.L. (11)*
- Steve Anderson** *Dir., Maryland State Law Lib. (12)*
- John Barden** *Dir., Maine Law & Leg.Ref Lib. (11)*
- Neil Campbell** *Dir., U. Victoria (CA) L.L. (13)*
- Dragomir Cosanici** *Dir., Louisiana State U.L.L. (12)*
- Judith Gaskell** *Dir. U.S.Sup.Ct.L. (11)*
- Jolande Goldberg** *Sen. Cat. Policy Spec., L.C. (13)*
- Janis Johnston** *Dir., U.Ill. L.L. (12)*
- Dan Lavering** *Dir., J.A.G. Sch. L. (13)*
- Margaret Leary** *Dir., U.Mich. L.L. (13)*
- Grace Mills** *Dir. Hamline U.L.L. (13)*
- Ralph Monaco** *Hd. Libn., N.Y. Law Institute L.L. (12)*
- Marie Newman** *Dir., Pace U.L.L. (11)*
- Scott Pagel** *Dir., George Washington U.L.L. (12)*
- Jeanne Price** *Dir., U.Nevada-Las Vegas L.L. (13)*
- Carol Roehrenbeck** *Dir., Rutgers-N. U.L.L. (11)*
- Richard Tuske** *Hd. Libn., Assn.Bar C.N.Y. L.L. (12)*
- Sally Wise** *Dir., U.Miami L.L. (12)*

before that on the Advisory Council. A special thanks to **Richard Amelung** for graciously agreeing to serve a second, probably arduous, stint on the Board. Finally, sincere thanks to **Joel Fishman** for his most recent of many terms on the Council and to **Ann Rae** both for her several stints on the Council and her service from 2004-2008 on the Board of Directors.

LLMC-Digital Pricing in 2011

Two years ago the LLMC Board adopted a pricing policy linking future price increases to the Consumer Price Index (CPI). The goal was twofold. On the one hand, the Board recognized that all of LLMC's expenses will no doubt increase as general price levels for labor, goods and services rise. So, if it is to maintain the same level of services, LLMC has to maintain a price schedule that recognizes those increased costs. On the other hand, the Board wanted to avoid the lurches in price rates that occur when inflation is ignored for several years and then an outsize price increase is needed to catch up. It was felt that a publicized and consistent policy that people could plan for made sense for everybody.

Because of the extreme economic uncertainty that prevailed in 2008/09, and because there was hardly any reported inflation in the preceding twelve months, at its meeting in July 2009 the Board felt justified in passing up a price increase for calendar 2010. However, there has been measurable inflation since mid-2009 (CPI rise of 2%). Also, while economic conditions are still bleak, generally people have a firmer idea of where they stand than they did last summer. So the LLMC Board spent a lot of time at its recent meeting considering whether or not to follow the established policy. They eventually decided to do so, voting for a 2% increase in the invoices going out after the first of January covering subscription periods beginning anytime in 2011.³

³ For an average subscriber, say a charter member law school library, this works out to a \$145.22 increase, or just over \$0.01 per volume added onto *LLMC-Digital* over the past year. Put another way, this increase, which will likely be part of the base in subsequent invoices, will help maintain those 8,577 or so volumes online in perpetuity.

Status Report on the Haiti Project

Since our last report, work on the Haiti Legal Patrimony Project has been brisk. Most of this work has focused on expanding the base collection of roughly 420 target Haiti titles held by our two core donor libraries, Columbia Law Library and The Law Library of Congress. This preliminary bibliographic work has also involved attracting additional sponsors and canvassing their collections for titles not held by LC or Columbia. To date this canvassing work has been done for ten "Public Sponsor" libraries and has resulted in the addition of 167 new target titles. That's a 37% growth in the core target collection. A major portion of this growth came from the University of Michigan Law Library, which alone accounted for 75 additional new titles. To date the total of target titles is up to 582, and we fully expect that total to grow well past 600 titles as we complete the bibliographic work on such major Public Sponsors as Harvard Law and the University of Florida's Library System. Eventual volume count is a bit harder to pin down at this stage, but our "eyeball estimate" is that the complete collection will number about 850 volumes.⁴

In the meantime, of course, we have been attending to the digitization. Scanning of identified titles is now approaching the halfway point (45.5%), with 110 titles being scanned at LC, and 155 of the titles from Columbia and other libraries being scanned at LLMC's plant in Kaneohe, HI. We will soon be completely done with all the books from Columbia, and in August will receive and quickly scan the 75 new titles coming from Michigan.

⁴ One special welcome note on the collection development front is the Haiti official gazette, *Le Moniteur*, 1844-. We have held off on promising to include this very important title in the final collection because its copyright status has been murky, with the government possibly holding copyright under a "crown copyright" theory. However, we are happy to now be able to report, that LC has made contact with the Haitian Government, and that we have received a blanket clearance for the gazette. So everybody can plan on having this vital tool available in searchable format. LC plans to send the paper for *Le Moniteur* to Kaneohe for scanning in early September. So the first issues should start appearing online by October.

In the meantime, shortly after scanning each of these books is being OCR'ed by our technical partner NBS.

The final stage before any of these titles can go online is, of course, cataloging. The catalogers had to sit idle for a few months while we moved Haiti titles through the earlier stages of the process, but now a flood of titles has moved on to Saint Louis University Law Library (SLU), which does that work. SLU has given this project high priority.⁵ While only one title has gone online to date, we can expect to see great batches of material going live on *LLMC-Digital* each month for the next year.⁶

In summary, we expect to have completed the bulk of the collection by the end of the year. There will, no doubt, be a scattering of titles that will lag as copyright status is negotiated for some, missing pieces are sought for others, etc. But we fully expect to have a sufficient critical mass of the planned collection assembled, digitized, and online by the anniversary of the great quake. If we reach that goal as expected, then we will probably chose that date to turn over the main fruits of the project to the Haitian Government for the use of the Haitian people.

⁵ Given the francophon character of Haiti, and therefore of much of its indigenous legal literature, but also the large number of English-language books relative to Haiti, SLU is executing a nice compromise by providing all of the titles with French subject headings in addition to the English.

⁶ For those who find it useful or even just interesting to track the details of the project on a more timely basis, or who think that they might have unique items to contribute, or who would like to adopt a title and want to know which orphans are still available, a master project spreadsheet, updated weekly, is posted on www.llmc.com. (See the "Haiti" tab on the home page menu bar) The target titles are grouped in a fairly intuitive scheme with the identities of the hardcopy-contributing library or libraries, and with information tracking the details of each title's progress through the system. Column J provides the names of those who have adopted separate titles. Finally, summary statistics for the project as a whole and the names of the Public Sponsor libraries are provided in lines 623 to 643.

Our Law Review Preservation Problem

For some years now a number of our colleagues have been fretting over the preservation prospects for our law review literature, both in the original paper and in its increasingly digital manifestations. These concerns were given additional impetus by the publication last year of the so-called "Durham Statement." In fact, the later phenomenon has taken on its own life, with a presentation at AALL-Denver of a complete program devoted to its first anniversary. Unfortunately, the program came to no specific conclusions. However, the participants did call for more study of the problem, and one panelist even suggested seeking out a foundation for support of further studies. This would seem to indicate that many years of debate and reflection lie ahead.

LLMC doesn't think that the law review literature, while of course dear to our hearts, is in any significant way unique, or freighted with special preservation characteristics in either its print historical manifestation or in its now emerging born-digital garb. This literature's only real claim on our concern is that it's ours. This may mean that in a cruel world, where most folks have their own problems, if anybody is going to save this stuff it probably will have to be us.

But we are a long way past the need for further lengthy debates on the how of preservation. We know how to preserve books. We've been doing it for years. You just squirrel away a sufficient number of copies of the paper in safe, dry-but-not-too-dry havens. As to born digital, one does much the same thing with digital copies. In fact a tried and true, widely accepted model for digital squirreling already exists in the well-known LOCKSS program.⁷

⁷ The LOCKSS program (acronym means "Lots of Copies Keep Stuff Safe") is based at Stanford. Its ACM award-winning LOCKSS technology is an open source, peer-to-peer, decentralized digital preservation infrastructure. LOCKSS preserves all formats and genres of web-published content. All of the intellectual content, which includes the historical context (the look and feel), is preserved. For more background on the program, see the web site: <<http://lockss.stanford.edu/lockss/Home>>

LLMC believes in the LOCKSS concept in the digital context and in an analogous application to print preservation. We also believe that, given the fact that the majority of our “stockholders” are the law schools, LLMC itself should take special pains with something that is of such immediate concern to them. So we are offering to help the law school community by volunteering to be one of the “LOCKSS Community” for any law review that wants to take advantage of our services. Basically, we are offering to be one node in the distributed archiving of their law reviews, both in historical print runs and going forward in their digital manifestations. Our participation in this program will have several components, some of which are already being implemented.

With respect to analog preservation for the print archives, our Board some time back decided to maintain a full run of all known law reviews in our salt-mine dark-archive facility in Kansas. As a start on that project, we have already accepted the law review collections of two libraries to form the base for this historical collection. Once we have inventoried those two large donations of material, we will be approaching other sources to seek help in filling any gaps. Finally, we will publicize our archived holdings of these materials down to the volume level, thus fulfilling one of the most important requirements for a functioning node in a reliable distributed archive system.

With respect to backup preservation of the historical print runs with digital copies, we are committed to building and mounting online on *LLMC-Digital* a complete digital collection of all U.S. law reviews at least up to the currently applicable copyright barrier; i.e., up to 1923. In addition, in those cases where a school operates with non-exclusive licenses for outside publishers (which appears to be the case for at least the majority) we will, with their permission, bring the digital copy of their law review completely up to date. With this program we offer to take our place as a digital LOCKSS node for any school seeking our services.⁸

⁸ For the record, one school, Loyola University of Los Angeles Law School, has already agreed in

Finally, with regard to born digital versions of law reviews, in place or in prospect, we offer both digital and analog preservation backup. As to the digital we offer to maintain a basic digital text preservation copy on *LLMC-Digital* in addition to any copy or copies offered online elsewhere. In addition, for analog backup we are prepared to print out the texts of every issue on acid free paper and store them in our salt mine dark archive.

To conclude, we feel that the pieces for a successful, and reasonably inexpensive, solution to the law review preservation problem are already in place. We think that the operating strategy should be LOCKSS for the digital copies, and, for the print backfile, an analog analogy thereto. In both media, analog and digital, we plan to take our logical place as a reliable node in the system.

principle to be a stalking horse for this concept. We are now working out the specifics for that arrangement. We invite other schools that may want this type of added preservation protection to check with Jerry Dupont at LLMC for details.