

## Contents:

- 1- LLMC, the next Ten-Year-Plan -p.1
- 2- Plans for Foreign, Comparative & Intl. Law -p.
- 3- Modifying LLMC's preservation paradigm -p.
- 4- Using LLMC numbers to advantage -p.
- 5- LLMC's Charter Membership Program-p.

## LLMC, the Next Ten-Year-Plan

As LLMC celebrates its 35th year of service to the profession, it is also completing its 10th year of digital operations. The magic date is 1 September 2012. With the indispensable help of all of our subscribers, and especially of the hundreds of loyal colleagues who have pitched in on specific projects, *LLMC-Digital* has achieved several noteworthy landmarks. Among major milestones, we recently scanned our 5,080<sup>th</sup> title, our 100,586<sup>th</sup> volume, and our 37,493,161th page.<sup>1</sup>

---

<sup>1</sup> These categories, of course, are moving targets. So they describe the situation as of Leapday-2012. Given that the high-speed side of our scanning operations pumps out ca. 15,000 page-images per hour during each workday, the totals will continue to soar. With every passing day our library members are getting more value for their subscription money. At this point in time our highest paying subscribers (non-charter-member law-school libraries) are paying only 7 cents per-volume-per-year to access our holdings. Our other subscribers enjoy even better bargains. At this rate of progress, by Leapday-2016 the average annual unit cost of access to LLMC's holdings will have broken the 5-cents-per-volume barrier. But the news of the moment is that LLMC has achieved the basic goal of its first 10-year plan. *LLMC-Digital* is now roughly even in size to the site we consciously chose as our technical model when we launched our service, HeinOnline. We also equal, both in size and content, roughly one quarter the print holdings of the average American law school library. So we are well on schedule to doing what we set out to do – helping our members manage the migration from the print to the digital world in an organized and economical manner. On the latter point, no other service, for-profit or non-profit, comes close to matching the per-dollar value provided by *LLMC-Digital*. Thirty-five years ago we deliberately set out to become the TVA avatar for the legal publishing industry. On that score, at a minimum, we have delivered.

While those are gratifying statistics, the LLMC Board is aware that this new digital world can be very unforgiving to those who sit on their laurels. Expectations in the digital environment are constantly being influenced by technical improvements and innovations on other digital sites; even those that are unrelated to our specific content.

*LLMC-Digital* is evolving into the vehicle of choice for the library community to maintain access to its print legacy in law and governance. However, if our online service is to remain relevant, it needs to improve its game on the technical side. In addition, since it is clear that methodically migrating a million-plus volumes of law and law-related print literature online will be a multi-year affair, we have to learn to work within a changing print-storage environment. The law library world from which we obtain our raw material, is rapidly abandoning traditional storage models. The level of print divestiture is such that, unless interim holding solutions are developed, many texts could disappear before we have a chance to scan them. We need to help manage this shifting storage situation even while we carry out our preservation mission.

To address these concerns the LLMC Board, recently set in motion several initiatives:

- It has asked staff to undertake a stem-to-stern review of *LLMC-Digital's* technical interface with the goal of introducing substantial upgrades by the time of the renewal of LLMC's service contract with National Business Systems (NBS) in 2013.
- It approved, and urged acceleration in, managements efforts to raise outside funding geared toward a doubling of scanning output.
- It urged concerted near-term efforts to substantially complete a core LLMC goal, providing coverage for all U.S. state and federal primary legal texts.
- It directed management to develop a 10-20 year storage plan to ensure the continued availability for scanning purposes of the Foreign, Comparative, and International Law holdings of North American law libraries.

We will be covering staff efforts to implement the goals prioritized by the Board in this and the next several issues of this newsletter.

### **Foreign, Comparative & International Law**

One effort already underway directly relevant to the Board's concern for preserving non-U.S. legal literature is a search for a new Asst. Dir. for Content Management. The main role for this new staff member is to beef up our capacity to grow our collections in Foreign, Comparative, and International Law.

As it happens, we already have made a respectable entree into these three areas, and our holdings for some jurisdictions are fairly significant. (See, for example, in the attached exhibit, the listings for Australia, Canada, England, Haiti, India, New Zealand and South Africa) Also, in the Comparative Law area, our British Empire Studies collection is quite compendious.

However, the Board is aware that, given the extent of the literature, we have only scratched the surface. It fully expects that growth in the Foreign, Comparative, and International Law areas will comprise as much as 50% of our new offerings in our Second Decade. As with all of LLMC's collection development, our pattern will be to start with primary legal materials and then "build out." Thus, librarians who are using LLMC's work to help manage their own holdings can assume that, for any jurisdiction, we are principally interested in constitutional, legislative, executive agency, and judicial materials. Above and beyond those basics, we would like to capture any significant secondary materials that are out of copyright.<sup>2</sup>

---

<sup>2</sup> Many might assume that, in building up collections in Foreign, Comparative, and International law we are only focused on LLMC's relationships with the very large law libraries. To some extent that is true. Thus, for example, a large part of our former-British-colonies holdings come from our scanning operation at LA Law Library. Similarly, the basis for our planned scanning of all of the subsidiary legislation for Commonwealth countries will be the University of Michigan Law Library's rich collection of those materials. However, it should be noted that as much as 40% of our current holdings in foreign and comparative law came from lesser-known repositories. For example, very

To manage this huge task competently we will have to strengthen our capacity to handle the more important foreign languages. Starting with the hiring of a new Asst. Dir. for Content Management, we hope to build capacity for handling materials in the major European languages with colonial relevance; i.e., French, Spanish, Dutch, German, Portuguese, and Danish. This will enable us to address with confidence the scanning of the bulk of historical foreign literature held by North American law libraries; i.e., that for Europe and the Southern Hemisphere. We would like, as well, to recruit some capacity in language areas of intense current scholarly interest such as Arabic, Persian, and Russian.

### **Modifying LLMC's Preservation Paradigm**

When *LLMC-Digital* was founded, LLMC's managers also presented the profession with a three-format preservation model. Building on the assumptions of the film era, we promised that LLMC would attempt to preserve all titles in three separate formats: a print version, an archival-film version, and in a digital format in which all LLMC images would be stored and "mirrored" in several, safely separated, locations. In those days we were all of us heading off into uncharted waters. Preservation security was a very big issue. Our plan was meant to reassure our colleagues that we were fully aware of, and prepared to counteract, the risks of trusting our print patrimony to a new and untested medium. Hence our three-legged "preservation stool."

Contrary to earlier fears, the digital leg of the "stool" has worked out pretty much as predicted. It has turned out to be workable and cost-effective to back up digital images in secure, mirrored facilities. In LLMC's case we store mirrored copies of our digital

---

significant materials were donated by, among others, St. John's Univ. Law Library, Akron Law Library, the Middle Temple Library, and the Lewis and Clark and Florida Coastal law school libraries. The message here is that few libraries are so small that they don't have at least some odds and ends of foreign and comparative legal materials. If you happen to see that some of your own library's holdings are not yet up on *LLMC-Digital*, please consider loaning or donating them to the common effort.

archives in Kaneohe, HI. In addition, mirrored copies of all of our files are maintained by our technical partner, National Business Systems, in Egan, MN. So we're covered "four ways," and are probably as secure in the digital area as is affordably possible given current technology. Of course, as new technical options evolve, it will be part of our professional responsibility to evaluate them and adopt them where that is indicated.

On the paper side of the "preservation stool" things did not work out quite as we predicted. Our expectation was that a certain critical mass of "major libraries" would be saving their print versions of all basic legal material. That's what happened in the fiche era. However, much to our surprise, once the digital era came on strong, enthusiasm for local print retention diminished precipitously. Contrary to our experience during the film era, most libraries wanted to give us their books, rather than just loan them. It quickly became clear that, if there were going to be "print repositories," affirmative action would be needed to create them.

Faced with that new reality, LLMC did its part by creating one permanent "dark archive" facility for all of the books that came under its control in a secure, salt-mine storage facility located in Hutchinson, KS.<sup>3</sup> In addition to stepping up to the plate and maintaining one of the needed print repositories, LLMC is also cooperating with the Center for Research Libraries, which is now working on setting up a North American Register to back up a full system of distributed archival print repositories.<sup>4</sup>

The film leg of LLMC's planned "preservation stool" was based on a then recently-developed technology via which digitally-scanned images could be "written" to archival quality, silver-halide, microfiche. The technology was expensive, roughly \$200,000

<sup>3</sup> The security quotient of the Kansas salt mine storage location may be gauged from the fact that LLMC's most prominent neighbor down in the salt mines are the major Hollywood studios, who also preserve their film archives in that facility.

<sup>4</sup> For background see <<http://www.crl.edu/archiving-preservation/print-archives/papr..>

for the range of equipment required. Furthermore, worrisomely, the machinery was only made by one company in Germany. However, LLMC felt it had no other way to establish its *bona fides* on this front except to invest in a production line. From day one we began "writing" archival fiche from our digital images, and sending the preservation fiche off for paid, permanent storage in the Harvard Depository. So, at least initially, the archival fiche angle worked.

However, about four years ago things began to go sour. It was becoming clear that the technology that we were using was not being adopted sufficiently widely to justify the German manufacturer staying in the business. Spare parts and supplies first became exorbitantly expensive, and then just became unavailable. The situation we now face is that the technology we planned to rely upon has become obsolete. There was one other possible film option, converting over to the Kodak "Archive Writer" system, which produces microfilm. But the prospects for that route are also cloudy, since both Kodak and the other major supplier, Fuji, are issuing warnings that they may no longer produce raw film.

Given this situation the Board decided that it was time to face reality and abandon the write-to-film strategy. As a 'second best' approach, we will be moving the silver-halide masters for all of the fiche created by LLMC into our salt-mines dark archive. That will give us, at least, archival film backup for some 105,000 volumes of our holdings. The Board has also approved a policy whereby we will accept one copy of microfilm or microfiche backup for any non-LLMC titles from libraries wishing to offer their film.

### Using LLMC Numbers to Advantage

Every title that was filmed or that is scanned by LLMC has its own unique 5-digit control number. These "LLMC-numbers" are essential for maintaining control of our thousands of titles, many of which have confusingly similar names. The LLMC-numbers comprise the behind the scenes structure for our scanning processes and for the data-handling systems of LLMC-Digital. Because they never change, the LLMC-numbers provide the common language via which everybody in

this complicated business keeps track of where their function fits into the whole.

Most *LLMC-Digital* users aren't aware that these LLMC-numbers exist.<sup>5</sup> However, some of our colleagues, particularly those in Cataloging and Acquisitions, have long since learned the utility of these numbers for short-hand, and very precise, references to titles. It's not uncommon for us to receive orders for fiche, or questions on digital titles, where the only item identification used is the LLMC-number. We would like to extend that utility more widely. There is potential, for example, that these numbers could be used as title abbreviations in footnotes.<sup>6</sup>

However, in order to make full use of that potential, it was necessary that both LLMC's free site, and also its subscription site, be provided with an LLMC-number search capacity. That functionality has now been added to both sites. In both cases, click on the "Search" function in the menu bar on the home page, and you will be provided with a "Search by LLMC-number" option.

#### **LLMC's Charter Membership Program**

On a regular basis LLMC gets requests to explain our charter-membership category. This is understandable given that over time we have signed on over 500 subscribing libraries. Also, with the launch of the CRL/LLMC partnership two years ago, a fair number of our current library subscriptions are from general-studies libraries. So a review is certainly timely.

Here's the background. When LLMC decided take on the migration-to-digital mission ten

<sup>5</sup> The numbers are easily accessible if one knows where to look. On [www.llmc.com](http://www.llmc.com), the LLMC number is clearly identified as such just below each title description. If one is looking up a title on [www.llmc-digital.org](http://www.llmc-digital.org), the LLMC number is provided with the cataloging for each title in the 037 field.

<sup>6</sup> Their first use in this manner will be in the print bibliography now under preparation covering LLMC's near-completion Haiti Legal Patrimony Collection. We will pioneer the use of LLMC numbers as shorthand in the footnotes of that publication to demonstrate the space savings that can be achieved.

years ago, it had very little product to offer. It was, of course, still selling microfiche, and there was still a substantial market for film. So that gave us something to bargain with. On the digital side, however, we had almost nothing scanned and were, it must be confessed, just learning to operate the equipment. It would take a leap of faith for early subscribers to hang in there until something substantial emerged. Thus the need for a special incentive program to get libraries to sign up for *LLMC-Digital* early and thus subsidize our formative years.

Its final form the Charter-Membership Program provided that libraries who signed up before August 29, 2003, would receive the following principal benefits:

- A roughly 20% discount from *LLMC-Digital* initial base subscription rates, a guarantee that their subscription rates would be held static for five years regardless of the growth of the collections, and a guarantee that the favorable differential between their annual subscription rates and future list prices for the service would be maintained in perpetuity.
- The right to purchase LLMC's microfiche products at 33% below list prices for as long as those products were available.
- Collective ownership of the corporate assets of LLMC, including its microfiche backfiles, with the sole right to elect the LLMC Board and thus determine the consortium's future priorities and directions.

The Charter Member incentive program fulfilled its goals handsomely in that some 251 libraries<sup>7</sup> signed on and thus, with their early subscription money, built the foundation for the corpus of literature from which we all now benefit. We can all be grateful to the custodians of those libraries in 2003, many of whom have already moved on, whose foresight and intrepidity got us to where we are today.

<sup>7</sup> See the list of Charter Members and their voting rights at <http://www.llmc.com/LLMCCharterCommunity.asp>.