

The LLMC-Digital Newsletter

Issue No. 14: June 2005

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Our Masters Meet

As most of our readers know, LLMC is owned and run by a fixed group of Charter Members, made up of the 256 intrepid and far-sighted libraries who launched the project two years ago when they became charter subscribers. [\(footnote # 1\)](#) The way the system now works is that the day-to-day affairs of the project are supervised by LLMC's corporate Board of Directors, which is advised as needed by an eighteen-member Advisory Council. The entire membership meets once a year, typically in conjunction with the annual conference of AALL. At their annual meetings the Charter Members select colleagues to fill any vacant seats on the two governing bodies, to receive reports from the LLMC staff on the project's progress, and to provide their input on issues major or minor.

The call to the Monday, July 18, 2005, Charter Members' meeting at AALL has gone out already to the Directors of the Charter Libraries. Other subscribers are also welcome to attend the meeting; although voting privileges, of course, will be reserved to the Charter Members.

Managing Our Digital Dividend

American and Canadian law libraries are on the verge of a paradigm shift in the way that they manage their space. Within the next decade hundreds of law libraries are likely to shed as much as fifty per cent of their duplicative hardcopy holdings. Law school deans, county supervisors, and suchlike are in for some very good news. The "digital dividend" (payback for all that money poured into computers in the past decades) is rapidly becoming bankable. As a result, a process is now well underway which likely will dwarf the space-recovery achievements of the film era.

While hardly alone, LLMC-Digital will be playing a major role in this space-recovery revolution. For example, beside other titles, over the next sixteen

months LLMC will scan and mount on the web exact, high-quality, and searchable page images for all of the official U.S. state court reports and the entire National Reporter System prior to copyright. This category of material alone (ignoring in-house duplication) accounts for roughly 15,500 volumes in the average academic law library. Looking only at U.S. law school libraries, the first copies of these titles cumulate to more than 3-million volumes, occupying well over 1,028,000 gross square feet of stack space. [\(footnote # 2\)](#)

There are strong indications that many academic libraries are planning to seize this opportunity to weed their paper-version state court reports holdings down to only one or even no copy, once acceptable digital surrogates are in place. Of course, every library will make exceptions to meet local preferences. Nevertheless, even if only half of this potential is realized, nationwide it still will amount to many million dollars worth of space savings.

While this is good news, a strong dose of caution is in order. With so many libraries discarding

[\(footnote # 3\)](#) thousands of volumes at the same time, it is crucial that the process not be managed so carelessly that basic preservation goals are ignored and unique resources lost.

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Fortunately, competent librarians are on the case. As discussed in the last Newsletter, [\(footnote # 4\)](#) a group of our colleagues, united in an organization called the Legal Information Preservation Alliance (LIPA) has been working on a game plan to ensure the preservation in archival settings of a minimum number of copies of all primary U.S. material. As a vital part of that effort, LLMC has been cooperating with LIPA on the development of a national on-line database through which we can track this massive discard process. The goal of the project is to ensure that no library inadvertently throws out what could be the last copy of a given title.

LLMC has been cooperating with LIPA on the development of this critical database. Recently the prototype was reviewed by the relevant LIPA committee and approved for sub-mission to the main LIPA membership at their upcoming meeting during AALL in San Antonio. If it meets their approval, the database will be activated and made usable by law libraries nationally. During its “shakedown cruise,” the last half of 2005, it will be targeted at the U.S. state courts reports series mentioned above. After that its use will be expanded to monitor the full range of titles encompassed in the LIPA preservation effort.

Progress on our Iraq Collection

One key to understanding our current troubles in Iraq is to understand where

the region is coming from. The entity now called Iraq emerged from the debris of the First World War, when Great Britain and France were divvying up the spoils after defeating the Ottoman Empire. Great Britain got the slice of the Mid-East then called Mesopotamia. It merged the provinces and nationalities found there into an artificial country dubbed Irak, which the world has been trying to make sense out of ever since.

[\(footnote # 5\)](#)

As our modest contribution to wider understanding in this area, LLMC has been scanning the combined Iraq collections of some of our major U.S. law libraries, with the goal of creating the most comprehensive collection ever made available of British colonial legal and constitutional materials from the entire Middle East, including Palestine and Iraq. [\(footnote # 6\)](#)

The Middle East collection has been shaping up quite briskly. At this point we have completed the scanning of the relevant materials from the collections of Los Angeles County Law Library, the library of the Association of the Bar of the City of New York, and the University of Michigan Law Library. To supplement their colonial-era offerings, the Columbia Univ. Law Library has lent us its full run of the Iraq Official Gazette, which is already half scanned. Harvard Law Library is surveying its holdings with the goal of filling gaps in the Columbia run. The first fruits of this project will appear on LLMC-Digital in the August uploading. Many more titles will follow as they clear the predictable cataloging backlog being chipped away at by our partners at St. Louis University Law Library.

Some may find it interesting that, while we in North America are learning more about Iraq, Iraqis will be learning more about us also. A U.S. Government project tied to the Iraq re-construction effort has purchased roughly 110,000 volumes of law books on LLMC microfiche to help rebuild the libraries at three Iraqi law schools. In addition, these same law schools will have access to LLMC-Digital and the Iraqi national materials now being made available there. Many Iraq titles, which have long been lacking in that country, will now be digitally repatriated.

Northern Neighbors Get More Neighborly

Apparently LLMC will soon get its first "Special Interest Group." The Canadian academic library subscribers to LLMC-Digital have petitioned as a group to the LLMC Board of Directors for recognition as a special caucus. The petition will be addressed by the Board at its upcoming meeting in San Antonio. While we're not sure just what caucus status will entail, the specific areas in which our Canadian colleagues express interest are:

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greater input into the selection of Canadian titles for mounting on LLMC-

Digital, and an arrangement under which the Canadians as a group can acquire at cost copies of the Silver Halide, preservation microfiche created from our digital images. Their goal is to arrange archival storage for these national materials within Canada. No doubt the arrangements arrived at with our Canadian colleagues will influence how LLMC works with other groups with analogous interests.

Pushing the Envelope on Site Use

LLMC regularly receives questions from conscientious subscribers asking us to clarify permissible uses for LLMC-Digital content. We can't cover every imaginable possibility, but our responses to several recent questions from subscribing libraries may help to clarify our general attitude:

- Question: Does our license from LLMC allow our library to use LLMC-Digital content in our course packs? Response: You should feel as free to use our content as you would to use the content if your library owned the physical books and was Xeroxing from those. If it would be a permissible use with the books, it's permissible from LLMC-Digital.

- Question: Can we provide remote access to College of Law adjunct faculty (instructors of law or practicing attorneys who are teaching at least one course)? If we can, when can access be made available (i.e., three months before classes begin or the day classes begin; the last day of class or the day exams are due to the registrar)? Response: Our goal is to make LLMC-Digital as accessible as possible without actually giving away the store. So, although we appreciate the conscientiousness of your inquiry, your anticipated uses aren't even close to being a problem. Why don't we say that access can begin on or after the day that the Adjunct Professor is identified and gets his/her class assignment; so as to give him/her the longest possible time for class preparation? As to termination; how about the beginning of the month following the submission of final exam results to the Registrar? Will that do it for you?

Super Donors, the List Expands

We receive many gifts of books for scanning purposes, and are grateful for each one, even if it only involves a single book. ([footnote # 7](#)) But it is only proper that we give special recognition to those libraries making major contributions. Among the latter that came on board since the last Newsletter are:

- Northwestern University Law Library has donated a set of the National Reporter System prior to 1924, plus copies of all of its law reviews prior to 1924. Their NRS volumes are in the mail and will start appearing on LLMC-Digital by about Xmas.

- University of Pennsylvania Law Library will be donating an invaluable, and now fairly rare, copy of the Federal Register. This latter title will be scanned and mounted on LLMC-Digital during 2006.

Staff Development & Compensation

As LLMC expands its staff; it is striving also to upgrade both their

competence levels and compensation. In addition, it is trying to create opportunities for advancement, while also planning for replacements for staff at career end. Recent developments in these areas are:

- Next week LLMC's two principal technicians will spend a week in Germany training at the two factories which are the main source for most of our new digital production equipment. Because none of this equipment is yet in use anywhere else in the Western Hemisphere, we are acutely aware of our need for in-house maintenance competence. It saved our skin more than once during the fiche years.

[\(footnote # 8\)](#)

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- During the fiche era our slim revenues rarely enabled us to do much more than to try to pay our production staff modestly better than McDonald's-standard wages. We weren't exactly running a sweat shop, but it was hard to claim that we were paying a living wage. Our improved revenues now enable us to strive for a more equitable compensation schedule. Our line technician pay scale now ranges from \$11.00 to \$16.00 an hour; i.e. from \$22,880 to \$27,040 per year. Those with time in rank make even more. Our technical supervisor salaries now range from the high \$30Ks to the low \$40Ks., and will rise further with time in grade. Finally, the supervisor's salaries are roughly a third of the Executive Director's salary, and we will strive to maintain at least that ratio in future years.

- As part of a methodical retirement plan, Jerry Dupont will be cutting down on his time commitments at LLMC in a steady manner over the next years. As he does so, it will become necessary to hire and train others to take over many of his responsibilities. LLMC has now hired a very experienced librarian, Ms. Jolyn Tamura, [\(footnote # 9\)](#) to act as his Associate Director and a principal agent in this process. Ms. Tamura's main duty will be to take over portions of the work currently being performed by the Executive Director and mold them into jobs which can be performed by younger and less experienced employees. She will also take a large part in recruiting and training this new blood.

URLs, PURLs, and Their Kith & Kin

As an ongoing feature of its Content Status Table, [\(footnote # 10\)](#) LLMC provides the URL for each title mounted on LLMC-Digital. Many libraries are inserting these URLs in their on-line catalogs to provide direct links to the materials. Some catalogers have been asking us to investigate the possibility of switching to PURLs (Persistent URLs); i.e. URLs which won't change should we switch to a new server or make comparable changes in the future. [\(footnote # 11\)](#) Our technical partners at the University of Michigan have been working on this request for some time. They have now concluded that, instead of adopting PURLs, it would be more prudent to move to a "handle system," which they describe to us as being a "more robust type of PURL." They note

that all concerned can rest assured that the “name.umd1” URLs will continue to function. Michigan expects that the new system will be ready for implementation by fall. When it is ready our cataloging partners at St. Louis University will be notified to switch to handles in the MARC records, and the new system will be explained in this newsletter. In the meantime, the advice from our friends at St. Louis is that folks defer mounting any new records until the change to handles has been implemented.

Googling

A group of subscribers, headed up by Franklin Pierce School of Law Library (FPLL), and working with the New England Law Library Consortium (NELLCO), is undertaking an experiment to check out the potential for applying a leased Google GSA (search appliance) to a library’s full range of on-line services. The Holy Grail, of course, is that elusive beast, one-stop-searching. FPLN & NELLCO have asked LLMC, and other on-line publishers, to participate in the trial. We will be meeting with them during the San Antonio AALL convention to find out what actions and expenses would be required at the trial phase.

Our Michigan partners have cautioned us that, even assuming that becoming Google compliant is possible, there may be significant programming costs associated with the effort. The LLMC Board is watching this experiment closely and with an open mind. Ultimately its decision will be swayed by whether the bulk of our subscribers would be likely to benefit from any significant expenditure required.

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Progress Reports & Housekeeping

- Software Migration at Michigan: Our partners at the University of Michigan are just now completing a major systems enhancement, which has taken a year of planning and several months in the implementation. Briefly, they have executed a cumulative conversion and indexing from their existing SGML to XML/Unicode. To give a sense of the scope of the job, the indexing alone took 37 hours of mainframe time. Naturally not everything went perfectly, and there were a few ripple-effect glitches in the performance of the Michigan on-line libraries, including LLMC-Digital. We tried to keep our listserv apprised of each of these as they occurred. Hopefully most of that is now behind us. The good news is that, while we won’t see any big immediate benefits, this conversion positions Michigan to take advantage of big technical improvements still in the developmental pipeline.
- No June Upload! Late July Upload: One of the ripple effects of the big conversion project is that Michigan was not able to upload new content at the beginning of June as is their monthly wont. Also, the July upload, which will be huge, is likely to be tardy, perhaps not occurring until the middle of the month.
- Problems with the TVP Search: As was mentioned in the February issue of the Newsletter (Issue 12, p.5), we are experiencing problems with the TVP

search on our LLMC-Digital home page. The problem occurs with titles like The U.S. Statutes at Large, where each volume has many parts, but the whole volume has continuous pagination. In these cases, unless the user knows and enters the correct part number, the system defaults to Part One and, if the page isn't in that part, a "no hit" is reported. Michigan has put this item at the top of its development list, but the problem has proved to be more complex than expected. They now expect to have it worked out by sometime in the fall.

- Citation Searcher: For some time we have been asking Michigan to create for us a search system geared to legal citations. This enhancement feature has been in development for over a year.

[\(footnote # 12\)](#) We are happy to report that that long process is coming to fruition. Michigan now expects a grand rollout by late fall or early winter.

- Open URLs and Federated Searching: We have been receiving requests from subscribers that LLMC-Digital be made compliant with both Open URLs and Federated Searching and have been asking Michigan to look into this.

[\(footnote # 13\)](#) In response they recently hired an additional programmer, whose duties will include these two items, which have been moved to the top of their development schedule. Their present expectation is that we are looking at a 2006 release date for both items.

- Color and Maps: LLMC has been working with Michigan on being able to handle color and to mount large maps, with pan and zoom features. Both efforts are now bearing fruit. You can expect to see color in use in the near future. Because color has a downside, in that it requires large amounts of storage capacity and slows down system performance, it will not be employed for its cosmetic potential, but will be utilized only when it adds to comprehension of the content.

- LLMC's IRS-Forms Program: LLMC will not be migrating its annual IRS-Tax Forms Package to LLMC-Digital. We are terminating this service because the IRS itself has decided to provide a full historical-forms backfile with annual updates on its own site: www.irs.gov/formspubs.

- LLMC's MLA Documents Program: We have received permission to migrate LLMC's backfile of and current updates for the Documents Series of the Maritime Law Association of the United States. The actual transfer to on-line will occur later in the year after some technical details have been worked out.

- New LLMC e-mail address: LLMC has a new main generic e-mail address, which we would prefer that you use instead of any older addresses you may have on

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record. It is llmc-digital@hawaii.rr.com. The two principal addressees monitoring this new address are Debbie Bagwell, our Business Manager, and Jerry Dupont, our Executive Director.

Eureka! Finally, a Business Plan!

One of the payoffs for hanging around long enough is that eventually the conventional wisdom develops a bit of jargon that puts a name to what you've been doing all along. That's happened recently to LLMC. The techie buzzword de jour is "Long Tail." It's an old concept, having a long pedigree in statistics, where it refers to a feature of "power-law" distribution. It gained its current vogue when used by Chris Anderson in an article ([footnote# 14](#)) in the technology magazine Wired to describe a common phenomenon in e-commerce.

An example of the "Long Tail" is the English language, where a small number of words account for the bulk of common usage, while a long tail of more obscure words fills out the vocabulary. Imagine a graph. The graph line starts high in the left hand corner, then drops precipitously to about an inch from the bottom, and then continues along the bottom in a "tail" to the far right side. Many areas of commerce (book stores, music stores, plumbing supply outlets) have product lines which match that graph - a few big sellers and then a lot of obscure items, each of which generates only a low level of demand.

The coping mechanism for the traditional brick-and-mortar merchant with limited space was to "stock the hits" and "ignore the dogs." It was the only practical response to finite capacity. But the e-world has turned that approach on its head. On-line stores have unlimited shelf space and the ability to cheaply publicize a huge variety of offerings. Now it is possible to aggregate the low level of demand for thousands of obscure products to generate a cumulatively massive business. Aggregating dispersed audiences; breaking the tyranny of physical space. Those are the secrets of eBay, Amazon, and Rhapsody.

That is also the way LLMC-Digital works now and the way LLMC-Fiche worked over the years. The only difference is that in the fiche era we were limited to limited circulation paper catalogs to inform potential buyers, while the web now gives us the capacity to aggregate a much bigger audience.

If we are operating within a Long Tail dynamic, then we can profit by adapting to our circumstances some of the lessons learned by the big boys. Anderson helpfully distills some of the important rules for us:

- Rule 1: "Make everything available. Embrace niches. Almost anything is worth offering on the off-chance that it will find a buyer. In a Long Tail economy, it's more expensive to evaluate than to release. Just do it! Thoughtlessly, automatically, and at an industrial scale."
- Rule 2: "Cut the price in half. Then lower it. Pull consumers down the tail with lower prices." ([footnote # 15](#))
- Rule 3: "Help people find things. Remember that you need both ends of the curve."

A recent article in the Economist, ([footnote # 16](#)) celebrating the 10th birthday of eBay and building on the eBay experience, expanded on those rules:

- "Build scale fast." Note that eBay was trounced in Japan because Yahoo got there early and eBay got there late.
- "Don't think you're invincible. Expect change!" Google is top dog in searching today, but Yahoo was in 1995, Inktomi in 1997, and AltaVista in 1999.
- "Don't think you know your competition." The web is a market with low barriers to entry. To stay in the game every actor has to stay agile, keep an open mind, and retain an ability to reinvent itself.
- "Don't stay static. Keep aggregating a wider group of users."
- "Keep listening to your customers." In the past most expertise was in-house. Today it's the customers who are the best judges of what they want. Just give them choice.

Footnotes:

- 1.) New readers can view a list of Charter Members by going to www.llmc.com/LLMCCharterCommunity.asp. The group includes all kinds of libraries, although it is decidedly weighted toward the academic side, including 88.5% of all U.S. law school libraries and 75% of the Canadian.
- 2.) Using the modest multiple of \$250.00 per sq. ft., this would be the equivalent of over \$25,700,000 in new construction. Recovered space might make room for collection growth from new acquisitions or be reusable for other institutional purposes.
- 3.) They will be discarding. The used law book market is at this point practically extinct.
- 4.) See [Issue 12](#), pp. 23. See also [Issue No. 11](#), pp. 45 for more on responsible de-accessioning.
- 5.) For a more detailed description of these events, see [Issue No. 8](#) Newsletter, pp. 24.
- 6.) The targeted titles are listed on LLMC's corporate web site www.llmc.com/TargetCollection.asp.
- 7.) For example, last week we received a call from a lady in Florida whose late grandfather was a lawyer. Among his effects was a one volume supplement to Cyclopedia of Law & Procedure published in 1918. She managed to track us down on the Internet, and, due to her diligence, her grandfather's book, described as being in good condition, will soon be available to all of us on LLMC-Digital.
- 8.) After their week of training in Germany, the two technicians will come back via Washington, D.C., where they will train staff to use this equipment in our first out-sourced scanning operation at George Washington University Law Library. For background, see Newsletter [Issue No. 13](#), pp. 12.
- 9.) Ms. Tamura is an exceptionally experienced librarian, having served as Assistant Director during the founding years of the University of Hawaii Law Library from 1975 to 1985 and as Hawaii State Archivist from 1985 to 2003. We welcome the skills she will bring to our project and appreciate her courage in coming out of early retirement to take on our challenge.
- 10.) See www.llmc.com, the LLMC-Digital tab.

11.) See [Issue No. 12](#), p. 6

12.) See [Issue No. 4](#), pp. 34

13.) See [Issue No. 12](#), p. 6

14.) Anderson is the editor-in-chief of Wired. See www.wired.com/wired/archive/12.10/tail.html.

A good summary of the article appears in the May 7 issue of The Economist at p. 72.

15.) He also advises: "Don't charge for separate titles. Go for a flat, low rate." Fortunately, we are ahead of the curve on that one.

16.) June 11, 2005, pp. 9 & 6567.