

# The LLMC-Digital Newsletter

## Issue No. 21: August 2006

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### **Report on the 2005 Annual LLMC Meeting**

LLMC has held annual meetings for libraries participating in its microfiche program every year since 1978. To facilitate attendance the meetings are held during the annual AALL conventions. Our 28th annual meeting took place last month in St. Louis. The meeting was conducted under the rules adopted at the 2003 meeting, when LLMC's fiche-era libraries voted to transfer control of LLMC's assets and also their accumulated voting rights to the Charter Members of *LLMC-Digital*. As always, the main official business of the meeting was to elect Directors and Councilors for open slots on our two governing bodies: our Board of Directors and Advisory Council. ([Endnote # 1](#)) Ballots reflecting each library's subscription status were made available to delegates on arrival. Some 47 representatives of the 265 *LLMC-Digital* libraries attended.

In the Board of Directors election two slots were open due to the completed terms of Richard Amelung, Asso.Dir., St.Louis U.L.L. (who had been serving out a partial term) and Jules Winterton, Dir., Institute Advan.Leg.Stud.Lib., U.London. Nominees were Mr. Amelung and Chris Simoni, Dir., Drexel U.L.L., who were elected by acclamation.

In the election for Councilors, six slots were available, one due to Councilor Simoni being tapped for service on the Board of Directors, and another five due to the expiration of the terms of Councilors John Davis, YorkU. L.L.; Joel Fishman, Asst.Dir.LawyersServ., Duquesne U.L.L.; James Mumm, Libn., Marquette U.L.L.; Mary Persyn, Dir., Valpariso U.L.L.; and Rita Parham, Libn., Louisiana St. U.L.L. Elected to the open positions were outgoing director Jules Winterton, Glen-Peter Ahlers, Barry U.L.L.; Joe Hinger, Dir.Tech.Serv., St. John's U.L.L.; Ann Morrison, Dir., Dalhousie U.L.L.; Marian Parker, Dir., Wake Forest U.L.L.; and Lee Peoples, Dir., Oklahoma City U.L.L.

Following these elections, the membership of our two governing bodies for 2006/07 will be as listed below. ([Endnote # 2](#))

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On behalf of all members we extend our sincere thanks to Jules Winterton for his just-completed four years of service on the Board of Directors and his willingness to put in yet another three years as a Councilor. In addition, we thank John Davis, Joel Fishman, James Mumm, Mary Persyn, and Rita Parham; each of whom has given years of service on one or the other, or both, of our governing bodies.

## Report on July Board of Directors Meeting

The LLMC Board of Directors usually meets twice annually, normally at the annual AALL and the January AALS meetings; in both cases with the aim of economizing on travel costs and maximizing attendance. The recent mid-summer meeting was held on Saturday, July 8, from 9:00AM to 3:30PM. We were hosted by the St. Louis Univ. Law Lib., with the meeting being held in the splendid, period piece conference room of the Queen's Daughters' Home annex to the Law School.

Highlights among the policy decisions made by the Board at its July meeting were:

— ***Next big scanning push is state statutes:*** With our Kaneohe workers now past the halfway point in scanning the official U.S. state supreme court reports and related case reports series, the Board was asked to identify another major area of subject focus for 2007. It decided to concentrate next on U.S. state statutes, both session laws and periodic statutory revisions and compilations, in all cases including any materials not in copyright. ([Endnote # 3](#)) LLMC's focus on scanning in this major subject area does not preclude some scanning in other areas also. These other projects will continue. For example, we constantly add to our Canadian offerings. But having a major focus at any given time helps libraries looking to identify areas where they can make significant hard-copy deaccessioning decisions.

— ***Headquarters bldg. lease & renovations:*** Management reported that the auguries were good that our request for a 20-year, rent-free lease from the Univ. of Hawaii on our headquarters building will be a-proved. If that proves out (final decision by the University Board of Regents comes on Sept. 21), we will then be justified in renovating and upgrading the building to our needs. The renovations, which are sorely needed if we are to continue in that location, will cost about \$2-million. The Board decided that, to fairly evaluate such a major expense, and the campaign necessary to raise those kinds of funds, it would have to inspect the building before final sign-off. Therefore, the mid-winter Board meeting, which would normally be held during the next mid-winter AALS conference, will be re-scheduled to mid-February of 2007 and be held in Kaneohe. In the meantime, the Board authorized management to begin the official permit-ting process for the building plans. Since the latter are prepared already, permitting is expected to take roughly the next six months. Thus, we expect to have all the planning prerequisites ready for a final go-no-go decision by the Board at its February meeting.

— ***Corporate Charter and by-laws revision:*** LLMC is chartered as a non-profit company in the State of Hawaii, and has been granted 501(c)3 status by the IRS. Our corporate charter is now 30 years old and has become increasingly disconnected from the way we actually conduct our affairs; especially since we moved into our digital persona. To update things and bring the by-laws into sync with current practices, a special committee of the Board (Dirs. Roehrenbeck and Johnson) has been working on a total rewrite. Their work was presented to the Board at the July meeting and discussed at length. It now appears that a final draft will be

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ready for Board approval in February. This will allow ample time for distribution of

the text to the Membership prior to its meeting and vote on the matter in New Orleans in July of 2007.

— ***Revision in company pension payments:*** LLMC's employees participate in a retire-ment plan managed by TIAA-CREF, a major U.S. provider of retirement services well known to the majority of our academic brethren. For reasons of poverty the Company was quite belated in getting this retirement plan established, only being in a position to do so some eleven years ago. Because of that, the Directors at the time decided that a “catch-up” period, during which LLMC would make higher contributions than normal, was appropriate. The catch-up rate was set at 12%. The Board has now decided that the purpose of the catch-up rate has been accomplished, and that it is proper to lower the company's contribution to the retirement plan to the 10% rate prevalent in comparable non-profits operating in Hawaii.

— ***Search for new executive director:*** The Board addressed the desire of Exec. Dir. Dupont to cut back to part time work by assigning to the Board's Personnel Committee (Drs. Leary, Gaskel & Amelung) the task of conducting a full-scale search for a replacement starting this Fall. The goal is to have a replacement recruited and in place by mid-2007. Given the fact that Dupont is willing to continue to work part time for some years on collection development for *LLMC-Digital*, Board members felt that our search for a new executive director could stress other attributes above and beyond bibliographic familiarity with law libraries. Therefore the Committee will be recruiting widely beyond the usual venues canvassed for possible law library directors. In particular, the Committee will be looking for candidates with strong management experience, demonstrated business ability, and some kind of credentials in the world of digital data delivery.

— ***Dark archive storage for paper masters:*** The Board reaffirmed its policy of retaining indefinitely the hard-copy paper masters (paper blocks minus covers) used for hi-speed scanning. Management was instructed to pursue other dark-archive storage options free from the drawbacks discovered previously in limestone-mine and rebuilt-ammunition-magazine commercial storage operations. ([Endnote # 4](#))

— ***Country-wide access to LLMC-Digital:*** LLMC has been approached by a library system in a major country with the proposal that we provide a country-wide subscription giving access to *LLMC-Digital* to all citizens of that country through its country-wide network of non-commercial servers (libraries, institutes, etc.). Since this is a matter of first impression, the Board took the time to settle some policy issues and to provide general guidelines for how such requests should be handled in the future. Negotiations with the applicant country are now proceeding and should be finalized before year's end.

— ***Partnering with publishers on copyright:*** The Board held a wide-ranging discussion on the “limbo problem,” the fact that a large portion of potential target material for digitization (i.e., titles published between 1923 and, say, about 1990) is locked up in non-productive copyright. At issue here is not the low-lying fruit. Most of that has been picked and marketed. The focus now is on the large remainder of material that is frozen into hardcopy format due to the unlikelihood of cost recovery if digitized by the owners. These limbo titles are not bringing in any re-venue for the copyright holders. They just sit there moldering on the shelves, a burden to us all.

Since most of this material is also rarely used, LLMC would be

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doing a great service to its constituents if it could find a way to digitize it and offer it on *LLMC-Digital*, thus making discard of the hardcopy a viable option for the bulk of its customers. Given that LLMC already has the technical ability to track discrete materials, management asked for permission to begin exploring the receptivity of selected publishers to letting us carry their copyrighted materials on *LLMC-Digital* on a pay-per-use license basis. After discussion of the pros and cons, the Board authorized initial feelers to explore this possibility with likely commercial partners.. In addition, proceeding on the assumption that the likely actual use of these materials would be relatively light, the Board instructed management to devise a plan under which LLMC itself would bear the cost of such use centrally. This would be in preference to trying to devise and manage an expensive payback program charging each subscribing institution for its internal use. ([Endnote # 5](#))

## **Resetting Your Favorites Menu**

LLMC introduced a revamped design to its corporate web site ([www.llmc.com](http://www.llmc.com)) on June 15. ([Endnote # 6](#)) Among the backroom changes involved was that we transferred to a different service provider. An unforeseen complication resulting from this change is that some users are drawing a blank when they use their old <favorites> setting for LLMC. We're not totally sure why this is happening, but fortunately the problem can be resolved quickly by re-setting your <favorites> setting in the follow manner: Go into your <favorites> list and delete the old setting for [www.llmc.com](http://www.llmc.com). Then go back on the web and do a fresh search for [www.llmc.com](http://www.llmc.com). When the home page comes up, re-set your bookmark. We're sorry for the inconvenience.

## **Increased Speed on LLMC-Digital**

Our technical partner, the University of Michigan's Scholarly Publishing Office has been upgrading its systems. Part of the new up-grade process has involved installing more powerful servers to replace the equipment used to date to “broadcast” the product to subscribers. The new servers are being phased in as this is being written. Over the next few weeks Michigan technicians will migrate all of the *LLMC-Digital* content to its new home. The whole process will be invisible to users, but at some point you should begin to notice that things got a whole lot faster. The expectation is that the full process will be completed by the end of August. ([Endnote # 7](#))

## **ABA Convention Brings Visiting Firemen**

The ABA held its annual convention in Honolulu last week. One side benefit is that we got to visit with several of our AALL colleagues. Of course, President Sally Holterhoff, was in attendance representing us all. Other attendees were long-time LLMC supporters Prof. Roy Mersky of U. Texas L.L. and Dean Don Dunn of U. LaVerne Col. of Law. Roy and Don took the time to visit LLMC headquarters (25 miles from the convention in Waikiki) to see our plant and its our full range of cutting edge technology. Another ABA-related visitor was Joe Custer, Asso. Dir. at U. Kansas L.L. Be-sides seeing our operations, Joe was able to provide some useful

background information and advice on the deep mine storage facilities we are checking out in his home state.

## **Endnotes**

1. If you are one of those who wonder what the Advisory Council does, you are not alone. The Advisory Council was created so that our Board of Directors would have a representative group to turn to for advice when major issues came up on short notice. The terms of service on the Council are not onerous, since the Board has referred questions to the Council only sporadically. But when implemented, the 'sounding board' mechanism proved very useful, and we were glad to have it in place. Advisory Council members are elected at LLMC's annual membership meetings, with nominations taken from the floor. While we occasionally get out of sync due to resignations, etc., typically a third of the Council seats come vacant each year.

2. LLMC 2006/2007 governing structure:

(The final year of each person's term follows the name)

### **Board of Directors**

**Richard Amelung** *Asso.Dir., St.Louis U. L. L. (10)*

**Georgia Clark** *L.L. Dir. (Represents Wayne St. Univ.)*

**Jerry Dupont** *LLMC Executive Dir. (ex officio)*

**Judith Gaskell** *Dir. U.S.Sup.Ct.L. (08)*

**Stuart Ho** *Atty. (Represents Univ. of Hawaii)*

**Bruce Johnson** *Dir. Ohio St.U.L.L. (09)*

**Margaret Leary** *Dir., U.Mich. L.L. (07)*

**Elizabeth Mckenzie** *Suffolk U.L.L. (09)*

**Ann Rae** *Dir. U.Toronto L.L. (07)*

**Carol Roehrenbeck** *Rutgers-Newark U.L.L. (08)*

**Chris Simoni** *Dir. Northwestern U.L.L. (10)*

### **Advisory Council**

**Glen-Peter Ahlers** *Dir., Barry U.L.L. (09)*

**Michael Beard** *Dir., U.Arkansas-LR L.L. (07)*

**Carol Billings** *Dir., L.L. of Louisiana (07)*

**Anne Crocker** *Dir., U.New Brunswick.L.L. (07)*

**Jonathan Franklin** *Libn., U.Washington L.L. (08)*

**Joe Hinger** *Hd.Tech.Serv., St. John's U.L.L. (09)*

**Roger Jacobs** *Dir., Notre Dame U.L.L. (08)*

**Blair Kauffman** *Dir., Yale U.L.L. (07)*

**Holly Lakatos**, *Libn., Chicago-Kent S.L.L. (08)*

**Ann Morrison** *Dir. Dalhousie U.L.L. (09)*

**Marian Parker** *Dir. Wake Forest U.L.L. (09)*

**Gail Partin** *Dir. Dickinson S.L.L. (08)*

**Lee Peoples** *Dir. Oklahoma City U.L.L. (09)*

**Kumar Percy** Libn. Georgetown U.L.L. (08)

**Regina Smith** *Jenkins Memorial L.L.* (07)

**Maryruth Storer** Dir., Orange County L.L. (08)

**Steven Weiter** *Libn. N.Y. App. Div. L., Rochester.* (08)

**Jules Winterton** *Dir., In.Advan.LegalSt.L.L.* (09)

3. Management informed the Board that it did not plan to follow alphabetical order when scanning the state statutory materials, but rather would give preference to materials as they were made available, giving additional preference to donated volumes susceptible to guillotining and high-speed scanning. The hardcopy assembly process for this project is already underway, with significant donations of materials already lined up for Virginia, Hawaii, Alaska, Illinois and New York. Also, a large gift of books now in transit from the Middle Temple Library in London contains a rich collection of early U.S. state statutory compilations.

4. Subsequent to the meeting management did develop another option centering on a company that provides deep dark-storage in old salt mines in Kansas. The company is widely respected and serves a number of companies with the need for safe storage, including major movie film repositories. Fortunately, both the storage conditions and the costs for this latest option are superior to any-thing discovered to date. A team of LLMC Directors will visit the site in late August. If everything goes as expected, we will sign with this company and begin the storage program early in 2007.

5. One of the reasons for publicizing this Board discussion it to tap the large reservoir of expertise among our member libraries. If any readers are aware of a publisher holding copyright in such materials who may be amenable to a program such as that described, they are invited to share their thoughts with LLMC personnel or with that publisher.

6. Discussed at length in Newsletter No. 20, pp. 1–3

7. As the Germans say: *keine Rose ohne Dorn*. On Aug. 16 strange characters began to appear on the LLMC-Digital home page for certain users. It appeared that the problem was limited to users of the browser Internet Explorer. All subscribers were alerted by listserv that Michigan was aware of the problem, that it was believed to be related to the configuration of the new servers, and that Michigan was working on solving it. Hopefully that fix will be in by the time you read this.

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