Our First Birthday

A melancholy mantra in the BusAd literature is that most new businesses don't survive their first year. Given that, we can take a bit of pride in the fact that LLMC-Digital has arrived at its first birthday in pretty good health.

Our inaugural year yielded 214 Charter Members. More impressive than mere numbers is the fact that the Charter Community includes virtually every legal research library of distinction in the U.S. and Canada. Over 70% of U.S. law school libraries are members, as are the cream of the Canadian academic law libraries. All Charter Members combined constitute an annual subscription base of just under $1-million. This excellent start, combined with a certainty that in each succeeding year the web site will offer increasingly more ample and attractive content, provides the project with strong prospects for future growth.

On the technical side the unique partnership between LLMC and the Scholarly Publishing Office of the University of Michigan has matured rapidly. All segments of the production system creating LLMC-Digital content are now operational, and the web site library of titles is expanding rapidly. The interface of the site already has experienced its first major upgrade, with other important improvements in development.

At the organizational level, 2003 saw the transfer of full authority over the assets and goodwill acquired by the Law Library Microform Consortium in its 27 years of operation during the fiche era to a new governing structure run solely by the LLMC-Digital Charter Member community. That new governing process will come fully into its own during 2004. (see footnote 1)

LLMC-Digital has a long way to go before it fulfills its ambitious goals. Ideally it will never fully do so, but will always be striving to improve its services. But a short pause to take stock of past progress is in order. Also in order is a note of thanks to those many of our colleagues who made possible our progress to date. Not least among these latter are those hundreds of LLMC-Fiche people, working over the past decades, who created the critical mass of content we now offer through a new medium.

Billing for 2004

Unless explicitly requested by a given library to follow a different schedule,
LLMC will mail out the 2004 LLMC-Digital invoices to Charter Members in early March. As with the 2003 invoices, payment may be made at any time during the calendar year. We hope that this practice provides each library with maximum flexibility with regard to fiscal year posting, etc. Post-charter-period subscribers will be invoiced annually on the anniversary of their first date of sign-up.

The Rise and Demise of LMMC

From time immemorial LLMC has made a practice of annually distributing to its member libraries a modest little pocket calendar. Reputedly because of its especially convenient size, this item has been popular with many of our colleagues. Some have even initiated claims when their copy went astray. However, this year we goofed. Many hundreds of these calendars went out with "LLMC" misspelled as "LMMC."; The scandal is that at least seven of us here at HQ saw the calendars repeatedly before they were sent out. No one caught it. Our thanks to those of you who did, but spared our feelings with a kind silence. So, no, there hasn't been a name change. And we will take care to ensure that LMMC does not resurface

Statistics Delayed But Not Lost

Our last newsletter reported that the general statistics-reporting mechanisms maintained by Michigan's Digital Library Production Service would be "married" to the new LLMC-Digital site by December of 2002. (see footnote 2) However, both unanticipated programming problems and the holidays intervened to foil that schedule. The folks at Michigan now expect to have the full statistics mechanisms operational for our site by the first of February; and seem confident of this time-line. The good news is that our raw statistics for November and December are not lost; but lack only a current capacity for display. Once operational the display functions will cover all LLMC-Digital usage statistics going forward from November 2002.

Releasing New Digital Content

Several subscribers have asked whether there will be a predictable pattern for the mounting of new content on LLMC-Digital. They refer, both to the addition of totally new titles, and also to the release of additional volumes for existing titles.
The final stage in our content production process occurs in Ann Arbor. For technical reasons our University of Michigan partners prefer to release new material on a regular, once-monthly basis. They have fixed on a schedule for mounting new *LLMC-Digital* content in the first working days of each month. Of course, there will be exceptions. For example, in February the release date will move to mid-month because a key technician will be absent earlier that month. However, Michigan is now training backup personnel to handle these functions, with the goal of making the release function as methodical and predictable as possible.

**Building the Coconut Wireless**

In the future efficiency will require a more timely notification mechanism than this newsletter to alert subscribers to changes in normal *LLMC-Digital* patterns. Additionally, from time to time there are bound to be technical glitches due to acts of god or lesser beings. We feel that we here at LLMC HQ are in the best position to know when something along these lines is of sufficient importance to warrant a general alarm. Therefore it has been worked out between us and the folks at Michigan that all such general notices will be routed through Hawaii.

We, on our part, are putting the finishing touches on a list-serve to permit instant e-mail notification to key personnel at each subscribing library of any technical matters relayed to us by Michigan impinging on the effectiveness of the service. The list-serve will be in operation by February. *(see footnote 3)*

On a related front, we should report that very few people at subscribing libraries have requested regular e-mail delivery of issues of this newsletter. This may reflect actual preferences and, if so, we are quite happy to continue to deliver your copy in paper as we do now. However, we do maintain a separate list-serve for this newsletter, and will put your address on that list at your request. *(see footnote 4)*

**Refining the Search Interface**

Both the Sept. 17 and Nov. 7 newsletters *(see footnote 5)* predicted major additions to the search interface available on *LLMC-Digital*. One part of those new features was activated in early December. We hope and expect that those of you who have used it find it a great improvement. More is on the way.

The earlier discussion of this development used the name "Citation Searcher" that being the moniker used by the Michigan programmers working on it. However, during a pre-release review conducted in Ann Arbor in mid-November, the law librarians present *(see footnote 6)* felt that the word "citation." especially as used in legal literature, only fit part of new improvement package under development. Therefore our terminology has now been refined. There will be two parts to this improvement package, both
of which will work on essentially the same programming. Part One, the portion released in December, has been dubbed the "TVP-Search". Part Two, which for technical reasons won't be ready for release for several months, retains the name "Citation"

Page 2 of the paper version ends here.
Page 2 footnotes are as follows:

3. We have built the initial technical-alerts list-serve using the e-mail addresses submitted with each library's enrollment packet. Should you want additional e-mail addresses added to this notification service, or to change your designees, please send a short e-mail to Debbie Bagwell, our Business Manager. The phrase "coconut wireless" appearing in the subject line would help her to sort your message from the daily tide of spam we receive.

4. Again, it would help Debbie sort your request from the spam if you could use a consistent phrase in the subject line. Might we suggest "Coconut wireless--Newsletter"

5. Issues # 2, pp. 1--2 & # 3, p. 2

6. At the meeting were LLMC Exec. Dir. Dupont, Asst. Dir. Brown, and Directors Georgia Clark, of Wayne St. Univ. Law Lib., and Margaret Leary of the Univ. of Mich. Law Lib.. Also attending was Richard Amelung, of the Univ. of St. Louis Law Lib., our primary cataloging consultant.

Page 3 of the paper version begins here.

Searcher." It will be easier if we discuss each separately.

The TVP-Search

The name "TVP-Search" derives from the words "title," "volume," & "page" which is straightforward enough, since those are the three elements used in the search. Because using this feature is simplicity itself, and will be self-evident to anyone who has used web sites, we won't need a lot of space here describing how it works. However, there are a number of minor areas where features of the TVP-Search may appear quirky or where it may not perform as well as normal. Some of these bear flagging.

--While the TVP-Search works on most browsers, it may not perform well if a patron is using a really old version of Netscape or IE. (see footnote 7)

--The "page" portion of the TVP-Search will not function in those relatively rare instances where a volume is formatted with repetitive pagination. (see footnote 8)

--Currently, the pull-down menu for the TVP-Search defaults to the letter "C". This is only because we don't yet have any titles on the site beginning with the letter "A". Once we do the default will be to "A" as one might expect.

--Because at this time titles can only appear in one place in the pull-down menu, and because so many of our legal titles have multiple popular names or names similar to those of other titles, it may take a bit of practice for users to get used to where a given title is likely to appear. For example, the official
cataloging title of the Interior Department’s Alaska Native Claims Appeals Board Decisions starts with "Decisions" as do countless other such titles. It wouldn't be very useful to file it under "Decisions" with more than 100 other such titles. But, if not, does one put it under "Alaska", or "Native Claims" or "Interior Dept." or wherever? The approach we have settled on is similar to that used with the LLMC fiche catalogs. Titles are filed under the name of the parent agency, and thereunder by popular name in alpha order.

The Citation Searcher

This part of the general improvement to the search function will be activated in several months. The reason for the month of so delay is that the Michigan programming for this feature has to be integrated with the St. Louis cataloging. St. Louis is now going back through all of the LLMC-Digital cataloging records and inserting "Bluebook" cites into a new 246 field of the MARC records. Since the programming for the Citation Searcher will derive essential search information from these MARC records, there will then be some weeks of testing in Ann Arbor to ensure that the integrated system is ready for prime time.

Page 3 of the paper version ends here.
Page 3 footnotes are as follows:

7. The TVP-Search relies heavily on JavaScript to make possible its dynamic interactions, such as the title list changing when a new letter is chosen. The most common browsers are now quite consistent in their support for JavaScript, but earlier versions of some browsers may cause the TVP-Search either to look peculiar or to fail. The Michigan programmers believe that the TVP-Search will perform consistently on Netscape 4.0 and above and Internet Explorer 5.0 and above. They also tell us that LLMC-Digital is best viewed with Netscape Communicator 6.0 and above or Microsoft Internet Explorer 5.5 and above for Windows. For Mac they recommend Netscape 6.2 and above or Explorer 5.2 and above. They consider Internet connectivity of at least 1.5 mbits/sec data transfer capacity as ideal for fastest access. They note that other browsers, such as Safari for the Mac, have been tested for LLMC-Digital with some success, but are not yet fully supported. Finally, the Michigan programmers stressed that they would appreciate hearing about any problems that subscribers experience with the TVP-Search or other functions of LLMC-Digital, and ask that users report such problems directly to spo-help@umich.edu.

8. For example, the Dept. of Labor’s Administrative Law Judges Decisions volumes contain many cases, but the pagination starts anew for each case. If one uses the TVP-Search for a given volume and enters the number 1 in the "page" field, multiple listings are retrieved for page 1. This is one of those instances where a full text search would be preferable. Click on the "Search" icon next to the "U.S. Federal Collection" legend, find the "Search In" box, and select "Full Text" from the pull-down menu. Then enter, either the case name (e.g. 87-INA-712), or the name of one of the parties (e.g. "International Coal"). Either approach will bring up the first page of the desired case.

Page 4 of the paper version begins here.

The LLMC-Digital Citation Searcher is being tied to the Bluebook standard deliberately. This means that no alternate citations will be entered into the system unless the Bluebook provides for them. It also means that the Citation
Searcher will only cover titles for which there is an official Bluebook citation. We will not attempt to manufacture artificial cites for those lesser titles which may lack Bluebook versions.

Problems With Full-Text Searching

From the beginning *LLMC-Digital* has offered the capacity for full-text searching, with the option of searching for key words either in titles alone or in complete works. Several users already have noted some anomalies in the searching for certain titles.

A good example is the Alaska Native Claims Appeals Board Decisions, already mentioned above. Using the TVP-Search one learns that, yes indeed, this is one of the titles already mounted on the site. However, when one tries the full-text-in-title search, using either the words "Alaska" or "Native Claims," the system responds that no title containing those words exists. This happens because the Michigan search mechanisms are tied to the official OCLC cataloging titles. As it happens, neither of those words appears in the official title as cataloged.

Fortunately a solution for this problem was worked out at the November Ann Arbor meeting described above on page two, and help is on the way. Our friends at St. Louis are adjusting the MARC records for all of the titles on the site to include an "also known as" field. In cases of potential confusion the possible alternate names will be entered in this field. For their part the programmers at Michigan are working on adjustments to their system so that full-text title searches will scan also all of the new "also known as" fields. Users are cautioned that fully implementing this solution is likely to take several months.

Working on Content Notification

In the last newsletter ([see footnote 9](#)) we announced the goal of providing online various categories of information relevant to *LLMC-Digital* titles requested by subscribers. This data will appear either on the *LLMC-Digital* site itself, or on LLMC's main corporate web site [www.llmc.com](http://www.llmc.com). The six categories of interest are:

1.) targeted titles
2.) targeted holdings for targeted titles
3.) titles up
4.) on-line holdings for titles up
5.) OCLC numbers for titles up
6.) URL's for titles up

The bolded items, numbers 3 and 4, are now available on LLMC-Digital itself. Both can be accessed from the main search page.

--For titles up: Click on the "i" to the left of the relevant collection. A list of all titles within that collection, arranged in LLMC-catalog order, will appear. (see footnote 10)

--For on-line holdings of titles up: Use the TVP-Search. Access the title via the pull-down menu. Click on "view all volumes for this title." Click on "fetch." Current holdings will appear.

Items 1 and 2 above are currently available in a list published in the first of these newsletters, (see footnote 11) itself archived on the main LLMC web site. In the near future that list will be, both replicated as a separate item on LLMC's main web site, and also expanded to include OCLC numbers and URL's for those titles which already have been mounted on LLMC-Digital. Subsequently OCLC numbers and URL's will be added to this list when the first portion of a targeted title is newly added to LLMC-Digital.

Protecting the Public Domain

Judging from the number of queries and comments received at LLMC, many librarians have observed with some dismay the frenzy of sales activity surrounding the marketing of two competing commercial versions of the Serial Set. Quite apart from the rather stunning prices being quoted, some librarians...
see the *Serial Set* campaign as just the opening wedge in a trend in which large portions of the public domain will slide irretrievably into the commercial sector and thus become unavailable to members of the public who cannot afford the hefty access costs.

Several assumptions seem to underlie these fears. Some feel that, once a title is marketed in the private sector, there will be no room for a non-profit alternative. Others believe that somehow it would be improper for non-profit groups to compete with the private sector.

We at LLMC subscribe to neither of these assumptions. Over the years we have published a fair number of microform titles, some of them quite large, which were also offered by private-sector publishers. One of our explicit goals was to serve in a role somewhat analogous to that for which the TVA was created during the New Deal years; i.e. to serve as a standard within its industry for what should be a reasonably fair level of pricing. In that regard we believe we made an observable difference. Since the founding of LLMC in 1976, at least in the law area, there have been very few examples of new microform products being offered at the outrageously excessive price levels which were commonplace before we came along. The other side of our mission, of course, was to publish within that broad category of titles which the private sector ignored because there was little prospect of profit. Given our history, we believe that it is entirely appropriate for us to seek to serve in both of the roles described in the new digital environment.

There is at least one big difference between the microform and the digital eras. In the former, competing versions of a title were, for most practical purposes, fungible. Fiche is fiche. With digital products, however, there can be a vast difference in functionality between different digital versions of the same title. Yet even that isn't unprecedented. For example, in the print area we have both the GPO version of the *U.S. Code (USC)* and its commercial cousin, the *U.S. Code Annotated (USCA)*. Undoubtedly USCA is a more "functional" research tool, and no one begrudges the folks who publish it a fair return for the added value they have provided.

In the USC/USCA case, most law librarians probably would agree that there is a valid role for both versions. But few would argue that all legal literature should be annotated at the "gold standard" level of the USCA, or that we could afford very much of it, if it all were. In short, the danger exists that large, glitzy products like the Lexis/Nexis *Serial Set* will "suck all the air out of the room," leaving libraries with little extra funding to attack the remaining, and much vaster, preservation agenda. \(\text{(see footnote 12)}\)

Page 5 of the paper version ends here.

Page 5 footnotes are as follows:

12. This argument was made recently in more detail by Mark Sandler, Assistant University Librarian at the University of Michigan. He writes: (It is extremely important to remember
that) "we have millions of documents to convert, and still more millions of out-of-copyright non-docs material to work through. A library like Michigan probably has 3.5 million volumes from before 1930, so how much do we want to spend on the Serial Set given the overall need for conversion resources? The Brown Women's Writers project is an interesting example. They've been working for four years, have had millions of dollars of support, and have converted 200 texts, but with lots of editorial quality. Can we afford this kind of attention (to everything)? I think it's important to realize that indexing and color capture are more expensive than bitonal capture and machine-generated OCR, (and) I also think it's fair to ask which is the more appropriate treatment given the overall task at hand. I think that is why ARL keeps trying to shift the conversation for conversion of the Serial Set to conversion of the (entire) GPO legacy collection. It's not about producing the best Serial Set edition we can imagine ... (but rather about) finding a way to do the great mass of material in a timely and cost effective manner."-- from e-mail to LLMC, Dec. 4, 2003, copy on file.

Page 6 of the paper version begins here.

The Sandler quote provided in footnote 12, mentions that the Association of Research Libraries (ARL) wants to change the focus of the research community from "deluxe" products, such as the competing versions of the Serial Set, toward the broader mission of digitizing the full body of "Legacy Federal Documents Collections." ARL envisions a cooperative effort to digitize, at least at the "vanilla level," the entirety of our federal government document heritage.

At their recent mid-winter meeting held during the AALS convention in Atlanta, the LLMC Board of Directors discussed the ARL initiative at length. In summary they concluded that it would be most appropriate for LLMC to devote some LLMC-Digital resources to supporting the ARL cooperative initiative, at least for those titles and in those subject areas traditionally collected by research-level law libraries. As an earnest of LLMC's good will, and to show support for the wider cooperative project, they resolved to accelerate the conversion to digital of our copy of the Congressional Record. In normal course, we probably would not have reached that large project until our third or fourth year. Given the Board's decision, we will start chipping away at the digitization of that title for mounting on LLMC-Digital within the next few months.

Governing LLMC-Digital

As mentioned above, the Charter Members of LLMC-Digital now have sole authority for the governance of LLMC. For its first 27 years LLMC was run by a Board elected by the those libraries participating in the LLMC-Fiche program. A weighted voting scheme, measured by the amount of fiche purchased, reflected each library's degree of participation in the program. Participating Libraries met annually during the AALL conventions to conduct essential business. At their last meeting, in a unanimous vote, the LLMC Participating Libraries transferred full control over the assets and good-will acquired by the Law Library Microform Consortium over the years to the Charter Member Community of LLMC-Digital. From that point on the management of LLMC
began our responsibility.

Fortunately, LLMC-Fiche bequeathed to *LLMC-Digital* an operational structure and a tradition of self-governance which will span the transition period. A decision was made at the Seattle meeting to "grandfather" in the incumbent members of the LLMC-Fiche Board of Directors and Advisory Council for the remainder of their respective terms. Successors will be elected by the Charter Members of *LLMC-Digital* over the next three years as those terms expire. The first elections held under the *LLMC-Digital* rules will be during the AALL convention in Boston. At that meeting we will be electing two new Board of Director members and six new Advisory Council members to fill open slots caused by the expiration of peoples' terms. Elections will be held under the new rules. The voting entitlements for the various categories of subscription level and those libraries falling within each category are outlined below. (*see footnote 13*)

Every organization has to find some way to recruit candidates, both willing, and also able, to effectively serve out their terms. Past practice has had the incumbent LLMC Board recruiting and nominating at least one such willing and able candidate for each open slot. Of course, in addition to the Board nominees, nominations from the floor are thoroughly in order. The current Board feels that it should follow past practice unless and until the Charter Membership Community decides to devise some alternate mechanism. Therefore the Board, at its recent meeting in Atlanta, voted to forward the names of these two colleagues

---

*Page 6 of the paper version ends here.*

*Page 6 footnotes are as follows:*

13. An awkward bit of baggage carried over from the LLMC-Fiche years is that, early in LLMC history, the IRS, as a condition for approving our 501(c)3 non-profit status, ruled that non-institutional libraries could not vote in our elections. The LLMC Board believes that this ruling misinterpreted the law, and, in any event, is not in conformity with current IRS practice. Therefore, it has decided that now is an appropriate time to appeal that old ruling. In practical terms this would not much effect the results of most elections, since the potential law firm and corporate library votes among the Charter Membership number only 65, or 5.5% of the total. However, the Board feels strongly that all Charter Members should have equal rights, and that the time has come to erase this anomaly. We hope for a new ruling before the July elections.

---

*Page 7 of the paper version begins here.*

As the Board's nominees for the two slots which will open in July:

---

-- Judy Gaskell, Law Librarian to the United States Supreme Court
-- Carol Roehrenbeck, Director of the Law School Library at Rutgers-Newark

Both Judy and Carol have had a long and supportive relationship with LLMC, and both have served multiple terms on the LLMC Advisory Council. Judy, in addition, served one term on the LLMC Board of Directors several years ago.
Category A Subscribers

(146 libraries, 68.2% of population, 6 votes each, 75.6% of vote)

Category B Subscribers
(38 libraries, 17.8% of population, 5 votes each, 16.4% of vote)

U. Alberta LSL (Can.), Arnold & Porter (DC), U. British Columbia LSL (Can.), U. Calgary LSL (Can.), Covington & Burling (DC), Dalhousie ULSL, Faegre & Benson (MN), Gibson, Dunn & Crutcher (L.A.), IALS, Inst. of Adv. Leg. Studies LL (U-London-UK), U. Laval LSL (Can.), McGuire & Woods (Richmond), Michigan StLL, Montana StLL, U. Montréal LSL, U. New Brunswick LSL (Can.), Queen's ULSL (Can.), San Bernadino CntyLL (CA), San Diego CntyLL (CA), San Francisco LL (SF C&C), U. Toronto LSL (Can.), US Supreme Court LL, US 1st Cir. Ct.Apps.LL and all affiliated US District Ct. libraries, US 2nd Cir. (same coverage), US 3rd Cir. (same coverage), US 4th Cir. (same coverage), US 5th Cir. (same coverage), US 6th Cir. (same coverage), US 7th Cir. (same coverage), US 8th Cir. (same coverage), US 9th Cir. (same coverage), US 10th Cir. (same coverage), US 11th Cir. (same coverage), US DC Cir. Ct.Apps.LL, U. Victoria LSL (Can.), Willkie, Farr & Gallagher (NY), U. Windsor LSL (Can.), Wisconsin StLL, York ULSL (Can.)

Category C Subscribers
(14 libraries, 6.5% of population, 4 votes each, 4.8% of vote)


Category D Subscribers
(7 libraries, 3.3% of population, 3 votes each, 1.5% of vote)

Broome CntyLL (NY), Nat. Lib. of Canada (Ottawa), Jackson CntyLL (MO), Santa Clara CntyLL (CA), Schwab, Williamson & Wyatt (Port.OR), US Ct.Apps. Fed. Cir. LL, Wiggin & Dana (New Haven CT)

Category E Subscribers
(7 libraries, 3.3% of population, 2 votes each, 1.2% of vote)

Caplin & Drysdale (DC), Contra Costa CntyLL (CA), Wm. S. Hein Co. (Buffalo), Ramsey CntyLL (MN), St. Louis CntyLL (MO), US Ct.Apps. Armed Forces LL, US Cs. Admin. Office LL

Category F Subscribers
(2 libraries, 0.9% of population, 1 vote each, 0.2% of vote)

**Meyer-Boswell** Bks.Inc. (San Francisco), **Charles Shields III**, Esq. (Mechanicsburg-PA)

Page 8 of the paper version ends here. There were no footnotes on page 8