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## Reviewing the Michigan Partnership

On 1 September 2006 we will celebrate the third anniversary of *LLMC-Digital* going live. We also will be completing our fourth year of what was originally conceived as a four-year “incubation period” in partnership with, and more or less under the tutelage of, the University of Michigan Library System's digital library program. Time sure do fly!

As stated, our original agreement with our Michigan partner envisioned a vaguely defined initial incubation period, after which *LLMC-Digital* would begin to strike out on its own. It should be stressed at the outset that there is no urgency or deadline involved here. Nobody at the University of Michigan is yet hinting that we have over-stayed our welcome. For our part, we are fully conscious of our debt to Michigan. There is no question that we could not have come to even our present modest level of maturity without their help. Piggy-backing on their proven expertise was perhaps the only way we could have entered this field in such relatively trouble free fashion. Knowing what we know now, our minds boggle at what might have befallen us had we started out completely on our own.

But time has passed, and we owe it to our Michigan partners and ourselves to start serious planning for our future. The digital world is changing rapidly. Our Michigan partner is changing too. The whole world is aware that Michigan has embarked on a major partnership with Google. This will involve a substantial redirection of its institutional attention and energies. As for *LLMC-Digital*, it cannot afford to rest on its own modest laurels. As technology changes and improves, we also must change and improve to remain relevant. The time has come to take stock and rationalize another four-or-five-year plan. Next week the full LLMC Board will begin that review in joint meetings in Ann Arbor with Michigan's digital library principals.

The four main functional areas in which we partner with Michigan in the creation and management of *LLMC-Digital* are as follows:

— **OCRing:** LLMC itself generates all of the digital content for the site. Once the digital images are created and proofed, they are shipped to Michigan and put through a process of Optical Character Recognition (OCRing), which converts the static images into the digital text needed for full text searching.

— **Serving:** The OCR-enhanced images are then mounted on Michigan's large

servers, from which they are “broadcast” to our universe of subscribers.

— **Interface maintenance & development:** Our images would be relatively worthless to our users if they were not imbedded in a system which permits their manipulation and searching in the many ways we now take for granted in this digital era. The care and feeding of his system, called the interface, is the responsibility of high end computer programmers. Their work involves, not only the trouble free maintenance of the interface as a going operation, but its continuous enhancement and fine tuning to keep up with progress and rising expectations in the wider world of digital libraries.

— **Access authentication:** A final, if pedestrian, requirement for maintaining the integrity of a subscriber-financed library in the digital era is the maintenance of a secure access system that restricts usage to eligible parties. While LLMC's HQ in Kaneohe serves as the filter for verifying eligibility, Michigan maintains the actual access mechanisms in combination with the management of its servers.

At present LLMC subsidies to the University of Michigan for fulfilling the above functions hover at roughly \$500,000 per year. Were we to make no changes, and given our projected growth over the next four to five years (both in our subscriber base and in quantity of images being OCR'd and mounted on the site), the projected annual subsidies at the end of that period would likely be in a range of from

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\$800,000 to \$1,000,000. These then are the assets we have at our disposal.

Our meetings in Ann Arbor will focus on all of the above technical areas. We will seek to identify which functions, or even subfunctions, may be amenable to transfer in-house within roughly the planning time frame and under what schedule. In addition, our Board will be canvassing with our Michigan partners the system improvements that might be achievable within our budget parameters for all functions, regardless of whether they are brought in-house or remain at Michigan. Finally, we will be exploring with them, and tapping into their expertise, on general trends in the digital library world. Where are things heading? How enduring are our present models? How do we position our service so that we will be somewhere near the front, rather than at the tail, of future technological and user-preference developments?

Whatever is decided in Ann Arbor next week, the members of our community can rest assured that the LLMC Board is not likely to act precipitately. We have a lot invested in our present systems, and we will have substantial amounts of money available for their improvement. Any decisions made in Ann Arbor undoubtedly will require a serious amount of time and planning in the implementation. What we hope to be able to report in a subsequent issue of this newsletter is a general plan that we all can discuss at our annual meeting during AALL this July in St. Louis.

### **Building the Off-Site Scanning Program**

One big functional area that has been totally under our own control from the

beginning is data capture. Because of that control, we have been able to adjust rapidly to new circumstances and to changing expectations for both image-quality and costs.

When we started out less than four years ago our expectation was that the bulk of the images mounted on *LLMC-Digital* would be de-ri-ved from our masterfiche backfile by means of digitization from the film. However, within a short time, we learned that substantially better images could be obtained by scanning from the original paper. Far more important, we learned that with the right equipment the cost of scanning from paper could be brought equal to, and in some cases even below, the cost of digitizing from our fiche. Armed with that knowledge we made a quick, major, mid-course correction, investing most of our available equipment money into a production line based on high-speed, industrial-scale scanners. Those high-speed scanners now ac-count for roughly 90% of our image production. Conversely, we now reserve digitization from the fiche for only those titles where we are fairly certain that we will not be able to locate hardcopy. These changes have meant that for eligible titles we are obtaining better-quality images at roughly one-third the cost.

There is, of course, a catch. The improved quality and cost savings of the high-speed scanners works only for dis-bound material. There will always be a class of rarer books that cannot be sacrificed on the guillotine of lower costs. Of course, industrial-scale equipment also exists for scanning bound books gently without destroying their bindings. We already own four of these machines and will be getting more. These “step-and-repeat scanners resemble somewhat in mechanical operation the cameras LLMC used in its fiche era.

Among the major improvements with the digital step-and-repeats is that they “take better pictures” and they treat the books kinder. Another great bonus with the new digital equipment is that it is much more amenable to operation off-site right in libraries. No more dark rooms! No more messy chemicals and film-processing equipment! Instead we now have clean, compact equipment that can be placed almost anywhere.

We have capitalized on this new flexibility by “taking our shovels to the mine”; placing LLMC step-and-repeat book scanners in libraries with rare book collections too valuable for shipping to our home plant in Hawaii. Basically we are giving away scanners (cost roughly \$50K apiece) to libraries willing to use their own labor to scan materials and share digital copies of their treasures with our community of users. This program enables us to give our users access to research materials that were beyond our reach in our filming years. As regular readers of this newsletter know, we now have step-and-repeat scanners at George Washington University Law Libra-

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ry (GWU), Saint Louis University Library (SLU), and the Hawaii State Archives (HSA). All three of these off-site operations are now providing our *LLMC-Digital* users with access to valuable research materials hitherto accessible only by God and

the truly anointed among legal researchers. ([Endnote No. 1](#))

We are delighted to be able to announce a new recruit to our off-site scanning program. The Library of Congress (LC) recently agreed to host one of our scanner installations. Details are still being worked out, but it looks like the installation will occur in August. Scanning targets for this installation will come from throughout LC, not just its Law Library. Given that timing, it is likely that the LC scanner will be the one chosen for live demonstrations at the LLMC booth at AALL in St. Louis. Do come and check it out.

### **Gifts from Near and Far**

An essential component of the high-speed scanning side of our operations is a steady supply of discard copies of books that can be dis-bound for scanning purposes. LLMC has been extremely fortunate in the number of volumes it has received for this purpose. The list of donors continues to grow.

In the past two months we have received major gifts of books from three libraries: St. John's University Law Library in New York City, Lincoln's Inn Library in London, and the Library of the Honourable Society of Middle Temple, also in London. Among them the three libraries will be donating roughly 25,000 volumes to the program. Some of the St. John's books are already in transit. Books from the two Inn libraries will be consolidated into an ocean shipment that will set out in June. We know that all *LLMC-Digital* sub-scribers will join us in an expression of thanks to these three libraries for their outstanding contributions to our program.

The bulk of the St. John's donations are Canadian statutory materials and case-report series. Their other major contribution is in the area of Irish and Scottish law reports. The materials accepted from the two London Inn libraries cover a wider range concentrated mainly in two subject areas: early U.S. and Canadian statutory material, and statutes and cases from countries targeted in LLMC's Common Law Abroad project; particularly India and South Africa.

A first consideration in accepting any gift books is the quality of the paper. In case of duplicates, we accept the copies likely to yield the best digital images. An additional concern in assessing and selecting the materials proffered by Middle Temple Library was the very scale of the offer. We actually were offered roughly 35,000 volumes. However, the cost of shipping from such a great distance meant that we had to take an even more judicious approach than usual. Basically your agent ([Endnote No. 2](#)) cherry picked his way through the library's offerings, taking only those materials that he knew would be difficult to obtain from closer sources. Thus, while we were offered almost-complete runs of the session laws for the American states and Canadian provinces up through the World War II period, he only picked the earlier volumes for each of the states, assuming that later years were published in greater quantity and collected more widely, and thus quite likely to be available later from more economical sources.

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## Useful Links from *LLMC-Digital*

From time to time *LLMC-Digital* receives re-quests from non-profit organizations and for-profit companies to add links from the LLMC site to their online offerings. Some requests would require substantial programming costs. The LLMC Board has declined that type of linkage, however worthy, as being premature at this stage in our development. Other re-quests turn out to be fairly easy to implement. We will assent to the latter on a case-by-case basis when it appears that establishing the link would provide real value for our site's patrons.

The following two links from LLMC's United Kingdom and Irish collections will be put in place as part of the next monthly content up-date, appearing in their title listings along with the following explanatory text:

- **British & Irish primary legal materials:** “More British and Irish primary legal material may be accessed in searchable format on a free web site maintained by the British and Irish Legal Information Institute (BAILII). The major, and constantly growing, feature of this web site is access to all British and Irish court reports from 1996 to date. In addition to providing free texts of the cases, the web site (<http://www.bailii.org>) manages to provide text with a timeliness unmatched by most other sources. This speed of delivery results from an arrangement with the British and Irish judiciaries, which provide BAILII non-exclusive access to the electronic texts of their judgments. By utilizing low-cost methods, BAILII provides a growing amount of primary and secondary legal material that can be browsed by the user and/or located by using BAILII's search engine. The service is a major tool for contemporary legal research and the practice and teaching of modern British and Irish law. BAILII is a non-profit, charitable trust hosted in the UK by the Institute of Advanced Legal Studies, London, and in Ireland by the Law Faculty of University College, Cork. Donations via the link on the home page are welcomed.”
- **Legal history, the Year Books:** “The Year Books, which were the law reports of medieval England, are essential to the study of early English Law. They are our main source for the development of legal doctrines, concepts and methods from 1290 to 1535, a period during which the common law developed into recognizable form. About 20,000 separate reports or ‘pleas’ have been printed. Others remain in manuscript. In the words of Price and Bittner: ‘It is generally believed that these reports ... were originally written down by students or practitioners in open court, for educational purposes.... Although the first-year law student may have little occasion to read them, they profoundly influenced the progress of the law for over three hundred years through their use in treatises and digests.’ One reason why first year law students, and others don't much read the Year Books is that their mass is difficult to navigate and the cases are difficult to read once located. Some of those difficulties may now be obviated through use of a free web site containing an index and para-phrase of all the printed Year Book reports. The web site is the work of Prof. David J. Seipp of Boston University Law School. All records in the database identify the opening line of text (incipit), the length of the report, a full citation, a unique identifying number, where possible the type of lawsuit (writ), the names of parties, names of other persons and places mentioned, cross-references to Abridgements and

to related cases, and statutes cited or quoted. All cases before 1481 name every justice and lawyer who spoke or was mentioned in the report. All cases before 1481 that have never before been translated from the original Anglo-Norman law French have been substantially paraphrased. Full lists of keywords and descriptions of the process and pleading are given for all case reports for 1399–1481. Some records index and paraphrase cases that are only printed in the Abridgements under alphabetical headings. More of these Abridgement cases will be added over time. The database URL is: <http://www.bu.edu/law/seipp>

## Endnotes:

1.) For example our Kaneohe staff is currently processing the tiffs for one of the rare titles scanned by GWU, *Malleus Maleficarum*, an incunabulum and an early Canon Law classic in criminal procedure. SLU is currently working on scanning a rare set of maps detailing countrywide the initial allotments by the United States of lands to American Indians. Finally, HSA already has scanned the official journals of the legislatures of the Hawaiian Kingdom (1841–1892) and Republic of Hawaii. HSA now has moved on to the manuscript journals of the Privy Council of the Kingdom. Until now most of this material has been totally inaccessible to most of Hawaii's citizens; to say nothing of the rest of the research world. With this project LLMC will go some way toward repaying its debt of gratitude to the State of Hawaii for serving as our host for these many years.

2.) Lest this posting inspire unseemly envy, it should be noted that the inspection occurred during one of the coldest London winters on record and that the Temple's books were housed in an unheated attic. However, your agent's discomfort was mitigated when the Inn provided shelter in a cozy apartment-cum-fireplace-and-kitchen once assigned to the use of the late Chief Justice Warren Burger.

3.) 3rd. ed., Boston, Little, Brown & Co., p. 319. Note that P&B give the coverage dates for the Year Books as being 1282–1537.