Collection rebalancing for law libraries

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Voice of the private law librarian
In the past twenty years, the American workplace has seen a sea change in how we do business - many things that used to be done manually are now automated, and the law library is no different in that regard. Legal resources are rapidly migrating from print to digital format - but is that always a good thing? Sometimes materials are more useful in electronic format, sometimes they are simply more expensive or less easy to use. Librarians must evaluate all options when it comes to the firm’s information needs, so the firm has the best resources for the best price.

We’ll talk about how your librarian can take steps to review the existing firm collection, create a collection development plan based on the firm’s current and future needs, and develop a process that will ensure access to the best materials in the formats best suited to the needs of the firm’s attorneys. Hopefully, we’ll save the firm money (and overhead!) in the process.
Collection Development Policy Checklist

- Draft a policy statement (What do we need? Why do we need it?);
- Basic elements to include: selection process, maintenance cost, manpower and access issues;
- Ensure your policy provides for the core resources in the most useable format(s) to support the firm’s practice areas;
- Include all stakeholders in your decision-making process;
- Establish a budget for each practice based on the relative size of the group and economic importance to the firm;
- Review your interlibrary loan options - do you need to keep everything on the shelf? and
- Change collection strategy from: “just in case” to “just in time.”

*Do you have a lot of dusty books on the shelf that “Might be nice to have if we ever have a RICO case in the future?” Even though your firm doesn’t do that kind of work? Time to rethink your retention policy.

### Collection Development Plan and Purpose

As budgets shrink and expenses grow, a sound collection development policy prepares your library for making hard choices and ensuring that your attorneys have access to the resources they need. Anecdotal and statistical evidence suggests that the print library collections in law firms have shrunk, and the real estate devoted to firm libraries has shrunk as well. This makes adoption of digital resources — and replacement of print volumes — even more important.

Collection development is the planned purchase of materials to meet the information needs of the law firm. Materials may be in any format. The procedure includes selection, maintenance and access. A formal collection development policy should be adopted to ensure consistency and oversight of decisions regarding the library’s resources.

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<th>Practice Group Considerations</th>
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<td>Librarians should assess the existing collection based on the firm’s primary areas of practice, considering practice group needs and costs. Some materials such as statutes and regulations may be used by attorneys in any practice and should be considered a general expense, but many are used only by one or two practice areas. Here are some ways your librarian makes sure firm resources are allocated well:</td>
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- **Determine the cost of materials purchased for a practice group or legal department versus the contribution of the practice group to the firm’s business.** If your corporate lawyers outnumber the litigators, you should see a corresponding expense ratio. If your bankruptcy practice is decreasing and your intellectual property practice is increasing, use that information to help make decisions for renewals and purchases.

- **Some practice groups such as tax tend to be heavy consumers of print and may account for a larger percentage of the library budget than others by number of practitioners.** Your librarian will know which practice groups have unavoidable costs, and where savings can be found.
In this era of budget constraints, usage metrics are important keys to determining whether to retain a title. As publishers increase prices both for acquisition and upkeep, the library must have criteria for determining the usefulness of any resource. Keeping in mind that some material may be used heavily by librarians to answer attorneys’ research requests while others may be used by the attorneys themselves, an objective way to measure usage will reinforce decisions to cancel or renew. According to a recent survey, 50% of law libraries spend the same or more on electronic resources compared to print, yet only 36% of libraries are able to track usage of electronic subscriptions for cost recovery purposes. As law firms become more data driven, libraries will be asked to evaluate the value they receive from their subscriptions including tracking usage on electronic materials, even if the costs are not recovered.

While certain core materials may be widely used in print such as state and federal statutes, when there is a space constraint these may naturally lend themselves to cancellation. They are available on Lexis, Westlaw and through authoritative free sites such as THOMAS, the government source of federal legislative information. Librarians are well equipped to evaluate the relative benefits of the different formats.

Except for certain treatises, a majority of legal materials in print are updated throughout the course of a year. The cost of these continuations should be taken into account in addition to the purchase price. There are hidden costs of print subscriptions such as loose-leaf filing, shelf space or photocopies.

For infrequently used or marginal materials, determine whether they can be borrowed from other law firms in the area or from a membership library such as a local university or private library. Some membership libraries also offer access to databases.

Some publishers still provide CD-ROMs. Often these are an adjunct to a print volume and include materials such as forms. The advent of online archives from publishers has largely eliminated the need for the space-saving microfiche. Few private law libraries would make space for a fiche reader, or mourn its loss.

Although many vendors are adopting digital formats for their publications, not every title is available electronically. On the other hand, some vendors have converted to entirely online or electronic delivery. Many titles are available as a hybrid, in some combination of print and electronic. Some electronic newsletters match the print content while others vary, making comparisons more difficult. Trying to determine which format to choose depends on a number of factors.
"Why do we need print? Isn’t everything on the Internet?" This common refrain has been repeated for some years now. Not everything is available electronically.

Also, just because something is online doesn’t mean it’s free - electronic access to updated secondary sources costs nearly as much as the print titles (sometimes more). The titles that have been added to Google Books, for example, do not include many legal books. Authors and publishers understandably limit access to the most recent content, so they can continue to have a viable business model.

Advantages:
Ease of use: Only rarely would a lawyer need training on how to use a book with table of contents and index. No Internet access or power supply is necessary. Browsing a book may feel like a more complete experience than using the electronic equivalent, as user sees the entire contents in one place. Most people prefer books for in-depth reading and comprehension of lengthy material.

Access: Requires physical access to the library, however, books may be used over and over again and sets of multiple volumes are easily shared. Once you purchase them, print materials can be retained as long as you have space.

Disadvantages:
Space: Books consume a lot of library space and grow with additional case law, leading to more supplements, annuals, etc. Space = money, especially in the high-rent legal centers.

Labor Intensive: Books require initial processing such as cataloging and labeling. Keeping them up to date requires filing pocket parts or loose-leafs and space for both. Books need shelving and shifting.

Timeliness: Print material may be out-of-date as soon as it comes off the press.

Limited Accessibility: Books are difficult to share across offices, and only one attorney can use a volume at one time.
While the legal industry continues to go through rapid changes, law firm librarians stand ready to support their firms in making the best decisions possible in selecting, maintaining and training on the resources and tools that enable the firms’ attorneys to provide exceptional client service. The most responsive library collection will be one that meets the needs of the firm’s practices and is flexible enough to change when necessary to meet client needs.

**Conclusion**

**Online (Fee-Based)**

**Advantages:**
- Full-text searching: The trend towards Google-like searching means that lawyers and researchers can use keywords without necessarily knowing a special vocabulary. Powerful search engines and indexing.
- Access: Available from the desktop or mobile device.
- Timeliness: Information may be quickly, even instantly updated by the publisher.

**Disadvantages:**
- Cost: Online resources can be very expensive
- Access: Ending a subscription means losing access to any archives. Access is limited to computer availability, website stability, Internet connectivity.
- Licensing: Licensing is a complex topic with a scope that cannot be fully covered in this guide. We will touch on a few broad points to consider when evaluating formats.
- Format: It’s difficult to read in-depth on-screen, and to understand materials in context. For example, you can’t eyeball how long a statute’s annotations are, and gauge how long it will take to read.

Electronic resources may consist of anything from sophisticated databases to a digital copy of a serial publication such as a magazine or journal. The latter may be published in a PDF document that cannot be searched. Many are a combination of newsletters for current awareness and archives of previous issues. Other sites may be the equivalent of a publisher’s catalog with a full content of treatises. Current awareness publications may update constantly like online newspapers.

Vendors may impose a number of restrictions to use. Because the line between formats is quickly blurring, it is more important than ever for the law librarian to be knowledgeable about the firm’s practices and how attorneys access, use and store their research to serve clients.

Unless you purchase a firm-wide license, access to subscription web sites usually require individual user IDs and passwords. Whereas a single journal or newsletter can be shared with many others, often a publication only offers subscribers a single user ID for the same price or more than one copy of the publication in print.

Be certain to determine whether the an electronic newsletter can be circulated either via email or printed and routed like its print equivalent.

Determine if passwords can be shared by concurrent users or only one person at a time.

**Conclusion**

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**Additional Resources**

**Contributors**

Bess Reynolds
Technical Services manager
Debevoise & Plimpton LLP
breynolds@debevoise.com
www.debevoise.com
Collection rebalancing for law libraries

For more information visit the Private Law Libraries Special Interest Section web site
http://www.aallnet.org/sis/pllsis/