

# *The LLMC-Digital Newsletter*

Issue No. 28: February 2008

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## **Honoring Balfour Halévy**

On March 25 York University Law School in Toronto will be honoring in singular fashion our longtime colleague and stalwart LLMC supporter Balfour Halévy. The library's rare book collections will be formally christened the Balfour Halévy Special Collections of the Osgoode Hall Law Library. LLMC has decided that we cannot let this occasion go by without signaling our deep regard for someone who, apart from his amazing achievement in building from scratch the largest law library in the British Commonwealth, has also contributed mightily to our enterprise. Balfour served terms on both our Advisory Council and our governing Board. In addition, he did much hard bibliographic work during the formation of our Canadian collection, and almost single handedly aggregated and then loaned the books that were filmed for our extensive legal dictionary collection.

As it happens, we had at hand the means to make our appreciation to our colleague tangible. From time to time in our work we obtain copies of rare legal titles for which, after scanning, we need to find a good home. Three such books are currently in house. The first is an exceedingly rare item of legal Canadiana. *The Laws of Assiniboia*, an 1862-69 compilation. The second is an almost as scarce early American item, Nathaniel Chipman's *Vermont Reports*, 1st edition. And the third is a first edition of a British Commonwealth classic, Clark's *Summary of Colonial Law*, 1834. These three books are being donated in the name of all LLMC supporters to Osgood Hall Library. In addition, the online descriptions for these books will include the following legend: "The original book from which this electronic copy was scanned is being preserved in perpetuity in the Balfour Halévy Special Collections of the Osgoode Hall Law Library, York University, Toronto, Canada."

## **Status Report on the NBS Initiative**

As announced in the August, 2007 issue of the Newsletter, ([Endnote # 1](#)) LLMC is nearing the end of its incubation relationship with the University of Michigan and is actively searching for a new technical partner to handle the OCRing and serving functions related to *LLMC-Digital*. Our search, which has been in process for almost two years, has now focused on a company based in Egan, Minnesota, National Business Systems (NBS). Our evaluation of NBS's suitability as a long range partner has proceeded on two fronts. One is the public face that they would be presenting to our patrons. The other is their invisible backroom operations that would make the site work.

As to the latter, the LLMC Board needed assurances that NBS has the infrastructure to support us at both our current and projected size levels. The Board was also seeking a partner with a range of other, deep pocket clients, so that we alone would not have to bear the major share of the costs for incorporating new technological developments as they emerge. On this front the Board feels that its conditions have been met. NBS is a major player in the delivery of electronic information in the banking and insurance sectors. Those clients would not tolerate NBS falling behind the technical curve, and will, in their own interest, provide the funding to ensure that it does not. If a rising tide lifts all boats, we could hope to be one of the smaller boats that gets carried up with the big guys. In summary, we feel that NBS has the infrastructural heft to support both our current and projected needs. They can grow with and ahead of us.

The other side of the evaluation equation is NBS's ability to create, maintain, and consistently improve upon the site's interface. While the backroom functions discussed above are essential to the smooth working of the enterprise, the interface is the only part of the site that is visible to our patrons. Its look and feel and usability are key to their using the site and thus accessing our materials. Unfortunately, sound judgments on a projected interface are harder to come by because they are unavoidably

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subjective. How does one define a good interface? To paraphrase the late Justice Potter Stewart in another context: "Perhaps I could never succeed in intelligibly doing it. But I know it when I see it."

With that subjective factor in mind, the LLMC Board decided to seek the advice of colleagues who would "know it when they saw it." During 2007 an Interface Critique Committee was created to help the Board negotiate a new interface with NBS. In its first phase of work, during the spring of 2007 the Committee ([Endnote # 2](#)) did a thorough evaluation of our current interface on *LLMC-Digital* and provided to NBS a long list of desirable improvements for their guidance. In the second phase of its work, during the late fall of 2007, a slightly reconstituted committee ([Endnote # 3](#)) evaluated the work NBS had put into the interface in the intervening six months with the object of advising the LLMC Board whether the NBS interface was ready for adoption at the end of 2007. The advice of the Committee was two fold. While it did not think that the emerging NBS interface had been developed sufficiently to warrant our adoption at this time, it also saw enough promise in the work already invested that it recommended that NBS be given an extension to continue developmental work on the interface.

The Committee's report was reviewed by the LLMC Board at its midwinter meeting in New York City on January 5. Acting on the Committee's recommendation the Board decided to extend the trial time for NBS for six months, with a final decision on whether NBS will be chosen as host for *LLMC-Digital* to be made at the Board's meeting on the Friday before the AALL convention in Portland. In addition, since all indications are that LLMC is on the verge of a major decision affecting its future, the Board also asked Executive Director Kathleen Richman to involve the LLMC Advisory Council in the final evaluation of the proposed NBS interface. Kathleen

expects to be contacting the Committee in mid-March with the goal of having them do their evaluation during late April and early May. NBS has committed to having their final product ready for review in that time frame.

### **A First Project with Google**

As everyone knows, the Google Company has made arrangements with ten or so separate libraries with the object of merging digitization efforts to mutual advantage. We can now reveal that LLMC has been conducting conversations with Google for the past half year or so about the possibility of developing projects along similar lines. Our negotiations with them have not always been easy because Google prefers to keep much of the detail of its contractual relationships with its various partners confidential as proprietary information. However, they have come to understand that we are a consortial organization that needs to correspond with its members if it is to remain true to its own identity and mission. So, while non disclosure agreements will be in effect for many of the technical details, we are able to advise you about the more general outlines of what is being negotiated and which actual projects might be in prospect.

The general principles that have been negotiated to date are that Google may do certain mass digitization projects for us in the following manner and under these guidelines. In each project LLMC would function as a print version aggregator for target materials solicited from its member libraries. All of Google's scanning would be conducted at its own scanning plants, with Google paying transport costs of the materials from the libraries. Google's scanning would be limited to materials that can be disbound and fed through high speed scanners. LLMC would retain ownership of the paper blocks, which

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would be stored permanently in its salt mine archives. Each party would receive a copy of the images for its own use. Google would be offering its copy of the images free to the world using its well known public oriented interface just as it does the other public domain materials that back stop its advertising business. LLMC would offer its copies of the images as one portion of the larger digital library it offers to the legal community using its internal quality controls and its own law community oriented interface. Both parties would agree not to provide copies of the images to the other's "primary competitors."

While the above principles and tentative manner of operations outline the general nature of our agreements with Google to date, neither party has worked with something like this before. So there are lots of questions left, such as: Who should be paying for what? How would some of these logistics work in practice? What processes would have to be invented and implemented to ensure the integrity of the final product and also the security of unique materials?

It has become clear to both sides that some of these questions would be answered best in the context of implementing an actual large, but manageable project. As it happens, LLMC is already committed to doing such a project. Last year we announced ([Endnote # 4](#)) that in 2008 we would begin the scanning of the California Records and Briefs collection held by the Los Angeles County Law

Library (LA-Law). This was a project that we anticipated doing on site in the library's stacks using our equipment and the library's labor. We anticipated that it might take somewhere between seven and ten years for completion

LLMC and Google are now actively discussing the possibility of using the California Records and Briefs project as the inaugural focus of a Google/LLMC collaboration. We will be holding the technical meetings with Google and LA Law personnel during March. If all goes well, we hope to start the project as early as April. If that date is met, the entire job could be done by April of 2009.

### **Why LLMC is Pursuing Alliances**

LLMC has a triple mission. The first is to reformat the joint holdings of our member libraries into the digital format that will eventually make possible universal access. The second is to ensure the preservation of both our data heritage and of an appropriate number of our print copies. The third is to enable our member libraries to cash in on the enormous space recovery potential of the digital revolution. All these missions would benefit if we could accelerate our scanning.

The number of unique volumes (excluding duplicates) held jointly by North American law libraries is somewhere in the range of two million. In four years LLMC has reformatted 1,921 titles comprising above 27,000 volumes. Considering our resources, that's not bad. But it's nowhere proportionate to the urgency and scope of the problem. To get our mission done in the lifetimes of the youngest of our colleagues, we need to speed up. The only way we can do that is to seek outside help.

### **Online Serial Title Count for LLMC**

Several of our subscribing libraries have contacted us lately asking for a serial title count on *LLMC-Digital* to help them complete their latest ACRL survey. As of January 2008, we had 303 serial titles online.

As it happens, those statistics are publicly available on the OCLC World Cat site. However, because the information is scattered in many places, and because definitional issues sometimes intrude, they are tedious to compile. To make the job lighter for everybody, and possibly also to introduce some salutary consistency in the reporting, Saint Louis University Law Library, which does the cataloging for *LLMC-Digital*, agreed to do the initial compilation of this figure. In the future they will maintain this information on a current basis so that it will be available on request whenever needed. Please feel invited to question us when you need a more current number.

### **Cataloging Housekeeping**

Could we open this last section by asking our dear readers, unless they know that their cataloging people read this newsletter regularly, to ensure that the following matter is brought to their attention? Thanks so much.

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The matter at hand relates to serial titles that have experienced title changes over time. In the first year or so of the *LLMC-Digital* project we followed a strict interpretation of the cataloging rule that whenever a periodical's title wording

changed in any significant way the subsequent material had to be cataloged as a separate title. While merely vexing in the print era, this practice caused much more confusion in the digital environment. For example, if the rule were enforced strictly, the familiar *U.S. Statutes at Large* would be broken into five different titles, with the pieces scattered to hell and gone over the digital landscape. The same fate would befall many of our U.S. state supreme court reports runs. The poor *Louisiana Reports* was facing at least a seven way split. This clearly wouldn't do. Our patrons wouldn't be able to cope. Nor, perhaps, could even we.

Fortunately our ingenious cataloging capo at Saint Louis University Law Library, Richard Amelung, was able, both to devise a practical solution, and also to sell it to the gods at OCLC. The essence of the scheme is as follows. Titles of the nature described above would have their multiple title versions consolidated into one "Composite Title," (typically the most recent version of the title or a widely accepted popular title, e.g. *Louisiana Supreme Court Reports*). This "Composite Title" would be typed on a "Composite Title Page" (CTP) that would be inserted online at the head of the first volume in the series. The CTP would also contain all the historical variants of the actual title, and these variants would also be listed in the cataloging copy. Thus the periodical could be searched for under any of the various historical titles, but all of the material would show up online under the title most patrons would expect.

Once this solution was successfully negotiated with OCLC, it became our standard operating procedure. All relevant periodical series cataloged in the past three years have been put through under the CTP rubric. It now remains only to go back and clear up the earlier titles so that all of the *LLMC-Digital* cataloging will be consistent. Saint Louis Law Library pro-poses to do this in several batches. Here is the first batch of changes along with the cover message by cataloger Lynne Griffin.

*"In an effort to resolve description and display issues created by our former practice of using multiple (successive) OCLC records in cases of serial title changes, we have begun the process of consolidating OCLC records for some serial titles into one "composite" record. As these consolidations are completed, we will be notifying you of the OCLC record numbers which you should delete from your database and the new or edited OCLC records that you should download to replace them. Our first batch is as follows."*

**Remove**

**OCLC# — — — Replacement# — LLMC#**

52330549	52330577	78020
52330542		
52330525		

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52361551	52361573	78234a
52361527		

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54901076	54910860	78234b
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55118159	55115030	79444
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48924137

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61452158            184945787            79500

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54994709            184944325            80030

54994875

55483565

55483750

55483833

46833237

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52369287            52369061            80700

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55480829            55481149            80700

55481003

55481067

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52370382            52370253            81219

52370548

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52397804            52397611            82602

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57318495            57318524            84230

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52415849            52416670            84365c

52416615

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54939357            54938928            88003

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52422492            52425795            99009

**Endnotes:**

1.) Issue 26, August 25, 2007, p. 4, is archived at [www.llmc.com/Newsletter.asp](http://www.llmc.com/Newsletter.asp)

2.) The focus in recruiting volunteers was on active reference librarians, those of our colleagues who use and teach the legal electronic services on a daily basis. Committee members were: Barbara Garavaglia, Ch.Ref.Libn. U.Mich.L.L. (Chair); Linda Corbelli, ResearchLibn., U.S.Sup.Ct.Lib.; Mike Hannon, Asso.Dir., U.Minn.L.L.; Lee Peoples, Ch.Ref.Libn. OK CityU.L.L. & Rob Richards, Ch.Ref.Libn., Drexel U.L.L.

3.) In its second phase the Committee was augmented by Dan Giancaterino,, InternetLibn., JenkinsMem.L.L ; Cheryl Nyberg, Ref.Libn., U.Wash.L.L.; & Jeanne Price, Asso.Dir., U.Texas L.L.; but lost Lee Peoples due to prior commitments,

4.) See Issue 26 of this newsletter, August 25, 2007, p. 3, archived at [www.llmc.com/Newsletter.asp](http://www.llmc.com/Newsletter.asp)

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