

WEST CASE STUDY MANAGING PRINT AND DIGITAL RESOURCES

LAW LIBRARIANS DISCUSS BEST PRACTICES



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MANAGING PRINT AND DIGITAL RESOURCES:

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I. INTRODUCTION

Ever since information was first digitized, the questions have been posed: Will the printed page ever go away? If so, when? And if not, how will the mix of print and online materials evolve over time?

For anyone who uses information, these are interesting questions to ponder. For those entrusted with managing information, however, the matter is much more than a diverting guessing game. It's a crucial, operational question with dozens of interrelated short-term and long-term implications.

There's perhaps no more compelling illustration of this situation than that of a library. As our key repositories of information, all libraries – from the Library of Congress to the nation's smallest municipal library – are facing these same questions to different degrees of scale. Librarians are examining the situation from many angles, including customer information needs now and into the future, costs, physical space considerations, emerging technologies and the changing perceptions of library administrators and C-level executives.

With digital information now firmly established to at least some extent within most libraries, West recently engaged in a series of qualitative discussions with librarians serving a particularly information-rich business – the legal industry.

The in-depth discussions, which comprised interviews with eight law librarians at leading law firms, were designed to produce an overview about how law librarians are managing their entire collections – print and digital – and how they are preparing for the future. The objectives were to 1) collect, and then communicate, some of the current best practices for library collection management, and 2) encourage further exchanges of information between law library professionals as discussions continue within individual libraries and throughout the industry overall.

This white paper reports summary findings of these discussions.

II. PRINT AND ONLINE COLLECTION STRATEGIES: CURRENT INFLUENCES AND RESPONSES

Current attitudes toward print

What is the future of print in law libraries?

The question has been asked for about 15 years, during which time many have predicted print's demise. The answer, according to the respondents, still eludes a simple consensus.

"I do not know where print is going in the short term," said Susan Yancey of Houston-based Vinson & Elkins. "It is obviously losing ground in law libraries to electronic resources, but it is still useful to us in the treatise and statute collections."

Others see a more definitive likelihood that online information will one day prevail, citing, among other reasons, the growing popularity of telecommuting for attorneys and an emphasis on the teaching of online technologies in law schools today as well as in recent years.

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The larger, more pressing and more strategic question in the eyes of librarians is how libraries can best achieve and maintain the proper balance of the two and derive the most value from doing so.

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While opinions vary about the future of print, the question at the practical level isn't whether print or online will ultimately "win," or at which point in time online might displace print completely. The larger, more pressing and more strategic question in the eyes of librarians is how libraries can best achieve and maintain the proper balance of the two and derive the most value from doing so.

Asked to describe his firm's collection strategy, for example, one librarian responded not with an emphasis on either print or online, but instead with the single-word answer: "Economical!"

"We make use of technology where we can, and we only maintain print where necessary, such as to teach incoming associates, or when things are only available in print, or when things do not translate well to online – like statutes, encyclopedias, treatises and regulations," said David Matthewson of Dallas-based Haynes and Boone, LLP.

Similarly, Michael Hoffman at Torys LLP retains a focus on developing a print collection heavily geared toward retaining digests and secondary sources, seeing little need to keep subscribing to reporters in print. Another respondent, who cited an overall preference for electronic access, described her current print/electronic collection strategies thusly:

Print	Electronic
Regulations	Caselaw
Statutes	Encyclopedias
Digests	
Treatises	
Core Practice Group material	

The respondent also cited the importance of the somewhat intangible experiential qualities of print that many people prefer, saying, "There's something about seeing it in print, rather than electronically."

Cost concerns

Even if law librarians were inclined to favor a dramatic, sweeping shift to online information, conditions associated with the current economic downturn are making such long-term moves impractical if not impossible.

"Everything is short term now," said Yancey. "The focus is cost cutting, and that's affecting the whole firm – not just the library."

While Yancey doesn't consider trading print for electronic to be an effective money-saving method at this point, like many others she views reduction of duplication as a current priority. This is being accomplished by removing or reducing print subscriptions across publishers or, in some cases, stopping print content that the firm also has available online. Others report that they avoid buying duplicate titles for multiple offices when cross-office sharing is a possibility.

One respondent said that her firm recently completed a review of all print titles across all offices and, when they could get the title online, chose to do so. The respondent said that the firm will likely rely more frequently upon public and university libraries for print material – citing the deep availability of Interlibrary Loan services in their area. The respondent's firm has decided, by policy decision, to prefer online resources, one reason being that cost recovery is seen to be easier for online than for print.

Hoffman, viewing the decision from a different perspective, said that while Torys has "no aversion to print," the firm wasn't large enough to retain materials in both formats, except for "a few very important resources" – and that this factor helps to guide their resource allocations.

Cost-recovery strategies

The effects of the economic downturn are clearly being felt across all departments at most firms, with most respondents working with flat or reduced budgets. This is prompting more libraries to focus on fresh approaches to extending the value of what they spend.

"We are trying to flat-line our budget, so we need to limit things," said Ann Jeter of Jackson Walker LLP in Dallas. "In the past, we would build increases of about 5 to 10 percent,

but this year we were asked to stay flat. In order to do so, we have had to cut things – duplicates, duplicate formats or things not being used – and doing this has allowed us room for new acquisitions.”

Cost concerns also have made many firms’ clients more sensitive to research service charges and, according to respondents, particularly for online research products. Several respondents described (some with a resigned acceptance) that certain clients balk at being assessed these fees. One respondent suggested that if a large client refuses to pay for online research, the charges may have to be written off.

Respondents offered similar experiences, but with a sense that the tolerance for write-offs at firms is diminishing as the economy has worsened.

Matthewson observed similar issues at his firm.

“If attorneys meet a certain threshold of usage on work done for a client who won’t pay, they get a memo from the librarian letting them know about it,” he said. “Right now we are not super aggressive about it, but I’m not sure where that will go. We are looking at training as a solution, but it is a growing issue.”

At Torys, Hoffman said that his firm was opposed to raising billing rates as an alternative to charging clients directly for online research. In his view, the firm’s reluctance to do this makes attorneys use caution when doing online research, which, in turn, increases the value of the print collection.

Other respondents described their own systems for encouraging accountability and cost monitoring within the firm for both print and electronic technologies. For example, Yancey describes a system her firm uses that helps keep resource users aware of their own use patterns, needs and costs.

“We do an inventory of our collection by title, publisher, price, location and practice area,” she explained. “We took all 2008 expenditures and tagged them, which allows us to create reports by practice area. Each group has to justify what they want to keep. The Library Partner told the practice groups that if they did not work with the library and communicate on this, it would result in the wholesale cancellation of everything for their group. This really motivated people. We also use these reports to track resources by media, such as print, intranet and online. The practice groups are very proud of cost reductions and cancellations and are very competitive with each other.”

Dwindling physical space

Many respondents suggested one trend favoring online content was the reduction in available storage space for print, often associated with office relocations to smaller facilities as firms strive to cut costs in the current economic downturn.

“In a recent move, we reduced 51 percent of our Dallas print collection,” Matthewson said. “When law firms move, they reduce because they are traditionally moving to smaller spaces. The current model of law firm design is more space-driven than budget-driven.”

Others reported similar space considerations, such as a 60 percent reduction in library space in one office over a six-year period, or uncertainty about library space allocation in a firm’s new office space in high-priced New York.

Several respondents, like Susan Yancey, noted a natural inclination for technology within their firms that would help ease a transition to new tools, were they to be introduced. “I think there is a future for this technology at the firm.”

Susan Yancey
Library Director
Vinson & Elkins LLP

Use of emerging electronic technologies to deliver traditional print products

In general, respondents reported interest within their firms in emerging technologies for delivering print sources electronically – such as blogs, wikis and Kindle – but so far the alternative tools do not seem to have made a significant inroad.

Several respondents, like Susan Yancey, noted a natural inclination for technology within their firms that would help ease a transition to new tools, were they to be introduced.

“I think there is a future for this technology at the firm.” Her firm is so tied to technology and electronic formats that she feels like it would be very open to this option. “We’re one of the few firms that give BlackBerrys to all of our summer associates.”

She also said that “blogs have really taken off at the firm,” and that each practice area has its own page that also includes library resources for each group.

At Jackson Walker, Ann Jeter was typical of those describing more of a “wait-and-see” attitude about technological adoption.

“As these things become more used, maybe the firm would consider it later, but I think it’s probably a better market for law school textbooks,” she said. “I see using a Kindle for recreational reading, not as a replacement for legal books. In any case, it would be best for resource vendors to not tie their publications to a proprietary format.”

Generational differences and concerns about research solidity

One of the most tangible aspects of the print/online management challenge has less to do with cost than it does with quality and the apparent ease of locating information online. Some newer attorneys are accustomed to starting their research on Google™, for example, even though a more seasoned researcher may voice concerns about the authority of their results.

At her firm, Jeter notes the trend.

“There are different approaches,” she said. “The younger attorneys’ approach is ‘to look up something’ online, while the more experienced attorneys use both print and online resources effectively to ‘solve a problem.’”

Others noted the same broader concerns about the quality of legal scholarship, particularly with what they see as an over-reliance by younger associates on electronic sources and an inability for some of them to perform some of the traditional research tasks associated with print.

Some firms are designing processes to help bridge the gap. Matthewson described some ways in which his firm is approaching training of younger associates to understand and use print resources.

“We want them to know how to find the ‘bible’ on a particular practice area,” he said. “We are rolling out a new initiative from the library staff – training for younger associates – to help them with creative thinking and doing more than just coming up with ‘the answer.’ We’ve developed Tip Sheets for each practice area and are rolling them out to new hires. The sheets list the best sources in a particular practice area and the most often used materials. The suggestion for the sheets actually came from our associates committee. Partners at the firm are evaluating them and we have a good mentoring program.”

Creativity and the need for meaningful assistance from legal resource providers

Under increasing pressure from administrators to justify and limit expenses, and driven by numerous other factors to derive optimum value from their budgets, librarians in turn are looking for their legal resource providers to assist them with the tools and knowledge they need to make the best choices.

This kind of assistance falls into a number of categories.

Audits/analysis: One challenge for most respondents is to simply take stock of the inventory they currently hold and the items to which they subscribe, on both the print and online sides of the business. Some libraries, for instance, might still have books for practice groups that are long since gone, and one respondent said that a report from her vendors that showed everything the firm receives in print, along with an approximate cost needed to update the materials, would be helpful.

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“Accounting and finance need to see the value. And in training, we need to be able to talk about the benefits of the service and the content – and also what has changed.”

Ann Jeter
Manager of Information Services
Jackson Walker LLP

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Competitive information to help guide selections: Librarians would like publishers to provide more information about the products and updates they’re selling, which in turn will make a more persuasive case to those managing library budgets about the necessity of purchasing the products.

“Accounting and finance need to see the value,” Jeter explained. “For print, when there has been a big change such as new editions or volumes to the set, it would be nice to get an explanation and justification from the publisher – for example, ‘8,000 cases were published since the last supplement,’ or ‘there have been revisions to 42 sections of the code.’ And in training, we need to be able to talk about the benefits of the service and the content – and also what has changed.”

Training: The training of associates in the use of print and online legal resources presents both ongoing challenges and opportunities for librarians – in terms of design, administration and participation. Many respondents, while valuing training resources available from publishers, also reported developing their own in-house training programs.

One respondent, for example, offers a program for all incoming summer and fall associates that discusses the use of print in the research process. And Matthewson said that his firm is working on a three-level training approach for resource materials comprising a short, 10-minute introduction of the material, a 30-minute session that goes into greater depth, and a 45-60 minute session with even more detail.

“We have not yet decided who is going to teach these sessions,” Matthewson said. “It may be a librarian with a vendor, or it may be a partner with a librarian. We’re also considering other options.”

Library Maintenance Agreements (LMAs): Several respondents had either tried or were considering the idea of incorporating an LMA. A few representative responses follow:

- Jeter: “What we like about the LMA is we know what we are facing each year with costs – like the monthly consolidated billing, which creates a lot less work for us.”

“LMAs are very useful for their role in making the library’s budget predictable, but there should be more flexibility. If a practice group is lost, for example, there should be the ability to revise the LMA and swap out resources.”

Michael Hoffman
Head Librarian
Torys LLP

- Hoffman: “LMAs are very useful for their role in making the library’s budget predictable, but there should be more flexibility. If a practice group is lost, for example, there should be the ability to revise the LMA and swap out resources. There also should be more flexibility with a higher percentage of titles or certain titles.”
- Matthewson: “Our LMA is working, and I like it, because we did so much work ahead of time to make sure the collection was what we needed for the firm and practice groups. I wish I could change the time frame of the contract, though. It should be reduced – three years was great until the economy went sour. It also is too restrictive about swapping titles out.”

III. SUMMARY COMMENTARY

While this qualitative look at print/online collection trends reflects a wide range of opinions and experiences in law libraries around the U.S., several key themes emerge that seem to be broadly applicable to most libraries.

1) Librarians are being asked to exercise more creativity in library collection management overall. There are many contributing factors to this trend, from shrinking budgets to diminishing physical space, generational differences between information resource users, implementation of new technologies, and others. Just as no simple answer has emerged to the “print vs. online” question, there are no simple, one-size-fits-all answers to these issues.

2) Librarians want their legal resource providers to be more creative and flexible with both their products and the operational aspects of doing business – both print and online. Faced with unique and dynamic challenges themselves, librarians are looking to vendors to be their partners, to anticipate their needs and to help them prioritize their purchase in a range of areas, from billing documentation to resource audits, comprehensive product descriptions, and library management agreements with flexible terms.

3) When considering library information resources and their print/online mix, librarians are emphasizing value over cost. In assembling a collection management system unique to their own operations, librarians are on a continuous lookout for the value of what they buy, subscribe to, and choose to retain. Under more pressure than ever to justify costs to administrators, they favor those information products and services with which they can achieve the best service for their internal customers.

4) The quality of scholarship and authority in online research is an underlying concern for librarians – and remains an unresolved issue. Differences in preferences for types of information use (either print or online) tend to be associated with the age of the associate. Older associates, accustomed to heavy use of print materials, tend to relate over-reliance on online sources with lower-quality research. Younger associates, steeped in electronic information for most of their lives and education, are much more comfortable with going online to find information with immediate results. Librarians will continue to play an important role in bridging this gap and in helping to encourage the necessary training to do so.

5) Most librarians are trying to achieve the right print/online balance that works for them, rather than planning to exchange one medium for another. While a perception among C-level administrators that “print is dead” is not uncommon, neither librarians nor the majority of their customers are willing to view the matter in such absolute terms. Most agree that electronic information will continue to make advances, but most also see a continuing role for print in the years ahead, and a concurrent need to integrate print efficiently and strategically within the entire library collection.

IV. WEST PERSPECTIVE

Working with law librarians as closely as we do, we hear many of the same opinions and concerns as the respondents in this paper have articulated.

We find, as this paper has helped illustrate, that there are several aspects of print and online collection management that tend to be shared fairly commonly. We agree, for example, that while adoption speed for online technologies varies, all but a few libraries see a continuing role for print resources into the future. We know that economic concerns have raised the importance of demonstrating the value of all resources to levels much higher than they were even a few years ago. And as of this writing, in the summer of 2009, we agree that most libraries find themselves somewhere around the midpoint in the process of determining the print/online strategy that is right for them.

We also understand, however, that each law library has its own set of variables – budgets, service requirements (both internally and externally), corporate cultures and attitudes toward technology – that make a one-size-fits-all approach to this question elusive, if not impossible. The right way to approach the print/online question for a given library then is just that – the one that's right for that library.

A common theme in the responses reported in this paper is that law librarians want their resource vendors to help them and to partner with them to navigate this challenge from a variety of standpoints. We at West understand this need and stand ready to lend our perspective and assistance.

To most of our large law firm accounts, for example, we assign a Key Account Customer Service representative, who serves as a single point of contact for customers looking to solve collection management challenges. They are available to:

- Review print and online contracts to help customers audit and manage their collections, or to review a firm's LMA at time of renewal to ensure the program meets the customer's needs for flexibility and services.
- Serve as the customer's liaison to a vast array of internal West resources, including Library Relations Managers and Inside Print Consultants.
- Library Relations Managers
 - Offer customers an excellent understanding of both print and online technologies, including details about the products themselves, how they interact, and the value they provide within the customer's overall resource mix.
 - Offer customers West Integrated Legal Research training, a comprehensive, individual and e-learning training resource that helps customers understand the value of print materials and how to use them in conjunction with Westlaw®.

- Inside Print Consultants
 - Serve as single point of contact for print materials to ensure the firm receives the correct quantities.
 - Provide pricing information.
 - Offer clients cost-effective print programs to aid in the management of the library budget.
 - Inform clients of new updates and new materials while making recommendations to enhance the firm's library.

Our perspective on managing print and online collections is this: Whatever the challenge, we want to support law librarians in understanding their firms' needs and developing the strategy that will deliver the right resources and the best value. It's a matter that clearly has the attention of our law library customers, and it has ours as well. Our ongoing, one-on-one discussions, like those summarized in this paper, will help us assist customers at the individual level while broadly informing them of the products and services – print and online – that we develop for all West customers in the future. West is committed to partnering with law librarians in continuing this dialogue. We look forward to your contributions as we define best practices in collection management.

LINDA WILL

A native Texan, Linda Will received both her B.A. and MLS from the University of Texas at Austin. A Law Librarian for over 25 years, Linda has worked at Vinson & Elkins (Houston), Holland and Knight (Tampa), Greenberg & Traurig (Miami), Dorsey & Whitney (Minneapolis), and since 2008 has run Will Resources, a Law Firm and Legal Resources consulting company. As well Linda has served on several advisory boards to include: R.I.C.E., Information America, the Copyright Clearance Center, and the West Advisory Board.

Linda has spoken at workshops both national and abroad and has twice taught "Electronic Resources," at the University of Texas Graduate School for Library Science. Presently serving on the editorial board for Thomson Reuters' *Practice Innovations*, Linda has been published in the *ABA's Law Practice Management*, the *National Law Journal*, *Legal Information Alert*, *Trends*, *AALL Spectrum*, and most recently in *ALM's Legal Tech Newsletter*.

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