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Who Owns What Now? — Law Publisher Genealogy

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There are a lot of parallels between keeping track of who owns what in publishing and one of my hobbies, genealogy. Perhaps that is why I agreed to be coordinating editor of a regular column on changes in publisher ownership and write the first column on legal publishing. My genealogical work is far more rewarding and successful because so many other genealogists share information and in the case of the largest family I'm working on, two other genealogists do major portions of the work. I cannot hope to keep up with all the changes in publishing across the board on my own or even those in legal publishing without assistance. If this column is to be a success and provide useful information for all of us, we will need volunteer coordinators from other major publishing areas and a whole host of people who monitor a variety of sources of publishing news such as listers and magazines to feed information into the column. The more who assist, the better it will be. Take up a new avocation, publisher genealogy, and contribute to the value of this column.

While the merger and acquisition frenzy of the last three years is the source of most of our day-to-day acquisitions headaches, I've found knowledge of a longer history to be useful for a variety of purposes in law librarianship. So in this first column, I will try to layout the big picture of who owns who in American legal publishing. Future notes in this column will rely on this background and include only more recent developments.

When I was working on the first draft of this column in January, it looked like the newest mega-merger in legal publishing would be the impending merger of Reed Elsevier and Wolters Kluwer. Some headlines had billed this as a merger of the No. 2 and No. 3 legal publishers while others looked at the broader base of the two companies and described the deal as the marriage that would create the world's largest professional and scholarly publisher. But then shortly after I submitted the column to ATG, we learned that the wedding had been called off at the last minute because the couple couldn't work out the terms of the pre-nuptial agreement. It appears that either the European antitrust agencies or a combination of the European and US agencies are a bit tougher than the US Department of Justice is on its own. A Wolters Kluwer representative said that it appeared likely that US and European regulatory authorities would force divestiture of some activities and products that would threaten WK's targets for annual growth in earnings and negatively affect its shareholders. So WK wanted to renegotiate the deal and Reed said the terms WK was insisting on would be unacceptable to Reed shareholders.

Even without the WK/Reed merger, these two companies are major families in legal publishing. Both Kluwer and Reed have been acquiring legal publishing companies and titles that had to be sold off after the Thomson-West merger, and there is every indication that they intend to continue expanding their share of the legal market through further acquisitions. Who is left to be acquired, you might ask? Pieces of Times Mirror (owner of Matthew Bender and part owner of Shepard's Citations) in conjunction with Reed is likely to be the first target. Matthew Bender was formally offered for sale early this year. There is speculation that the Bureau of National Affairs (BNA) may be a target as well. Speculation about the future aside, the most logical way to explain who presently owns what is to divide the legal publishing world into four groups: West-Thomson assets; Reed Elsevier assets; Wolters Kluwer assets, and the little left over.

West-Thomson's current assets include most of the assets of the former New Publishing Co. (including Westlaw and Foundation Press); Clark Boardman Callaghan (CBC); Lawyer's Cooperative (LCP); Bancroft Whitney; Warren, Gorham & Lamont (WG&L); Research Institute of America (RIA); Banks Baldwin; Barclay's; Gale (aka Gale Research); Information Access Corp. (IAC); Maxwell McMillan (including some titles acquired by MM from Carswell (Canada); Sweet & Maxwell (England); Stevens (England); Thomson (Canada); and Thomson Professional Publishing). In addition to these assets, various parts of the West-Thomson organization bought most of the Shepard's McGraw Hill legal treaties when these were sold off prior to other arrangements being made for Shepard's Citations. This list of assets probably isn't all encompassing especially in areas of professional publishing outside the legal market.

Reed Elsevier's assets include most of the assets of Lexis-Nexis; Jurisopt, Michie, Butterworths; Parker; Congressional Information Service (CIS); Martindale Hubbell; Reed; Reed Reference Publishing; R.R. Bowker; and University Publications of America (UPA). In addition Reed Elsevier owns a 50% interest in Times Mirror/ Matthew Bender in Shepard's Citations. Some sources indicate that Reed Elsevier may also have an ownership interest in Matthew Bender, but I think that is a mistake, at least for now. Reed Elsevier also bought most of the titles that the West-Thomson group was required to sell because of the antitrust aspects of the West-Thomson merger.

Wolters Kluwer's assets include Commerce Clearing House (CCH); Aspen; Little Brown (law and professional divisions); LRP; Prentice Hall Law & Business, Panel Publishers; Nijhoff, Wiley (law division); and Lippincott-Raven.

The relatively independent category still appears to include Bureau of National Affairs (BNA) and BNA Books; Times Mirror and its subsidiary Matthew Bender (at least for January); Harrison, Congressional Quar-

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Publisher Sun Circle

Prentice Hall; Computek; Rutters Group; Counterpoint; Legal Solutions; Law Book Co. of Australia; W. Green (Scotland); Richard De Boo (Commonwealth countries);
terly; Anderson, Oceana and a variety of
association and other organization publishers like
Practicing Law Institute (PLI); American Law Institute-American Bar
Association (ALI-ABA); American Law
Institute (ALI); National Institute for
Trial Advocacy (NITA). Some of the
association publishers have had various print-
and marketing arrangements with some
parts of the three larger groups and some
continue with these arrangements.

Sometimes, it isn’t enough to know who
owns what at the highest level because the
three largest players have many divisions
and many different contacts for a variety
of issues from billing to marketing to ship-
ing. At times, knowing a bit more of the
history of who owned what can be
helpful in figuring out whether something
is a match or who to contact.

Between 1978 and 1980, Thomson pur-
chased Callaghan, Clark Boardman, Rich-
ard De Boo and Warren, Gorham &
Lamont. Thomson merged Clark Boardman
and Callaghan to form Clark Boardman
Callaghan which it operated as a separate
subsidiary. W&L and Richard De Boo (I
think) continued to be operated separately
from CBC. In 1987, Thomson bought Asso-
ciated Book Publishers which brought them
Carswell (Canada), Sweet and Maxwell
(England), Stevens (England) W. Green
(Scotland) and the Law Book Company (Austra-
lia). In 1989, Thomson acquired Lawyers
Coop which included Bancroft Whitney
(US), Research Institute of America (US)
and Veralex (US electronic products).
Thomson also bought Maxwell Macmillan
in 1991 which had acquired part of Prentice
Hall in 1990. Most of the PH/Macmillan
titles were re-assigned to the RIA
division, but a few went to CBC and W&L.
One title even spent some time in all three
divisions finally settling down to CBC.

The remainder of Prentice Hall continued
to operate as Prentice Hall Law and Busi-
ness until 1994 when it was bought by Kluwer
which merged Prentice Hall Law and Busi-
ness with its US subsidiary Aspen to form
Aspen Law and Business. Sometime in early
1990’s the Little Brown legal line was also
acquired and became part of Aspen.

In the early 90’s, Mead (the Paper Giant)
decided to sell Mead Data Central (Lexis/
Nexis) and its law publishing subsidiaries.
MDC had acquired Michie and Illinois Code
Co. in 1988. Jurissoft (a legal software com-
pany) n 1989, and Folio in 1993 (an electronic
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search software company which Reed later sold to Open Market in 1997). Many years earlier, Michie had acquired Bobbs-Merrill and Allen-Smith (small statute publishers). Before acquiring MDC, Reed bought R.R. Bowker (primarily bibliographic products and directories) in 1985 and Martindale-Hubbell (US Legal directories) in 1990. After the sale, Reed merged Michie and the American division of Butterworths to form Miche-Butterworths.

Although West was huge and had bought one or two small companies such as Banks Baldwin and Barclays over the years to round out its collection of state statutes, until the summer of 1995, West had generally stayed out of the fray. In early 1996, West was sold to the growing Thomson organization creating the West-Thomson conglomerate which clearly owns the largest share of North American legal information assets. As part of that merger, the Justice Department required West-Thomson to divest itself of a number of titles, all of which were purchased by Reed Elsevier and made a part of its Lexis Law division which also includes Michie and Butterworths.

In the last year, Wolters Kluwer has purchased Commerce Clearing House and the legal division of Wiley (John Wiley & Sons). And then in October of 1997, Wolters Kluwer and Reed Elsevier announced that they would merge to form Ewk. But now that merger is off.

The story of what happened to Shepard's/McGraw Hill, like that of Prentice Hall, is intertwined with both West-Thomson and Reed Elsevier/Lexis. Shepard's/McGraw Hill had two major legal lines: a series of legal citators and a series of legal treatises. The Shepard's name had been closely associated with the citators for over a hundred years and as computer citators were developed, Shepard's was widely criticized for a variety of problems. So Shepard's decided to get out of the treatise business and concentrate on improving its citators. Thomson bought most of the citates and assigned them to a variety of its divisions, but the lion's share of them eventually wound up with Clark Boardman Callaghan. Shortly after the treatises were sold off, Matthew Bender (a division of Times-Mirror) and Reed Elsevier reached agreement to jointly purchase Shepard's Citators, which is where things stand at present with the citators. It appears that there is an agreement that if either company is sold, the other has a first option on the Shepard's of W&L has gone to A.J. Pratt and Sons which apparently plans to convert the titles to interfaced services eliminating the option of buying one cumulative supplement per year. Most of the Shepard's treatise titles became CBC titles. Billing for CBC, LCP and West brands is semi-consolidated at this point, although many problems still need to be worked out. For the present at least, RIA seems to remain separate for some purposes such as billing, although for other purposes RIA appears to be very closely connected to the West Information Group part of West-Thomson. CIS is also part of West Information Group for some purposes, but I haven't figured out exactly what that means.

It appears that Reed Elsevier is in the process of consolidating all of its US print legal publishing under a new division called Lexis Law. So far the acquisitions of CCH and Wiley by Kluwer are too recent to tell what effects that merger would have on the publications and accounts.

All of this is very confusing and difficult to follow. I've found it helpful to take a skill out of my genealogy hobby, and construct sun charts showing the major relationships. Like my genealogy charts, for some relationships I know only the names, while for others I know more of the lineage and at least approximate dates for when the changes occurred. If those charts can help me visualize all the relationships arising from births, deaths, multiple marriages, divorces, unmarried parents and adoptions, then why shouldn't they help me remember and apply what I know about publishing relationships to solve library problems. Now if only the whole tech services staff could enjoy publisher genealogy as much as I enjoy family genealogy, there might be something positive in this all too fluid world.

P.S. I promise future columns will be much shorter, more along the lines of the third paragraph of this article.

Op Ed
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ars going to be able to build the kind of publication record traditionally required for retention, tenure, and promotion in the academy? How is it possible that some universities are actually raising the publications bar while their own press are being forced to reduce their commitment to monograph publishing? How, under these circumstances, can university presses continue to perform the screening and legitimation functions assigned them by the academy? Granted, the best work does get published, and published well. Granted, there are always presses springing up or expanding or establishing new niches, and the savvy author will find a home. Granted, the real problem is that academic job markets are very tight, and nothing the scholarly presses do will change that fact. But, if scholarly publishers continue on their present course, and libraries on theirs, and no technological breakthrough comes along to change the calculus, the scholarly monograph as we know it will be fighting an ever steeper uphill battle. Are academic departments in the social sciences and humanities prepared to reconsider the weight they give to articles and other means of disseminating scholarly research? Will they decide to give more value to translation, editing, reference, pedagogical, and large, collaborative projects — projects that publishers welcome because they serve the needs of a broader audience (in the thousands, rather than dozens)?

I hope that school officials, senior faculty, dissertation advisors, and national organizations of scholars will soon come to terms with the fact that the revolution taking place in the way information is disseminated has had a dramatic impact — both positive and negative — on the economics of publishing. The next casualty of this revolution may be the scholarly monograph — at least the average, narrowly specialized scholarly monograph — which no longer supports the costs of hardcover publication. We can improvise and innovate a little bit more, but I think the die is cast, and we are all going to have to adjust to the new reality.

NB: Adapted from an article published in the March, 1998 issue of NewsNet, the newsletter of the American Association for the Advancement of Slavic Studies.

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