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Curating Collective Collections — PALMPrint: An International Collaboration to Preserve American Legal Materials in Print

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Column Editor's Note: In this column, I am pleased to welcome Margie Maes and Tracy Thompson to the pages of ATG with a progress report on PALMPrint, a collaborative archiving project of the Legal Information Preservation Alliance (LIPA), the NELLCO Law Library Consortium (NELLCO), and 65 member libraries. Like some collaborative journal projects, PALMPrint is building a central archive of publications that are widely distributed in print, are fundamental to library collections, take up their fair share of shelf space, and are predominantly used these days in electronic form. Members contribute holdings to the archive so that those libraries that wish to may deaccession their copies in favor of access to the preserved print archive; moreover, members support the maintenance of the archive by paying an annual fee through an administrative host and iterating their development of the archive in stages that expand content and service provision. Unlike most other shared print agreements, however, PALMPrint is discipline-specific. It therefore shares a strategic space for physically concentrating or collaboratively digitizing and centrally serving discipline-specific groups of materials with such other initiatives as Ceres, CRL and partners' program for agricultural materials, CRL and Law Library Microform Consortium's initiative for legal materials, and ASERLS's program for preserving holdings of U.S. government agency publications in Centers of Excellence among libraries in the Southeast. In tandem with many others for creating centralized or distributed archives for different bodies of print materials, these disciplinary programs contribute to a vibrant and ever-developing landscape for collaborative management of collections, a landscape which reconfigures elements of twentieth-century efforts for cooperative acquisition and preservation of specialized groups of materials — think PL480 or Farmington, Center for Research Libraries or FDLP — with newer, broadly focused programs for general collection of journals and circulating monographs. — BK

The story of PALMPrint began more than five years ago when the executive directors of two organizations set out to examine the transition in law libraries from a primarily print information environment to a heavily digital one, and to explore collaborative solutions

for the preservation of and access to existing print materials.

Preserving America's Legal Materials in Print (PALMPrint) is an exciting print repository devoted to a legacy collection of U.S. federal and state primary legal materials. Developed by the **Legal Information Preservation Alliance (LIPA)** and the **NELLCO Law Library Consortium (NELLCO)**, this project has just completed the second year of a three-year pilot intended to prove the concept of a shared, discipline-specific collection, jointly owned by the sponsoring organizations and the participating libraries.

We began talking about the idea of a shared print collection at a time when the print repository movement was gaining traction.¹ We recognized that with ubiquitous electronic access to nearly all primary legal material and a great deal of secondary material, our member libraries were struggling to justify maintaining redundant print collections but were leery of discarding them without a strategic preservation plan in place. The concern doesn't stem from a lack of commitment to a fully digital environment. Law libraries embrace that potential. However, many also see part of their role as stewards of the written record for those to come. There remains a sense that, at least for now, the printed record should be retained for the just-in-case need.

Over the years our members had been involved in a variety of ad hoc efforts and initiatives for distributed print retention and preservation, but those models lacked permanence and reliability. One important goal of our pilot was to provide a solution that was sufficiently permanent to allow participating libraries to make different local decisions about their own library space and collections in reliance on the existence of the shared collection.

In May of 2011, we invited some of the experts in the field to come together for a two-day Summit on Print Repositories at the **Center for Research Libraries** in Chicago. This summit was an important step in the development of our thinking about a shared print collection, because it convinced us to change our initial collection focus from law journals to primary legal materials, which present more

bibliographic challenges² but were viewed as more fundamental to the rule of law and therefore more in need of attention.

In fall 2011, we established an advisory committee to help us determine the feasibility and desirability of a joint pilot project to establish a shared print collection of primary, U.S. legal materials. Among the early questions the committee addressed were what the collection would contain, who would provide the materials, where it would be stored, and who would pay for it. From those discussions the committee created a collection development plan³ that outlined the primary legal materials to be included in the repository collection. Because there is general agreement on what constitutes a core collection in a U.S. academic law library,⁴ we were able to use two unique bibliographic tools⁵ to estimate the size of our pilot collection at around 100-120,000 items. The committee suggested that a small number of geographically proximate libraries be invited to donate

these core materials from their collections to the repository. Limiting the donor pool was the most cost-effective way to acquire the original corpus. The advisory committee also designed a funding model under which **LIPA** and **NELLCO** would underwrite a significant portion of the project's initial cost, and participating libraries would provide the balance of the funding as subscribing members. The cost per library would depend upon the number of participating libraries. We presented this general proposal to our respective boards and received their enthusiastic approval to move forward.

In spring 2012 we drafted and issued an RFP to several storage facilities in the Northeast that we identified as possible candidates for housing our repository collection. Our geographic focus was determined by the likelihood of our donating libraries' being located in the Northeast and by our idea that, if successful, the project could be replicated in another part of the country. The RFP elicited three good proposals, and the advisory committee spent several weeks comparing the proposals and developing follow-up questions for each vendor. We ultimately eliminated one of the proposals

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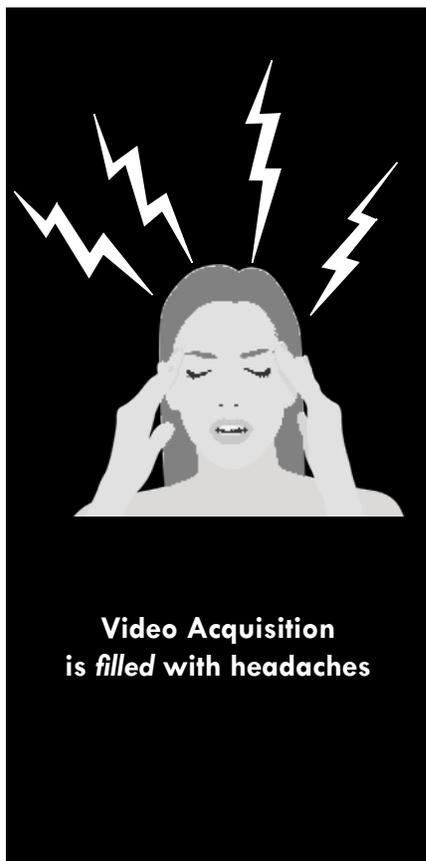
that we did not think was a good match for our project, and we set up site visits with the other two storage facilities so that we could see the physical plants, meet staff, and address workflow and other logistical considerations. In September 2012 we made a final recommendation to the advisory committee and selected the high-density storage facility of **William B. Meyer, Inc.**, located in Windsor, CT.

During fall 2012 and spring 2013 we busily engaged in marketing the proposal to our constituent groups as a low-cost opportunity to rely on access to important print materials. We determined that for purposes of the pilot, subscribing libraries had to belong to one or both of our organizations. We named the project **PALMPrint**, designed a logo, sent mailings to library directors, held a series of Webinars to describe the project in more detail, and drafted a Memorandum of Understanding that committed subscribers to the full three years of the pilot project. The advisory committee made follow-up phone calls to **LIPA** and **NELLCO** members to recruit participation and answer questions. We needed 50 libraries to commit to the pilot in order to achieve our funding model, and in May 2013 we were able to launch the project with 65 subscribers. At this level of participation, the final cost per library was less than \$1,500 per year.

The advisory committee identified four institutions (**Cornell Law School**, **Quinnipiac University School of Law**, **University of Pennsylvania Law School**, and **Vermont Law School**) that were willing to donate significant portions of their print collections to the repository, with the understanding that ownership of the materials would be transferred to the participating libraries. The **PALMPrint** collection is jointly owned under a legal theory of personal property ownership called joint tenancy. Each library, including the donor library, is a full owner of the entire collection. As such, each library can access and use the collection at will. The subscription fees and the funds that **LIPA** and **NELLCO** contributed to **PALMPrint** were used to pay the costs of moving and storing the materials for the duration of the pilot.

During the first year of the pilot (2013-14) we moved or shipped nearly 60,000 volumes to the **Meyer** facility, where staff began the process of ingesting the materials and building a simple interface to allow for discovery and retrieval of items. While the expectation is that these are extremely low-use materials due to their electronic availability, all materials in the collection are available to any of the more than 60 participating libraries. Materials can be scanned and delivered (if appropriate), shipped via common carrier, or used onsite in a reading room at the facility. Circulation is currently a mediated process rather than patron-initiated. Participants make local decisions about how the materials will be discovered by their users. However, during 2014-15 we continue to work with **Meyer** on refining the interface, making it both more robust and more user-friendly.

In fall 2014 we held a meeting for **PALMPrint** subscribers, where we addressed the need to identify gaps in the collection to date, including major sets or titles that we had not acquired as well as individual volumes missing from sets in the collection. We also posed several questions



about the future of the project beyond the pilot phase. The participating libraries want **PALMPrint** to continue and expand, so we recently appointed a Futures Committee to help chart the course for the transition from a pilot project to a permanent repository. Although we still have work to do, particularly in the area of access and delivery of materials, it seems clear that the first two years of the pilot project have demonstrated the proof of concept and the viability of the model.

How is **PALMPrint** different from other print repository projects? While print repositories and shared print collections have proliferated in the last decade, several things distinguish **PALMPrint**:

- It is a shared collection, jointly owned by the two sponsoring organizations and the participating libraries.
- It is focused on a single discipline, which is not unique but is unusual. **PALMPrint** is and always will be about print legal materials.
- The collection is centralized in a remote storage facility that does not belong to any of the participating institutions.
- The project's goals are both preservation and access. While not a dark archive, this legacy print collection is widely replicated in digital form, so we expect low use and minimal physical impact to the materials.

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LIPA and **NELLCO** are thrilled to support this project and hope it will serve as a model for a collaborative solution to print retention of legal material, allowing libraries to make different decisions about library space at the local level. In this way, libraries can continue to be responsive to the changing needs of their users, secure in the knowledge that primary print materials are within reach and under the stewardship of the collaborative. 🌱

Endnotes

1. The early history of the project is well documented in **Margaret K. Maes** and **Tracy L. Thompson-Przylucki** (2012): Collaborative Stewardship: Building a Shared, Central Collection of Print Legal Materials, *Collection Management*, 37:3-4, 294-306.
2. Primarily due to title changes of serial publications.
3. Readers can find more information about the project scope and details at <http://www.nellco.org/?page=palmprint>.
4. **American Bar Association**. 2014-2015 Standards and Rules of Procedure for Approval of Law Schools, Standard 606. http://www.americanbar.org/content/dam/aba/publications/misc/legal_education/Standards/2014_2015_aba_standards_chapter6.authcheckdam.pdf
5. **Hein** Checklist of Statutes and **Pimsleur's** Checklists of Basic American Legal Publications.