

## Can this relationship be saved? "Are we partners or opponents?"

### The Librarian's Turn

"Things are so busy in my library I could work overtime just covering the urgent projects," says Sandra, an 11-year veteran law librarian, "but I spend so much time trying to solve publisher problems I can't seem to get my work done.

"Not only do I have to take time to correct things that shouldn't be happening in the first place, but even the simplest issues seem to take forever to work out. We used to be able to count on one representative to know our account and help track things down. Now I'd give anything to talk to someone who can answer my question with one phone call.

"Between all the mergers and restructuring of publishers, I just don't trust them anymore. I used to think we were partners in the cause of providing legal information to the public. But lately it seems money is their only priority.

"The thing is, having to spend so much extra time on these problems takes me away from the law librarian work I really enjoy and am supposed to be doing. I'm so rushed already I don't need this aggravation. And the hardest part is, no one here really understands what I'm dealing with because I'm the only law librarian."

### The Publisher's Turn

"I know changes in our industry are creating a lot of problems for law librarians," says Tom, a customer service executive at a leading legal publisher, "but our whole work environment is being reinvented and it's not easy for us, either.

"In the last few years, we've moved or lost hundreds of people and had to completely retrain thousands more. Technology has turned our industry upside down, increased demands on sales reps and made us reorganize our customer service

function. With all the new products they have to learn and understand, sales reps don't have time to handle customer service like they used to. We simply can't afford to operate that way anymore because customers won't pay the prices we'd have to charge to pay for it.

"Our company is just doing what we have to do to keep up with the changes in the world. I only wish people would remember that we're an organization of human beings, not a corporate giant trying to take advantage of them. Many of us have worked with the librarians for years and have endured all the changes they have. I want to be helpful to my customers, not harmful. I wish they could understand that."

### The Counselor's Turn

Despite their frustrations, I sense from the emotion in their voices that this relationship is important to both publishers and law librarians. Underneath it all, they realize how much they depend on each other to do their jobs, and both want their interaction to be the productive and positive experience it once was. To achieve this, they must acknowledge the environmental causes of the problems, realize the human element and unique objectives that influence both sides, and look for common goals to encourage cooperation rather than conflict.

Uncontrollable factors in her work environment are overwhelming to Sandra, who feels abandoned by publishers and anxious about her future. Publishers are also reeling in the wake of monumental changes brought on by technology and company mergers. The fact is, there is no easy way out of the confusion and disarray. Both sides must endure the current chaos and cooperate to move forward into a more effective, mutually beneficial relationship.

**S**ometimes it seems publishers and law librarians have irreconcilable differences. Changes in our world have magnified the natural conflict between publishers, who have to make money, and librarians, who have to stretch it. In reality, good libraries wouldn't exist without published products, and publishers wouldn't do very well without libraries. Like it or not, librarians and publishers need each other.

Last spring I determined that if I accomplished nothing else during my year as President, I wanted to: 1) raise the level of discourse with and about publishers to one of cooperation and understanding, and 2) provide AALL's members with concrete suggestions and tools for dealing with the sea change in the world of legal publishing. We know that this is a hot issue, at some level, with almost everyone.

Although it's not the ultimate solution, this "President's Briefing" has been prepared to give some perspective on the issues faced by both the producers and the consumers of legal information. It demonstrates the sort of assistance the AALL Executive Board and I want to provide our members and readers. In the coming months, you can look forward to AALL's Tool Kit for Publisher Relations and a host of other actions to support you in this critical area.

*Gudny Meadows*

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# President's Forum

Many law librarians and publishers spoke with us during the preparation of this briefing. The following comments were chosen to represent the varied of opinions that exist on this complex subject. We thank everyone for their help and regret that space does not permit sharing all their comments.—Judy Meadows

## On Resolving Problems

"I feel we're all in the same industry, albeit different ends—it's important to communicate your situation to publishers so they can communicate to you and you can jointly come up with some resolution. Saying 'I'll cancel your titles and go to someone else isn't always very effective."

Ruth Fraley, New York State Court System

"Be active in sending suggestions to publishers. Don't wait until you're unhappy about something. If you would like to see some improvement send a letter, make a call—most companies are in the mode of continuous improvement."

Marian Parker, Matthew Bender and Company

"I use a friendly but to-the-point telephone call or letter to describe the problem and how it negatively impacts the firm and our library."

Laura Olsen Dugan, LaFollette & Sinykin, Madison, WI

"I would advise people to prioritize their needs and to look for various avenues to address them. Save the 800-number calls for the more immediate issues, and use the Web page or e-mail for less-immediate things such as requesting replacement pages."

Becky Hensley, CCH Incorporated

## Handling a Cold Call

When those annoying telemarketing calls interrupt your day, consider using a "canned" response such as:

"We do not purchase anything by telephone. Please send a brochure and we will be happy to review the material. Should we decide to order, you will receive a purchase order. Follow-up calls on your part will be a waste of your time and ours."

George Morris, Southwestern University Law Library

## On Effective Relationships

"We need to try to remain reasonable and if we have a complaint, offer a specific suggestion to remedy the problem. I've been upset when people have posted their letters to publishers or aired a complaint on lawlib before they've tried to get a problem resolved with the company."

Kathie Sullivan, McNamee Lochner Titus & Williams, Albany, NY

"Publisher relations is recognizing that we need each other. Having a constructive and productive relationship requires some open-mindedness and the ability to put yourself in the other's shoes, to have two-way communication. Publishers are not our sworn enemies."

Frank Houdek, Southern Illinois University Law Library

"As frustrated as we all may be, we all know we can hear somebody better if they're talking to us rather than yelling at us."

Marian Parker, Matthew Bender and Company

"I think if we are strategic and forceful in a positive way, the library community will be able to direct what happens with publishers. Effective communication is the key."

James Walther, author, *Developing Library-Vendor Relations: A How-To-Manual for Librarians* (Neal-Schuman, early 1998)

"We're not a mysterious nameless company, we're the same people librarians have worked with for years—we're going to track issues down and give them to the right people."

Donna Bergsgaard, West Group

"There were always people we could call to help us understand what's going on, and now the actual people aren't there anymore. There is a real shift in attitude that librarians still need to make to adapt to this new environment."

Margie Axtmann, University of Minnesota Law Library

## On the New Environment

"Librarians are the ones who must serve the technically challenged and the technological whiz kids among our patrons. We have to somehow balance our resources and it's extraordinarily difficult."

Ruth Fraley, New York State Court System

"The customer service that librarians received five years ago would not be acceptable for a moment today because customers are more demanding and sophisticated. They have to realize we'll never meet their expectations because the expectations are constantly increasing."

Holley Moyer, LEXIS-NEXIS

"When you bring technology into it, you've got network problems, individual PC problems, connection problems. Problems become compounded when you try to connect to others."

Janeen Heath, Dresser Industries

"Our customer base ranges from one-person libraries to those with multiple locations, and we have over 700 products in various media. Before, we'd just send out a loose-leaf reporter to a single location. Now elements like computer compatibility, WAN or LAN usage and publication unlock codes can make transactions much more complex."

Gene Landoe, CCH Incorporated

"Manufacturing is one of the lowest costs of electronic publishing. What's very expensive is the tremendous cost of research, case noting, indexing, quality control, and the technology experts needed to produce information in electronic form. We have all of the same costs, and more, as we did to create print products."

Howard Zack, West Group

## Link up with CRIV

The **Committee on Relations with Information Vendors (CRIV)** is a vital component in AALL's multi-faceted approach to addressing the complex issues surrounding the publication and distribution of legal information products. CRIV works directly with publishers to provide an effective means of exchanging information about librarian needs and publisher practices; it also actively engages in problem resolution on behalf of librarians.

"We can be the mediator and help when something is a big hassle and isn't getting solved," says Judy Lauer, 1997-98 CRIV Co-Chair. "Come to us and let us try to help take some of the pressure off you."

CRIV serves AALL members in the following ways:

- **Representing law librarians** in outreach to publishers, including conducting on-site visits and sharing information on law library needs
- **The CRIV Sheet**, containing practical tips, news and researched articles about publisher issues, which appears three times a year in *AALL Spectrum*
- **Complaint Resolution Subcommittee**, chaired by Mabel Shaw of Georgetown University Law Center (202/662-9139, shawm@law.georgetown.edu),

providing CRIV intermediaries and negotiators to help members solve publisher problems

- **CRIV Ombudsmen**, who maintain relationships with publishers and keep AALL members informed on their procedures and key contacts (details provided on Web page)
- **Contributing expertise** to assist in selecting AALL's annual New Product Award for publishers
- The new **CRIV Web page** (<http://www.aallnet.org/Committee/CRIV/>), with frequently updated information including:
  - Publisher contact information
  - Online interactive complaint form
  - News of complaint resolutions
  - Hot topic descriptions and discussion groups.

### Now being planned:

- Tool Kit on Publisher Relations
- Librarian Bill of Rights regarding Publishers
- Publishers' Guidelines
- AALL-sponsored listserv for publishers to quickly disseminate information about products, policies and procedures.

## Understanding change

David Turner, Vice President for Thomson University, is a certified consultant in change management, provides the following insight on how people deal with change.

"In a rapidly changing, turbulent environment, we are constantly barraged with conditions that encourage us to feel slightly off-balance. Change usually is a request that people do things in ways they haven't before, and until they get comfortable with new domains, they experience anxiety around successful performance. What's happening today is that you learn a new way of doing things only to discover very quickly that it is outdated. People need appropriate training, hand-holding, coaching, and support or they are going to feel anxiety with the inability to do things as well as they once did.

"People who are inclined to want a predictable or stable environment will more quickly manifest their anxiety in an uncertain situation. Anxiety diminishes productivity because people who are anxious are preoccupied with figuring out what the new behaviors need to be. Anxiety can be manifested in anything from headaches or illness to chronic complaining or unnecessarily lashing out at other people.

"Understanding change allows you to more comfortably deal with it and prepare for it. The more we are able to successfully manage transitions, the better we are at it — it increases our capacity to handle it. Everyone goes through this kind of anxiety in transition — even positive change is at some degree uncomfortable."

### TIPS FROM CRIV

1. Be polite—the person on the phone usually isn't at fault.
2. Cultivate a good relationship with your local sales representative. As allies they can often work miracles and have an incentive to keep you happy!
3. Document all conversations. Don't forget to get the phone rep's name and the time and date you called.
4. Save receipts, correspondence, warranties, ads, and mailed solicitations. They are proof of promises not met.
5. Have all information ready when you call (invoice number, order number, title, price, etc.).
6. If the person on the phone can't help, ask to speak to the supervisor. If you can't do so right away, at least get the supervisor's name.
7. Don't make idle threats. If someone figures they don't have to take you seriously, they won't.
8. If all else fails, contact CRIV for assistance.

On Solving  
Publisher  
Problems

# AALL and Publisher Relations

As declared in Frank Houdek's March, 1997 "Open Statement on AALL and Publisher Relations" (reprinted in *AALL Spectrum*, Vol. 1, No. 9), AALL has worked consistently in recent years to advocate for members' interests and maintain open, honest dialogue with publishers. AALL members control more than \$2.4 billion in legal publishing budgets each year, representing approximately one-half of the industry's total dollars (1996 *AALL Demographic Survey*). This significant clout, combined with AALL's longstanding relationships with major publishers, makes the Association uniquely qualified to present librarians' professional views and advocate for their legal publishing interests.

AALL does this in a number of ways. On a national policy level, AALL closely monitors mergers and other significant industry

"AALL is working right now to ensure that law librarians can participate in this new legal publishing environment from a position of strength and knowledge."

Open Statement on AALL and Publisher Relations, March, 1997

activity, voicing member concerns in such procedures as the West-Thomson antitrust review. **The Committee on Relations with Information Vendors (CRIV)** has stepped up its historical role of facilitating communication between law librarians and legal

publishers. CRIV not only helps resolve complaints, but works proactively by sharing publisher information and complaint resolutions with all AALL members (see "Link Up with CRIV", p. 19, for more details).

The new **Consumer Advocacy for Private Law Librarians (CAPLL)**, subcommittee of AALL's Private Law Libraries Special Interest Section also has some projects underway.

Among its plans are development of template form letters about common

publisher complaints—to save librarians time in composing letters—and a suggested invoice design that meets librarian needs.

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The first step is to understand that anxiety and confusion are common factors in any change. Although they are undesirable, these conditions are perfectly normal. It's human nature to feel uncomfortable and need support when dealing with change, so it is in everyone's interest to listen, try to empathize, and set realistic expectations.

Sandra has to step back and put the publisher's actions in context, and not take them personally. She needs to come up with new strategies to deal with the situation at each publisher, and to create procedures to handle them most effectively in cooperation with each company. This involves identifying, prioritizing, and communicating her needs in a constructive and calm tone. To create order in the chaos she may need to carefully record the steps she has followed to resolve a problem.

Sandra should be sure to reach out to colleagues and friends to help deal with the challenging times. Involvement in networks provided by AALL, its SISs and local chapters, for example, provides vital contact with people who understand. E-mail is a good personal communication tool, but the lawlib listserv shouldn't be confused with a support group. Messages

posted there are read by thousands of people and should be as carefully thought out as an article for publication.

The publisher needs to establish more ways to listen to customers and validate the difficulties company changes are causing. Communication must be a top priority. Law librarians would be best served by a thorough understanding not only of the company's products but of its operations as well. Given the information and opportunity, librarians could provide valuable input as to the impact a company change might have on their organizations.

Working together for the common goal of providing the best legal information available is the best way to adapt to this ever-changing technological world. It will take understanding and rational communication to find the common ground, but with hard work from both sides law librarians and publishers can weather the current turbulence and improve their relationship for the future.

*Editor's note: This article is a fictional attempt at capturing some of the key issues at work in the current librarian-publisher relationship. Any similarities to individual situations are purely coincidental.*

## Resources

**AALL Committee on Relations with Information Vendors**  
(see details p. 19)

**CRIV Complaint Resolution Subcommittee**

Mabel Shaw, Chair,  
Georgetown University Law Center  
(202) 662-9139  
shawm@law.georgetown.edu

**Web page**

(<http://www.aallnet.org/Committee/CRIV/>)

Publisher Contact information  
Online Complaint form  
Complaint Resolution updates

**AALL Private Law Libraries SIS  
Consumer Advocacy for Private  
Law Librarians Subcommittee**

Kathie Sullivan, Chair,  
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