

Law-Library Cooperation:

What Makes it Work?



An Interview with *Diane Klaiber*

by Carole L. Hinchcliff

"Diane has brought a lot of energy to NELCO, and we are enthusiastic about moving forward with a new executive director to continue the implementation of our strategic plan." — S. Blair Kaufman, president, NELCO Executive Board

At the end of June, Diane Klaiber retired as executive director of The New England Law Libraries Consortium, a position she had held since 1995. Established in 1983, NELCO is a unique law library consortium currently comprising 20 academic law libraries, one private nonprofit library and four state libraries from Pennsylvania to Maine, (<http://www.nelco.org>). In light of the emphasis on library cooperation outlined in AALL's strategic plan, (http://www.aallnet.org/about/strategic_plan.asp), and the AALL Research Agenda (<http://www.aallnet.org/committee/research/agenda.asp>), I decided to find out what we can learn about law-library cooperation from NELCO, presently the most active law-library consortium. For more perspectives on law-library cooperation, look for the forthcoming issue devoted to this topic in *20 Legal Reference Services Quarterly*, issue 3.

Hinchcliff: NELCO members are diverse in type and size of law library. What motivated such a diverse group of law libraries to cooperate?

Klaiber: While our members are diverse, they have common needs and goals, even more than those of a large research or undergraduate institution. NELCO's initial goal in incorporating in 1983 was to share resources. That goal is still valid today, along with other goals. Our

strategic plan includes, among other items, networking, training, career development and shared interlibrary loan programs. In fact, last year we surveyed all NELCO directors asking what their top five issues will be in the next three years. The result was the same for academic, state or private institutions: technology, staffing, change management, training and collections. I bet that if you surveyed 100 institutions, they would have the same issues. I believe that if libraries focus on these common goals, sharing and cooperation are much easier.

Hinchcliff: Which cooperative efforts of NELCO have been the most successful?

Klaiber: Certainly these include our efforts around electronic-resource licensing, interlibrary loan, and the Blackwell acquisitions contract for monographs and standing-order titles. Both our licensing arrangements and the Blackwell contract have saved NELCO members a substantial amount of money and have also allowed us to leverage the consortium in getting publishers to sponsor training, change the language in licenses, and improve how we access publishers' information. For instance, *Massachusetts Lawyers Weekly* stopped producing fiche of its product, which was a real concern for the academic institutions. I met with the CEO, who agreed to produce a separate Web site where the academic institutions would get free access to the publication.

I am also proud of our training programs, such as our recent joint workshop with the American Association of Research Libraries

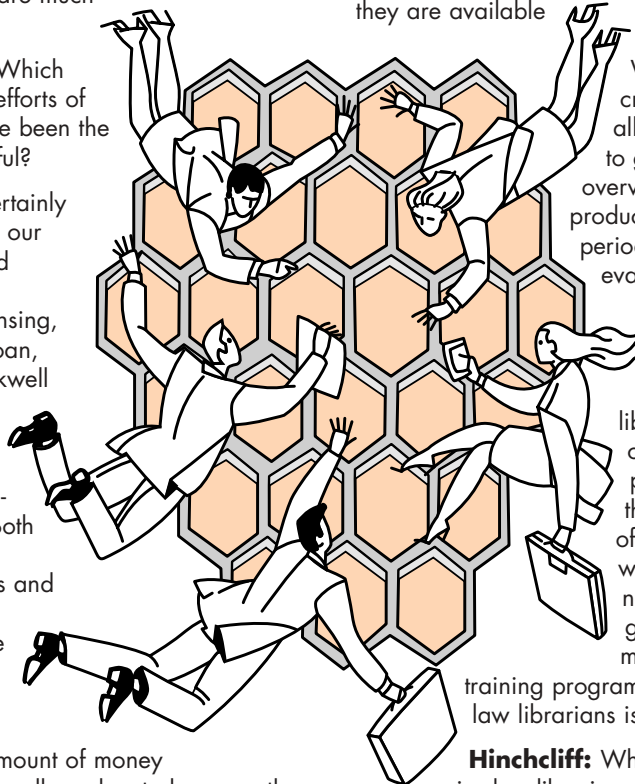
on advanced licensing. In the "Product Negotiation and Business Models" session, Angee Baker from SOLINET discussed how law libraries can negotiate with publishers if they understand the publisher's viewpoint. Librarians with a knowledge of business models can be more successful in negotiations with publishers.

The forms we developed to avoid duplication of efforts by our reference librarians and our vendors when we investigate the purchase of an electronic resource for our members are very helpful; they are available

at the NELCO Web site. The criteria worksheet allows vendors to give us an overview of their product during the trial period, and the evaluating electronic database form allows reference librarians to critique a product. I also think that many of the members would say the networking that goes on at meetings and training programs specific to law librarians is invaluable.

Hinchcliff: What advice do you give law librarians in negotiating with electronic-resource vendors?

Klaiber: This is an area where it helps to have participated in business, learning the dynamics of business relationships and customer service. I treat every vendor as my customer. By that, I try to understand their concerns, needs and outcomes. I don't treat them — at least on the phone — as an adversary but as a colleague. I also try to get the publisher to understand a NELCO member's position. In other words, I use all the principles you have read in *Getting to Yes*. I believe too many



librarians start their negotiations with the feeling that publishers are out to get them. That is the wrong approach because it puts everyone on edge. The relationship I develop is all about compromise and knowing what battles you are willing to push and which ones you can let go this time around. Patience is a virtue in negotiations — a lesson that didn't come easily for me. Lastly, I always try in any relationship to begin on a human level, move into the business level and always end back on the human level. I believe this shows respect for the person you are dealing with.

Hinchcliff: You have proposed that law libraries form a national consortium for acquiring access to electronic resources. Why do you think this is necessary?

Klaiber: Yes, I definitely believe that. However, I have proposed the idea not only for licensing but also for joint cooperation in many areas — job rotations, virtual reference desks, distance learning, training and the list goes on. There is a host of items that law libraries are duplicating across the country, and not enough time to do justice to all. Certainly the leverage of a national consortium may bring prices on electronic resources down, but I think law libraries need to be more concerned about archiving issues; usage statistics; cross-linking programs, such as SFX; and authentication. These issues are perhaps more critical than price. A national consortium would be able to leverage the market with a common voice talking with the CEOs of law publishers instead of members of their sales forces. (Interviewer's note: SFX is context-sensitive linking software that facilitates the seamless linking of all Web-based information in a library's electronic collection, whether the resources are hosted by the library or external information provider.)

Hinchcliff: Tell me about the accomplishments of NELLCO of which you are proudest.

Klaiber: The first one is that NELLCO members are proud of their consortium, and rightfully so. While NELLCO has been around for 18 years, it really has blossomed in the last five years, and I believe it can only get stronger as a model for other law libraries. For two years in a row, NELLCO has won the AALL marketing award for use of technology, which is very rewarding.

The second area is my work with law publishers. For example, NELLCO worked

very closely with Loislaw.com to get it to understand the need to offer its services free to academic libraries. It took awhile, but it did happen. We have put pressure on Oceana regarding its restrictive license, and while it is not perfect, Oceana did make some changes, and we continue to work with it. BNA is another publisher that I have worked very closely regarding its transition to the Web.

Hinchcliff: Academic law libraries have traditionally worked to maintain their autonomy. Has this been a factor in NELLCO's cooperative efforts?

Klaiber: As a whole, I would say no because we have focused on duplicative efforts that have been agreed to by all members in our strategic plan. However, two areas that always seem to generate discussion are the reciprocal program allowing customers of NELLCO libraries to use each other's facilities and our interlibrary loan policies. There is a fear by some of the private institutions that they will be inundated with another school's students or attorneys. That has not happened, but the perception is that it will. Second, similar perceptions come up in regards to interlibrary loan, but again, members are respectful of each other and try to make sure they don't abuse our agreements with one another. Of course, as you grow there is always that stage where members have to get to know each other and feel comfortable with the new playing field.

Hinchcliff: Which cooperative efforts have been the most challenging to develop and why?

Klaiber: It has been easy to get folks on board with new initiatives that don't interfere with previous set processes, such as licensing, as everyone is relatively new at this. However, in areas that might require members to change vendors or use a different process for interlibrary loan or binding, there is resistance. Some members have a strong allegiance to a certain vendor, whether they are getting the best deal or not. Further, some do not have the staff to make changes, or the staff is too resistant to change or can't deal with technology. Needless to say, there is a host of reasons not to change even if saving money in the long run is evident. Perhaps the one effort that has never gotten off the ground is cooperative collection development. NELLCO has looked at this issue several times but could not come to common ground where

members would feel comfortable allowing another institution to specialize in a certain area of law so they didn't need to purchase expensive materials to support that area. Of course, the last five years has been relatively lush with money for law-school libraries, so there hasn't been a real need to do something about joint collections. That may change in the future. Recently, a member who lacks shelving

Selected Resources for Negotiating Licenses with Electronic Publishers

LIBLICENSE-L Mailing List
<http://www.library.yale.edu/~llicense/ mailing-list.shtml>

An Internet discussion list covering electronic content licensing for academic and research libraries.

LIBLICENSE — Licensing Digital Information: A Resource for Librarians
<http://library.yale.edu/~llicense/index.shtml>

Licensingmodels.com — Model Standard Licenses for Use by Publishers, Librarians and Subscription Agents for Electronic Resources
<http://www.licensingmodels.com>

International Coalition of Library Consortia
<http://www.library.yale.edu/consortia/>

Association of Research Libraries Workshops
<http://www.arl.org/workshops.html>

space proposed that we share superseded volumes. I think this type of collection sharing makes good sense and is something NELLCO can facilitate.

Hinchcliff: Which areas of law-library cooperation do you expect to expand in the next five years?

Klaiber: This is probably a question for the executive board and the new executive director, but from my perspective I think NELLCO needs to focus more on the people issues of cooperation. For instance, our strategic plan addresses the idea of doing job rotations, cross-training between academic and the public institutions, and training of staff for the future, especially as

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we use technology more and more. I would love to see NELLCO establish a virtual reference desk for all our members to use, set up distance-learning programs as we grow geographically, host more publisher/librarian forums, and consider centralizing cataloging. NELLCO can do much more than presently reflected on our Web site in regards to sharing teaching materials, Webographies, etc., so that members are not reinventing the wheel. How many ways can you teach someone to use *Index to Legal Periodicals and Books*?

Hinchcliff: Are there cooperative efforts in other types of libraries that could be adopted by law libraries?

Klaiber: Yes, especially when it comes to cooperative collection development in areas of subject concentration, such as intellectual property, tax, etc. The International Coalition of Consortia Web site listed in the sidebar has examples of

white papers on technical requirements and statistical usage reports that could be used by law libraries. Delivery programs, binding and shared cataloging are a few examples of cooperative efforts. The ICOLC meets twice a year and over 100 consortia across the globe gather to talk about library cooperation.

Hinchcliff: What are the elements of successful cooperative efforts between libraries? What makes cooperation work?

Klaiber: The driving factor in any cooperative effort is that it either has to save money or time for the members since any NELLCO project is in addition to each staff member's normal working day. That is why an agreed-upon strategic plan by all participants is really critical to moving any organization forward. Even then, I won't say that it is easy. If libraries are just getting started, I would start something that is easy and will impact all participants so when it happens there is some positive

impact and enthusiasm for it. If members see the positive impact, that will help to motivate the next set of volunteers. It also helps to get to know those members who are leaders and those who are followers. I also believe in celebrations and rewards after a project has been completed. A public announcement or letter to a supervisor is another nice way to thank those who have helped an organization. Celebrate those successes!

Hinchcliff: Do you have a favorite quote about library cooperation?

Klaiber: My favorite quote about library cooperation is from Benjamin Franklin: "We must all hang together, or assuredly we shall all hang separately."

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