

Institutional Strategies for Effectively Responding to ABA Standard 604



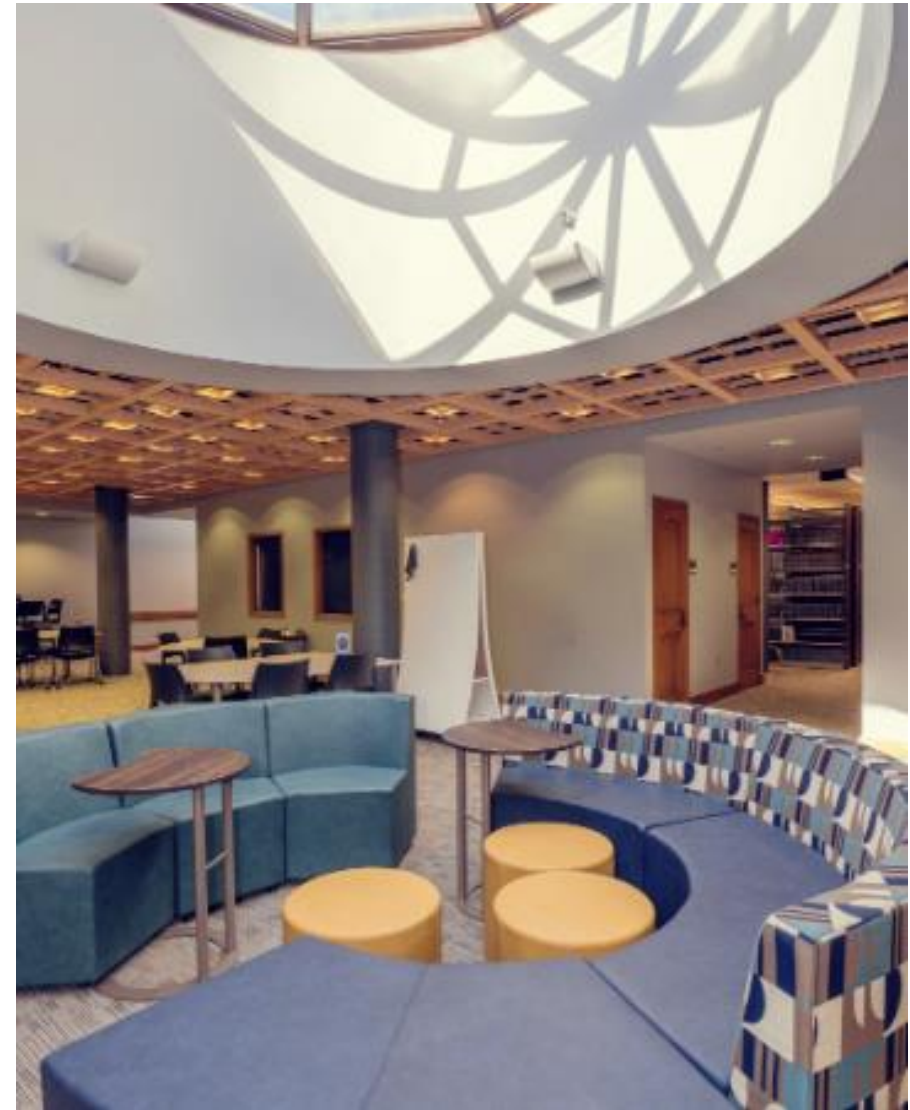
LAW
LIBRARY

TEXAS TECH
School of Law

Standard 604, Space Planning, & Physical Collections

Jamie Baker

*Associate Dean/Law Library
Director*



Loss of Physical Law Library Space



Texas Tech School of Law opened in 1968, and the Law Library takes up the vast majority of the original building space.



The Dean had substantial funding offers to create a Veteran's Clinic and an Immigration Clinic.



DumontJanks consulted in Spring 2024 on space and specifically recommended reducing the Law Library's footprint.

Standard 604 Law Library Collection

(a) The law library shall provide reliable and efficient access to a collection of materials and information resources that is complete, current, and with sufficient continuing access for the law school to operate in compliance with the Standards and to carry out its program of legal education.

(b) The choice of format, ownership, and means of reliable access for any part of the law library's collection shall be sufficient for the law school to operate in compliance with the Standards and to carry out its program of legal education.

(c) The law library shall formulate and periodically update a written plan for development of the collection.

Interpretation 604-1

The appropriate mixture of collection formats depends on the needs of the law library and the law school; it need not entail a mixture that includes physical books.

Interpretation 604-2

Reliable access to information resources may be provided through:

- (a) databases to which the library or the parent institution subscribe or own and are likely to continue to subscribe and provide access;*
- (b) authenticated and credible databases that are available to the public at no charge and are likely to continue to be available to the public at no charge;*
- (c) participation in a formal resource-sharing arrangement through which materials are made available, via electronic or physical delivery, in an efficient and effective way to users; or*
- (d) print materials.*

Standard 604 is not satisfied solely by arranging for students and faculty to have access to other law libraries within the region.

Weeding & Shifting Under Pressure



Initially planned to focus on a substantial print government documents collection



FDLP is going digital



Duplicate coverage with reliable electronic access



Texas Tech University Libraries is a regional repository with access to documents



BUT the timeline to review and get approval through official channels took many months, and we could not wait



Plan to continue to review into Summer 2025



Weeding & Shifting Under Pressure

- Next focused on print journals – many of which had been cancelled and were no longer updated
 - Preference for PDF-versions on HeinOnline
 - Activated the Law Journal Library in the catalog to provide convenient access to electronic titles
 - For journals that were not on HeinOnline, we reviewed WL/LX and other Texas Law Library catalogs
 - Due to working under time pressures, there was no time to coordinate off-site storage, etc.

Weeding & Shifting Under Pressure

Weeded cancelled state statutes, reporters, digests
from other states

No longer being updated as of 2018

Little to no use in Law School's curriculum

Heavy reliance on myriad electronic resources

Innocence Clinic called prison libraries to inquire if they
were interested in outdated materials – no takers.

If you were asked to reduce the physical collection tomorrow, which materials would you consider?



Recommendations & Further Considerations

- Plan early and often and consider collection focus as part of collection development policy
- Take advantage of off-site storage
- Systems Work & Vendor Relations – Barbara Moreno
- Electronic & Digital Resources & Licensing Best Practices – Dajiang Nie
- Resource Sharing Challenges & Consortia – Ross Hinojosa
- Effects on Instruction – Ashley Arrington

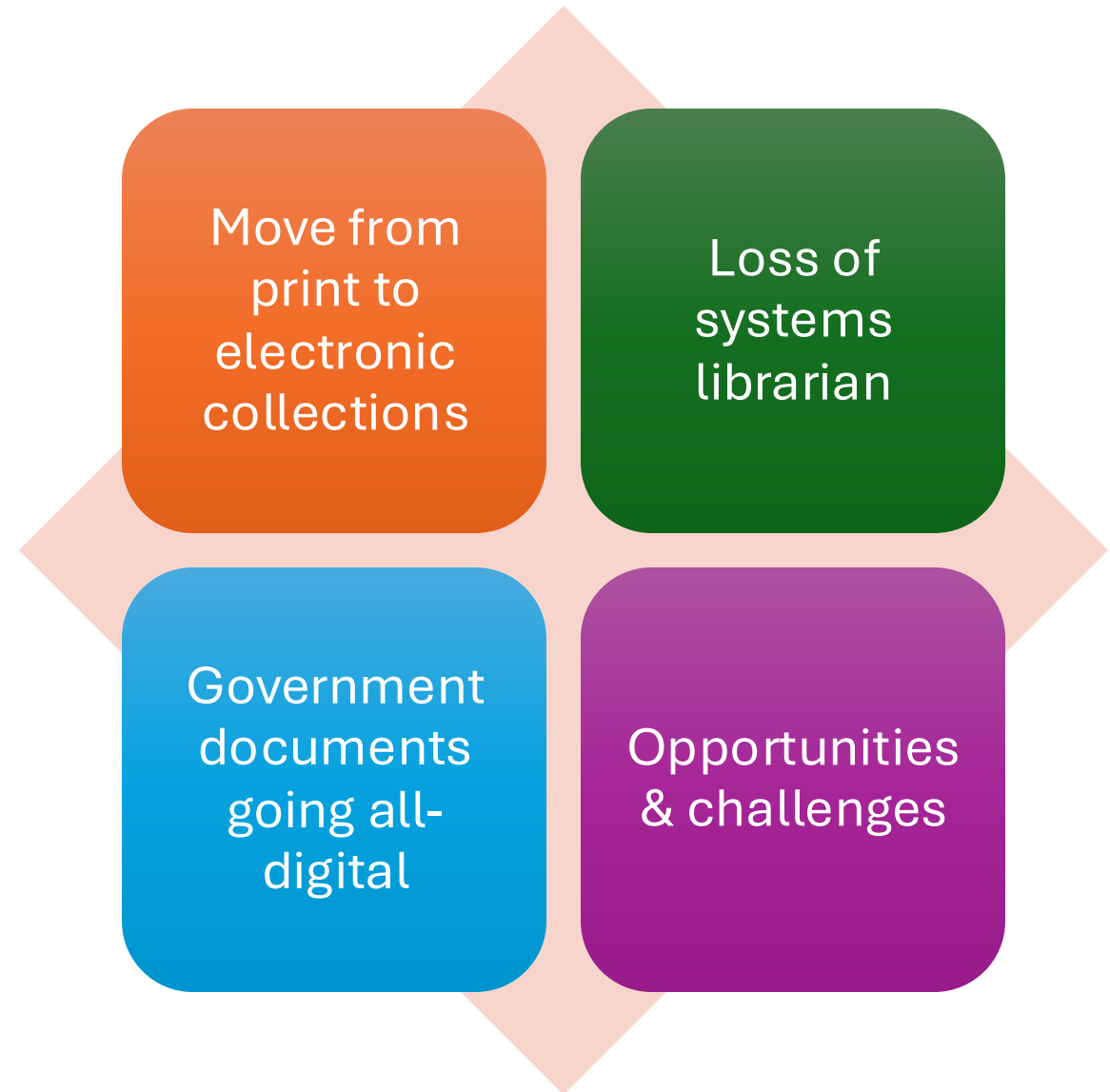


Systems Work & Vendor Relations

Barbara Moreno

Systems & Collections Librarian

Catalysts for Examining Systems & Vendor Relations



Move from Print to Electronic

Changes in ABA Standard 604-1

- Print optional
- Choose appropriate format for the collection

Moving from print to electronic

- Managing electronic collection
- Improve user experience

Weeding

- Weeding under pressure
- Weeding as part of collection development process

Loss of Systems Librarian

- Loss of experience & knowledge
 - Replacement w/ limited knowledge – learning from experience
 - Relying on institutional resources
 - Try to minimize mistakes
 - Increased staff time
 - Lack of institutional knowledge
 - How to maintain the system
 - Learning to maintain the system
 - Learning to manage electronic records
 - Learning the role of systems librarian

Question everything and look for opportunities for improvement

Digital FDLP



**Managing an all-digital
government document
collection**



Weeding print material



**Deciding which catalog
records to include**



**Managing electronic
records**



**Providing access to the
public and in-person
patrons**



eBook Vendors

- Benefits of adding eBook MARC records to our system.
 - Enhancing patron access with MARC records.
 - Allows system to be a one-stop for patron information.
- How we obtained MARC records for ALMA.
 - Contacting vendors and seeing what they offer (they are all slightly different).
 - Community Records in ALMA vs. Outside Vendor Records.
 - Choosing the options that best fits our needs and staffing levels.

Opportunities & Challenges

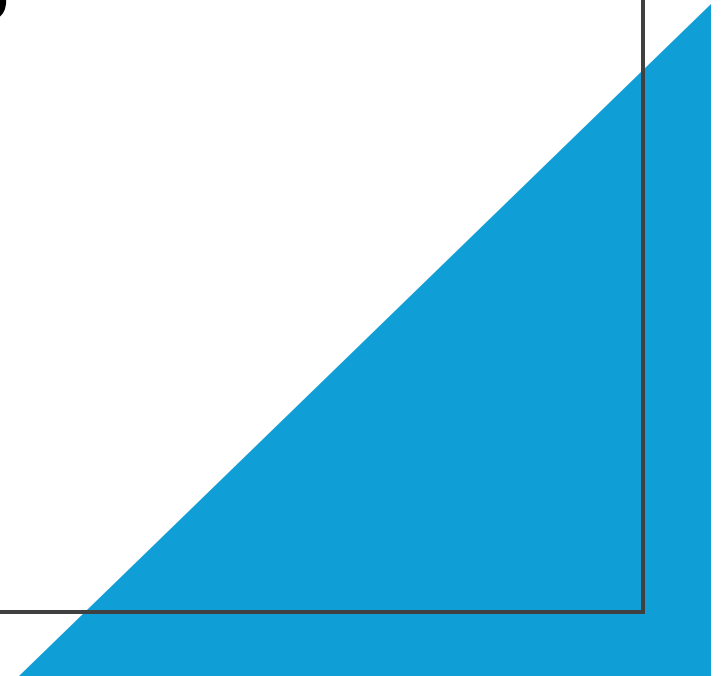
Opportunities:

- Examine catalog in a holistic manner
- Improve patron experience in catalog
- Examine & update collection development policy
- Create new workflows

Challenges:

- Time it takes to learn
- Time deadlines for moving out of space
- Loss of physical space in library & opportunity to use space for library purposes (study space, special collections and programming use)

If you were revamping your system, what changes would you make?



Electronic Resources & Licensing Best Practices

Dajiang Nie

Electronic & Digital Services Librarian



Vendors have more power than ever

- E.g., ALM removed from Lexis & Bloomberg Law

How to respond

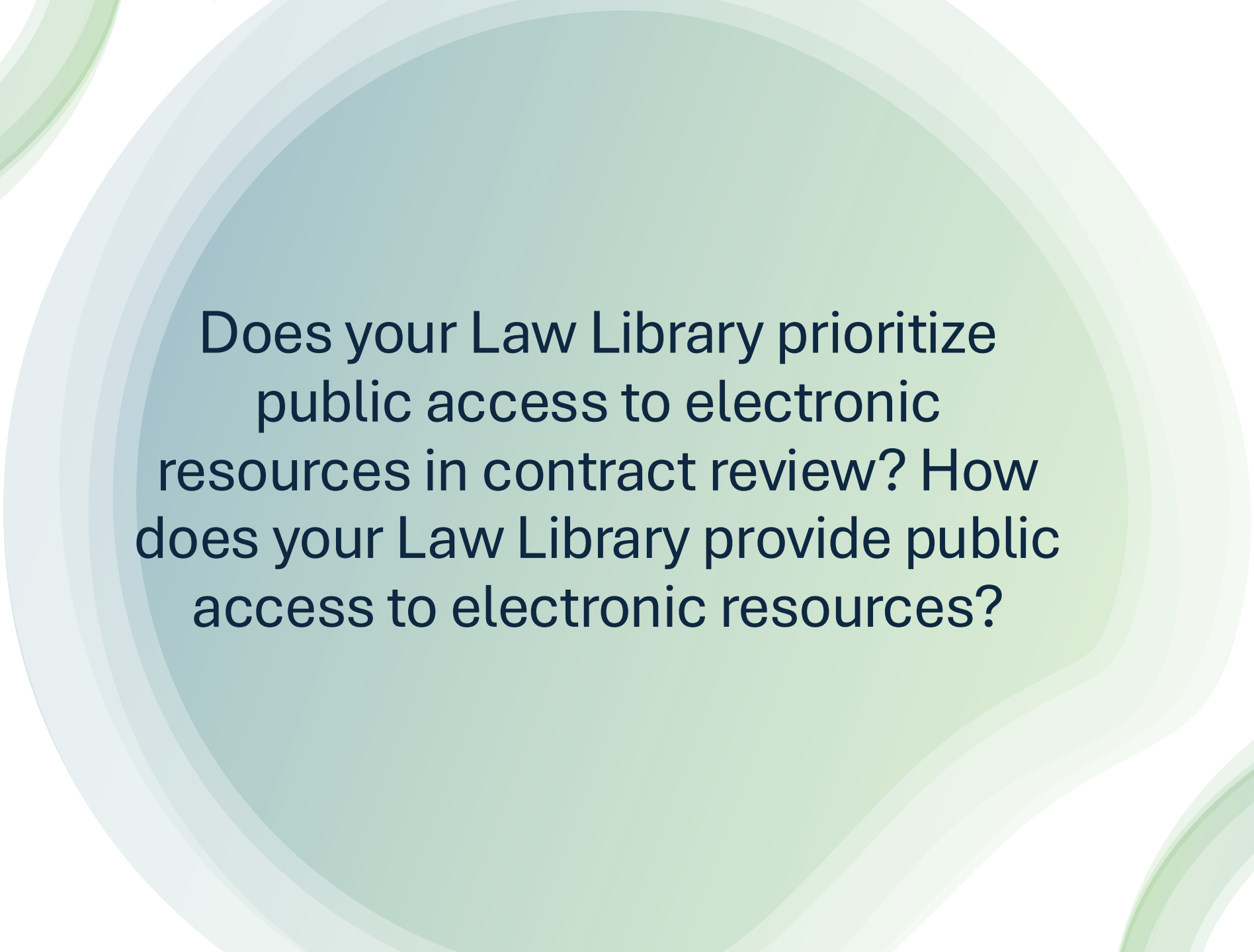
- Learning e-service contracts clauses: a more proactive approach to reviewing those contracts

Key Clauses to Review

- Authorized Users
 - Understanding and identifying the expected users for an e-resource.
 - If the Law Library plans to have non-Law School walk-in patrons to use an e-resource, Authorized Users should include this user group.
- Authorized Use
 - Ensuring the license agreement permits “no commercial use” or “fair use” in terms of limitations on use of the licensed content.
 - Undertaking reasonable and appropriate methods to notify Authorized Users and to enforce the terms of access to a licensed resource.
 - Establishing policies under which Authorized Users make appropriate use of licensed resources.

Key Clauses to Review

- Statistics
 - Confirming the clause of the usage statistics collected or generated by the licensor, and the means available for the licensee to access those statistics.
- Termination/Renewal
 - Assuring the license agreement states the terms and conditions of Renewal and Termination, and related rights acceptable to each party.
 - Specifying the conduct that constitutes a breach or termination of contract and the remedies available to the parties.
 - Securing the Escape Clause in a license agreement.
- Warranty
 - Ensuring the license agreement contains Warranty clause.



Does your Law Library prioritize public access to electronic resources in contract review? How does your Law Library provide public access to electronic resources?



Resource Sharing Challenges & Opportunities for Consortia

Ross Hinojosa
Law Library Fellow

The Challenge: Reliable and Efficient Access

Copyright & Licensing Issues

- *Per my contract, I can't...*

Verifying Scholarly Records

- Increased Difficulty

Mistakes in Digitized Content

- Old Scans, Scanner Accuracy (OCR), & Human Error

Willingness to Lend

- Rare Materials

Decreased Availability

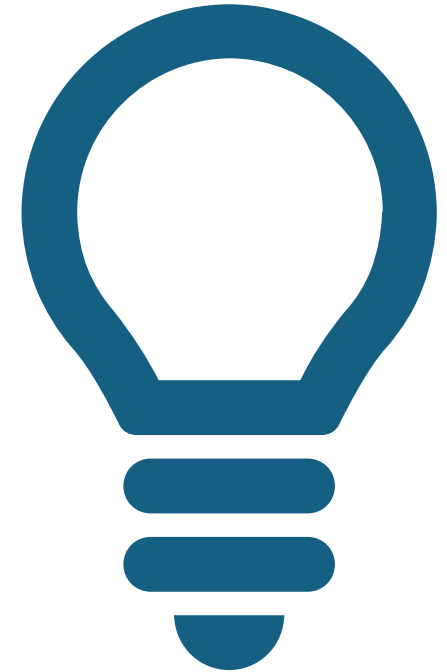
- *But who needs it MORE?*


Presumption of Reliability

- *I thought YOU had that!*

Consortia as the Solution: Consortia-lution?

- Multiple Avenues
 - Academic
 - State Specific
 - SWALL Affiliated
- Increased Structure & Procedure for Cooperation
- Increased Planning Power for Individual Law Libraries
- Opportunities for Collaboration with other Consortia
- Leadership Opportunities
 - Personal
 - Institutional
- *Challenging To Sow, Rewarding to Reap*





Are you interested in joining a regional or state consortia? Which resources would you include in a sharing agreement?

Effects on Instruction

Ashley Arrington
Head of Instruction



Instructional Impacts of ABA Standard 604

Teaching in a Digital World

- Print vs. Digital: Highlighting similarities in research strategies
- Info Literacy: Evaluating online sources, credibility, and efficiency
- AI & Professional Ethics: Ethical use, evolving tools, and keeping up
- Access & Cost: Teaching free & open access resources and impact on billing practices

Faculty Pushback & Collaboration

Firm Expectations

What are the biggest challenges teaching research in a digital world? How do we overcome those challenges?

Questions

IF YOU WERE ASKED TO REDUCE THE PHYSICAL COLLECTION TOMORROW, WHICH MATERIALS WOULD YOU CONSIDER?

IF YOU WERE REVAMPING YOUR SYSTEM, WHAT CHANGES WOULD YOU MAKE?

DOES YOUR LAW LIBRARY PRIORITIZE PUBLIC ACCESS TO ELECTRONIC RESOURCES IN CONTRACT REVIEW? HOW DOES YOUR LAW LIBRARY PROVIDE PUBLIC ACCESS TO ELECTRONIC RESOURCES?

ARE YOU INTERESTED IN JOINING A REGIONAL OR STATE CONSORTIA? WHICH RESOURCES WOULD YOU INCLUDE IN A SHARING AGREEMENT?

WHAT ARE THE BIGGEST CHALLENGES TEACHING RESEARCH IN A FULLY DIGITAL WORLD? HOW DO WE OVERCOME THE CHALLENGES?