

Baylor Law Library

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Electronic Resources Collection Development Policy

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A. Purpose

This policy augments the law library's General Collection Development Policy with respect to the selection and maintenance of electronic resources.

B. General Format Policy

Electronic resources acquired for the law library should adhere to the same selection criteria outlined in the General Collection Development Policy. Though much of the same criteria for selection can be used for content, the acquisition of digital formats presents a wide array of issues including the following: licensing; pricing structures; ownership; hardware support; vendor support; access; and maintenance.

C. Selection Process

The librarians review all potential purchases of electronic resources. If there is sufficient interest in a title, the acquisitions specialist arranges for a trial period and distributes the URL, user name and password to the librarians.

All approved purchases are negotiated with the vendor or source by the library director, who also reviews the license. The license is signed by the library director. A catalog record is created. The site/source is cataloged and/or a link is added to the library website. The site/source is reviewed by the library director when the product comes up for renewal to ensure that the resource is continuing to make a valuable contribution to the library's collection (this is important since electronic resources can change content, platforms, pricing structures, access methods, quality and quantity of support, etc.). Usage statistics are requested in order to facilitate retention/renewal decisions. All licenses are retained in Technical Services.

D. Product Evaluation

An electronic resource evaluation generally includes consideration of the following pieces of information:

1. Cost? Is the online price tied to the print version price?
2. Web-based, or CD-ROM?
3. Access: IP or password? Proxy allowed? Law school only, law library only, or entire Baylor campus? Limit on simultaneous users?
4. Title already available elsewhere on campus?
5. Other academic law libraries own it? Which ones?
6. Does library already own in other formats (print, microform)? What are the comparable costs? Does library own multiple copies, and is it routed or of significant interest to law faculty?

7. How often is it updated as compared to the print version?
8. Vendor's reputation
9. Adequate training available?
10. Format of documents in the database (PDF or HTML? Both?)
11. Usage statistics available?
12. Scope of coverage (content and dates)?
13. Nature of content: Full text? Primary or secondary authority? Other?
14. Target audience: Students? Faculty? Others?
15. Interface: User-friendly?
16. Available on Westlaw or LexisNexis or another online source to which the library already subscribes with the same date coverage?
17. How does it compare with other products with the same coverage?
18. Level of demand/anticipated frequency of usage?
19. Work with different browsers?
20. Special training required?
21. Could some titles or copies be cancelled for potential savings to help cover costs?
22. Published reviews available?

E. Free Websites

For free sites, the reference librarian, associate director, and law library director decide whether the sites are of general interest to the law school community and use standard selection criteria to determine if the sites should be added to the library website and/or cataloged in Millennium.

F. Selection Standards

In addition to the selection criteria outlined in the library's General Collection Development Policy, other considerations include:

1. Does the resource offer some value-added enhancement to make it preferable to, or a significant addition to, print equivalents?
 - More timely availability, updated more frequently?
 - More extensive content?
 - Greater functionality, such as the ability to link to related sources?
 - Greater flexibility in searching?
 - Remote access via proxy server authentication?
2. Is the resource updated frequently enough to be useful? Currency or periodicity of materials readily identifiable?

3. Accessible via IP address rather than individual passwords?
4. Meet technical standards in the industry? Production quality satisfactory?
5. Does resource/publishing organization's website have a stable/consistent source and authority (i.e., have a satisfactory track record)?
6. Compatible with existing library technology?
7. Resource user-friendly? Sources requiring significant training by and for staff and students may be deemed counterproductive. Resource should be "intuitive," with appropriate help screens, tutorials, finding aids, index browsing, and general ease of use. Browsability? Printing quality and capability? Ability to access title pages and tables of contents? Vendor technical support available? Well-developed linking capability? Search results reliable?
8. Provides greater access for users than other formats? Accessible from faculty offices? Elsewhere on campus? Home?
9. Email updating available?
10. Provides users with options for exporting retrieved results (e.g., downloading, e-mailing, printing of citation lists and/or full-text documents in formats desired by users)?
11. Acceptable site license available?

G. Costs and Pricing Preferences

Publishers should have separate pricing for electronic and print versions and have flexibility concerning bundling of electronic vs. print formats. Pricing is preferred based on the actual recorded use of the digital information, as opposed to pricing based on the entire law school population or Baylor community. If a source is used by the entire university community, how will costs be shared?

H. Licensing Considerations

NOTE: For a useful Web site that deals with licensing issues and includes model licensing language, see Yale University Library's "LIBLICENSE - Licensing Digital Information: A Resource for Librarians" at <http://www.library.yale.edu/~license/index.shtml>.

1. The license should include permanent rights to information that has been paid for, in the event that a licensed database is subsequently canceled or removed.

2. Vendors should employ standard agreements that specify the rights of libraries and their authorized users in terms that are readable and explicit, and they should reflect realistic expectations concerning the library's ability to monitor use and discover abuse. Agreements should contain consistent business and legal provisions, including, for example, indemnification against third-party copyright infringement liability and permission to use records in personal bibliographic systems.
3. Authorized users should include faculty, staff and students of the law school and the entire Baylor community where possible.
4. The licensed content, plus any associated features and capabilities, should be accessible from all institutionally-supported computing platforms and networked environments. This access must be based on current standards in use by the library community.
5. License should permit "fair use" of all information for non-commercial educational, instructional and research purposes by authorized users, including unlimited viewing, downloading and printing.
6. Information providers should be able to link their access control mechanism to Baylor's authentication infrastructure (IP addresses). Access should not require individual passwords and/or user IDs.
7. Licenses should not limit the library's rights to enhance or reformat data, as long as content integrity is preserved, in order to make it more visible or convenient for library users (e.g., by providing links to other library holdings or annotations for use within the Baylor community).
8. The confidentiality of individual users and their searches must be fully protected.

I. Vendor Issues

1. Trial period available for examining the utility and value of the resource before a final commitment is made?
2. Vendor license allows a sufficient number of users?
3. Resource networkable?
4. Vendor offers a reduction in price if more than one format is owned? Necessary to own a paper format in order to get price reduction?
5. Will vendor provide archival material for older years? How far back does coverage extend?
6. Cost for setup, storage and maintenance?

J. Access Issues

1. How will access be provided? BearCat (online catalog)? Link from the law library's website? Link from Baylor University's Electronic Resources Database?
2. Retention/archival policy? Will library retain material that has been updated?
3. Vendor license allow an adequate number of users?
4. If entire Baylor community is allowed access, does the law library need to coordinate with Moody Library?
5. Will access be provided by IP address? Password? Unrestricted? The library prefers access using IP addresses rather than individual passwords if unrestricted access is not provided.
6. Will remote access be available using the university's proxy server authentication?

K. Choice of Format

If a variety of formats are available (i.e., print, online, CD-ROM), the law library director will make a determination based on scope of coverage, costs, license requirements, value-added enhancements, and the like. A website or CD-ROM that merely reproduces a paper edition without providing well-indexed searching capability often does not provide a significant justification for purchase.

The library may provide access to selected resources by making them available in more than one format. Such resources primarily include those with significant historic, scholarly or popular value. Multiple format access may be provided when:

1. The electronic version is poorly supported by the vendor.
2. One format is unstable.
3. Hardware/software necessary to use the resource in a particular form is limited or unreliable.
4. There is a cost benefit to providing access in multiple formats.
5. Multiple formats are necessary to meet the differing needs and levels of usage by the various library constituencies.
6. The resource is not archived sufficiently or in a format accessible by current technology.

L. CD-ROM

The library prefers not to purchase material in CD-ROM format unless the content is unavailable in any other medium. CD-ROMs included with hard copies of books will be cataloged accordingly and made available at the library circulation desk for checkout by faculty and students. The library's preference is for CD-ROMs that enhance the paper product rather than merely reproduce it (i.e., superior searching and indexing capabilities). CD-ROMs containing forms can be useful for selected products, but generally the library doesn't acquire such disks unless they are already included with a book that has been purchased.

Important considerations regarding the potential purchase of a CD-ROM product include:

1. Will it be used in conjunction with a paper product? If so, does it provide value-added enhancements?
2. Can it be used separately as a stand-alone product?
3. Does the licensing agreement require the library to subscribe to the paper edition as well?
4. If it is a stand-alone product, how does its content enhance the library's collection?
5. Does the content warrant a CD-ROM product, or would the information be more useful as a print or online product?
6. Is it a one-time purchase, or will the library want to purchase updates?
7. How often is it updated? More often than its online or print counterpart?
8. How does the vendor handle updates? What is the price structure for maintenance?
9. Will it run on the library's existing hardware? Will additional software be required to run the product?
10. Are there any special licensing arrangements (i.e., copyright, concurrent users, audience restrictions, etc.)?
11. How will the vendor support archiving? Will the library want older material?
12. Can the library eliminate the paper version of the title?
13. Does the library need to have a permanent print copy for present and future researchers?

M. Online Databases

The library prefers the Lexis and Westlaw databases for infrequently used legal or non-legal titles, general newspapers and nonscholarly titles. *HeinOnline* is preferred for online access to PDF formats of retrospective legal periodicals. As vendors begin supplying more online subject-specific databases, the library will use its standard selection policies, as well as the following considerations:

1. What special licensing is needed? Who will be allowed to use the site? Students/faculty/entire Baylor community/unrestricted?
2. Will the site use passwords? IP addresses? Unrestricted?

3. Special hardware and software requirements?
4. Will the library continue its paper products?
5. Site allows downloading and printing?

N. Replacements

The criteria used in deciding whether an electronic resource should be replaced will not differ essentially from those used when considering the replacement of books and other materials. These criteria include: demonstrated demand for the resource; cost of replacement; and availability through other campus or remote sources.

O. Gifts

The library will accept, evaluate and process gifts of electronic resources consistent with the criteria stated above. All other issues regarding electronic materials received as gifts will be handled in accordance with the library's general gift policy, as specified in the General Collection Development Policy.

P. Shared Access

The library may have access to various databases through Moody Library, Baylor University as a whole, New England Law Library Consortium (NELLCO), etc. These groups' respective policies pertaining to licensing, discontinuing paper products, access, and the like will be closely followed.