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Amanda Runyon

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THE EFFECT OF ECONOMICS AND ELECTRONIC RESOURCES ON THE TRADITIONAL LAW LIBRARY PRINT COLLECTION

AMANDA M. RUNYON

The American Bar Association Standards for Approval of Law Schools¹ charge the library of a law school with being an “active and responsive force in the educational life of the law school”² that provides “effective support of the school’s teaching, scholarship, research and service programs.”³ Despite the fact that the law library’s role in legal education is largely overlooked by the *U.S. News and World Report* when performing their annual ranking of law schools, it is clear that a law library plays an essential role in the education of law students and the scholarship and teaching of faculty and staff members. Unfortunately, in a time of national economic hardship, funding for higher education has been limited and continues to decline.⁴ In a climate of stationary or decreasing budgets, finding a way to provide the students, faculty, and staff of the law school, the legal community, and at times the public at large access to “a core collection of essential materials”⁵ is a challenge. Even libraries that are not facing budget restrictions struggle with finding the correct balance between the need to maintain and expand a print collection while addressing the ever-changing environment of electronic legal research.

Given these issues, the purpose of this study is to examine how expenditures on acquisitions and electronic resources have changed between the 2002/03 and 2006/07 academic years and how academic law libraries are managing their print collections given the increasing electronic availability of the

¹ The 2007-08 AMERICAN BAR ASSOCIATION STANDARDS FOR APPROVAL OF LAW SCHOOLS, <http://www.abanet.org/legaied/standards/standards.html>.

² 2007-08 AMERICAN BAR ASSOCIATION STANDARDS FOR APPROVAL OF LAW SCHOOLS, Standard 601, *supra* note

³ *Id.*

⁴ See, e.g., Daniel J. Hurley, *Colleges Restrain Spending*, USA TODAY, Apr. 7, 2008, at 13A; Sandra Block, *Cost of Higher Education Gets More Pricey; In Some States, Budget Gaps Push Tuition Up 10% or More*, USA TODAY, Jul. 27, 2007, at 1B.

⁵ 2007-08 AMERICAN BAR ASSOCIATION STANDARDS FOR APPROVAL OF LAW SCHOOLS, Standard 606, *supra* note 1

same legal resources. This inquiry seems to be an important one as there has been much written over the past few years concerning the discontinuation of print materials.⁶

INCREASING COSTS OF LEGAL MATERIALS

Over the last forty-five years, there has been an obvious trend of price increases, at nearly double the rate of inflation, for legal materials.⁷ This trend has contributed to law libraries' loss of purchasing power in acquisitions expenditures in recent years.⁸ For example, from 1973 to 1996, the cost of legal serials increased at a rate that was 95% higher than the Consumer Price Index's rate of increase for the same time period.⁹

More recent data is available in the AALL Price Index for Legal Publications 4d.¹⁰ (Price Index), which includes information for 2006. The Price Index measured the rate of inflation for legal materials between 2005 and 2006, and compared these rates to the overall inflation rate in the United States for the same time period.¹¹ While the overall inflation rate was 3.22%, the prices of

⁶ For an excellent annotated bibliography of relevant books and articles concerning the print versus electronic debate, see Paul E. Howard and Renee Y. Rastorfer, *Do We Still Need Books? A Selected Annotated Bibliography*, 97 LAW LIBR. J. 257 (2005). Other notable resources include, e.g., Michelle M. Wu, *Why Print and Electronic Resources Are Essential to the Academic Law Library*, 97 LAW LIBR. J. 233 (2005); Mary Rumsey and April Schwartz, *Paper versus Electronic Sources for Law Review Cite Checking: Should Paper Be the Gold Standard?*, 97 LAW LIBR. J. 31 (2005); Penny Hazelton, *How Much of Your Print Collection is Really on WESTLAW or LEXIS-NEXIS?*, 18 LEGAL REF. SERV. Q. 3 (1999); Gordon R. Russell, *Reengineering the Law Library Resources Today For Tomorrow's Users: A Response to "How Much of Your Print Collection is Really on WESTLAW and LEXIS-NEXIS?"* 21 LEGAL REF. SERV. Q. 29 (2002); and LAW LIBRARY COLLECTION DEVELOPMENT IN THE DIGITAL AGE (Michael Chiorazzi and Gordon Russell eds., 2002).

⁷ See Kent Milunovich, *Issues in Law Library Acquisitions: An Analysis*, 92 LAW. LIBR. J. 203 (2000).

⁸ *Id.*

⁹ *Id.* During the time period from 1973 through 1996, the Consumer Price Index increased by 253 percent while the average cost of legal serials increased by 495 percent. "During that same time period, the most dramatic increase was in the category of legal continuations, which rose an astounding 1,006 percent." The Consumer Price Index measures the inflation rate in the overall economy.

¹⁰ The AALL PRICE INDEX FOR LEGAL PUBLICATIONS 4D., available at http://www.aallnet.org/members/price_index-2006.asp.

¹¹ The Consumer Price Index increased from 195.3 to 201.6 between 2005 and 2006, which is an inflation rate of 3.22%.

certain types of legal materials rose at a much higher rate. Some examples are: commercial periodicals, which increased in price by 18.75%; academic periodicals, which increased by 6.52%; citators, which increased by 21.14%; and newsletters, which increased by 14.20%.¹²

The Role of the Legal Publishing Industry

With such high costs for legal materials it is not surprising that the legal information market is the largest segment of professional publishing revenue in the United States.¹³ Out of a total U.S. professional publishing market of \$15 billion in 2003/04, legal publishing accounted for \$5.33 billion, or 35.5% of all revenue.¹⁴ Part of the reason why legal publishing is such a large part of the professional publishing market share is because “tens of thousands of new or revised laws and regulations are enacted” in the United States each year.¹⁵

In addition to this logical reason for the high revenues in the legal publishing market, several other factors help account for both the skyrocketing costs of legal materials and these profits. One key issue has been the consolidation of the legal publishing industry. In 1977, “there were 23 fairly substantial independent legal publishers.”¹⁶ In contrast by 2001, three conglomerates – Thomson West (38%), Reed Elsevier (27%), and Wolters Kluwer (15%) – controlled eighty percent of the legal publishing industry.¹⁷ In 2005, those three companies, along with mid-size publisher Bureau of National Affairs

¹² AALL PRICE INDEX FOR LEGAL PUBLICATIONS 4D., *supra* note 4. Of course, the inflation rate for some types of legal materials was negative; some examples include digests, which decreased in price by 53.68%, and legal encyclopedias, which decreased by 46.63%. A cursory glance at the sample sizes for the materials with negative inflation shows that there are fewer titles in those samples than in the samples with positive inflation; the legal encyclopedias (which has a -46.63% inflation rate) data set includes three titles, while the commercial periodicals data set (which has an inflation rate of 18.75%) contains 167 titles.

¹³ Robert Becker, *Trends in Legal Publishing*, in FIRST UPDATE TO ENCYCLOPEDIA OF LIBRARY AND INFORMATION SCIENCE 370 (2d ed., Miriam A. Drake, ed., 2005).

¹⁴ Becker, *Id.*, citing SIMBA Information, PUBLISHING FOR THE PROFESSIONAL MARKETS 2003-2004 8 (2003 – 2004).

¹⁵ Becker, *supra* note 13.

¹⁶ Becker, *supra* note 13, at 372.

¹⁷ Kendall Svengalis, Presentation, *Legal Information: Globalization, Conglomerates, and Competition—Monopoly or Free Market* at the 2007 AALL Annual Meeting, available at <http://www.rilawpress.com/AALL2007.ppt>.

(BNA), controlled 97% of the legal publishing market.¹⁸ This lack of competition has allowed the major legal publishers to increase their prices with abandon. From 1996 to 2000, the consolidation of the industry led to “predictable” price increases of approximately 72% for all “value-added” legal publications.¹⁹ One example of these significant price increases occurred after Thomson acquired the Lawyer’s Co-op Publishing group; the resulting increase was “about twice the rate of legal publications generally”.²⁰

The nature of the market for legal information is also a factor in the publishers’ success in increasing the prices of certain legal materials, such as looseleaves and supplements. It is estimated that 85% of profits for legal publishers are derived from supplementation costs for legal materials.²¹ Stephanie Marshall of the American Association of Law Librarians’ (AALL) Committee on Relations with Information Vendors (CRIV) reported that from 1995 to 2006, the “annual average increase in supplementation costs” for monographs, such as legal treatises, was “higher than the average new item cost.”²² During the same time period, the range of annual supplementation costs for Thomson West print publications was from 11.5% (for state and federal codes and treatises) to 22% (for digests).²³ One example of these extraordinary supplementation costs can be seen by looking at *Law of Water Rights and Resources*, which was published in 1996 at a price of \$228.²⁴ Over the next seven years, the costs of annual supplementation for the volume were \$113, \$120, \$152, \$164, \$161, \$189, and \$216.²⁵ “In seven years the annual costs of supplements increased \$103 or 91 percent, an average annual increase of 13 percent.”²⁶ Sadly, the academic law library cannot compete with law firms, who can pass the consistently increasing costs of legal publications onto their clients

¹⁸ Becker, *supra* note 13, at 372.

¹⁹ Michael Ginsborg, *Consolidation in the Legal Publishing Industry Means Rising Costs for Attorneys*, SAN FRANCISCO DAILY JOURNAL, Feb. 2, 2002 at 12.

²⁰ *Id.*

²¹ Stephanie Marshall, *Program A-3: Legal Information: Globalization, Conglomerates and Competition Monopoly or Free Market*, THE CRIV SHEET, Nov. 2007, at 3, 4.

²² *Id.*

²³ *Id.*

²⁴ Linda Will, *Creative Budgeting of Legal Resources*, PRACTICE INNOVATIONS: MANAGING IN A CHANGING LEGAL ENVIRONMENT, Jul. 2005, at 4, 5, available at <http://west.thomson.com/pdf/iii/PractInnovJul05.pdf>

²⁵ *Id.*

²⁶ *Id.*

by increasing their billing rates.²⁷ Additionally, not all academic law libraries are created equal; private law schools have more flexibility to increase tuition and fees to cover escalating costs.²⁸

The tension that is created by the intersection of hyperinflation of legal materials, the overall inflation rate in the economy, and increasing budgetary concerns have translated into a loss of purchasing power for academic law libraries. This reality means that law libraries are facing difficult decisions regarding how to best stretch limited resources for acquisitions expenditures. This tenuous situation shows no signs of abating in the foreseeable future, and it is likely that the decisions that are currently being made or will be made in the near future will forever impact how information is located and delivered in academic law libraries. For this reason, it is imperative that the decision-makers in academic law libraries have an accurate picture of the issues faced by similarly situated libraries and that the actions that libraries have taken to address these problems.

GUIDING QUESTIONS

In 2005, Judy Meadows and Kay Todd published an article detailing the results of several different surveys that examined how different types of law libraries were managing their print collections of digests.²⁹ One survey cited by Meadows and Todd was performed by Mike Beard, then director of the University of Arkansas Law Library at Little Rock; his survey regarding law school libraries' ownership practices of digests was posted on the academic law library directors' mailing list.³⁰ Beard found that while academic law libraries were canceling print digests, they still had substantial holdings.³¹ Another survey cited

²⁷ *Id.*

²⁸ *Id.*

²⁹ Judy Meadows and Kay Todd, *Our Question – Your Answers*, 13 PERSPECTIVES: TEACHING LEGAL RESEARCH AND WRITING 113 (Winter 2005).

³⁰ The U.S. Law School Library Directors' Mailing List is an e-mail listserv for all law school library directors at law schools in the United States. Access to the listserv is for members only; *available at* <http://lists.washlaw.edu/mailman/listinfo/lawlibdir>.

³¹ Twenty-seven of the 70 libraries (38.6%) who responded to Beard's survey were subscribing to all of the regional digests. Additionally, he found that all of the responding libraries owned the *Bankruptcy Digest*, *Federal Practice Digest*, and *United States Supreme Court Digest*. Beard also found that state digest holdings among the libraries were sizeable; "while only 11 schools reported having all state digests, only 9 schools own only their home state's digest." Additionally, a number of libraries that held the *Decennial Digest* no longer retained the interim *General Digest*. Meadows and Todd, *supra* note 29.

by Meadows and Todd was performed by Cynthia Aninao of the University of Cincinnati Law Library, who posted her questions on the mailing list for acquisitions librarians.³² Aninao found that 10 of 36 responding libraries, or 27.8%, had canceled the *General Digest*.³³

The surveys by Meadows and Todd, Beaird, and Aninao provide a solid starting point for examining how law libraries are managing one aspect of their print collection in light of budgetary tensions and the increasing electronic availability of “legal titles that were formerly sacred cows.”³⁴ Since these studies were conducted in 2005, law libraries continue to face escalating budget pressures. Further complicating this situation is the need to keep pace with technological advances and the struggle to manage the print versus digital debate. Together these issues necessitate further exploration of how academic law libraries are managing legal titles, beyond digests, which are being made increasingly available through electronic means.

To explore these issues, a set of guiding questions were written to help develop the overall study. These questions also served as a base for the construction of a survey instrument that explored changes in the treatment and maintenance of print collections in academic law libraries over the past five years (i.e., between the 2002/03 and 2006/07 academic years). Underlying these guiding questions and the resulting survey questions were four initial assumptions that were made about the practices of academic law libraries: (1) most libraries would have signed Library Maintenance Agreements (LMAs) with Thomson-West to save money; (2) most libraries would have canceled their print copies of Shepard’s citators due to increasingly affordable electronic access to KeyCite and Shepard’s for the public; and (3) consortial activities would be common because they would allow libraries to further stretch shrinking funds.

Guiding Questions

- 1: How have acquisitions expenditures in general, and expenditures on electronic resources, changed between 2002/03 and 2006/07?

- 2: How many and which electronic databases are libraries subscribing to?

³² *Id.*

³³ *Id.*

³⁴ *Id.*

- 3: What print materials that are duplicated by electronic databases, if any, are libraries no longer updating, canceling, and or considering canceling?
- 4: How many law libraries joined consortia since 2002? What are their reasons for doing so?
- 5: How many law libraries have signed a library maintenance agreement with Thomson-West? What are their reasons for this decision? How satisfied are libraries with these agreements?
- 6: Does the percent change in the amount of a library's acquisitions expenditures between 2002/03 and 2006/07 influence: the number of electronic database subscriptions held by a library; what print materials are no longer updated, canceled, and or being considered for cancellation by libraries; whether a library joins a consortium; or whether a library signs a library maintenance agreement?
- 7: Are libraries canceling, weeding, and/or considering canceling their print Shepard's citators? Do the needs of public patrons impact these actions?

METHODS

Participants

To investigate these issues, an online survey was distributed to the directors of law school libraries in the United States. The directors were invited to complete the survey within the next five days via an e-mail posted to the Law Library Director Listserv.³⁵ A follow-up e-mail reminding directors about the study and asking them to complete the survey was sent approximately five days later. Of the 194 directors on this list, 32 completed the survey, for an initial response rate of 16.5%. Unfortunately, one survey was completed by a respondent from an unaccredited law school who did not have access to the information sought about acquisitions expenditures. This survey was eliminated from the final sample for a final response rate of 15.9%.

The majority of the participants were from law libraries that have been in existence for fifty or more years (87.1%, 27). The remaining 12.9% (4) of the libraries represented in the study were established in the last nine to forty-nine

³⁵ Available at <http://lists.washlaw.edu/mailman/listinfo/lawlibdir>.

years. As shown in Table One, all geographic regions of the United States were represented by at least one library.³⁶

Table One: Library Representation by Geographic Region

	Percent (Frequency)
South Atlantic	19.4 (6)
East North Central	16.1 (5)
West North Central	16.1 (5)
Pacific West	16.1 (5)
New England	12.9 (4)
West South Central	9.7 (3)
Mountain West	6.5 (2)
East South Central	3.2 (1)

Note: N = 31.

Procedure and Instrumentation

Overall, the survey was relatively brief, consisting of 26 questions. However, none of the participants were given all 26 questions; through the use of filtering and branching questions, participants were directed to questions that pertained to their library's current situation. On average, participants took 34.5 minutes to complete the survey (*SD* = 52.29 minutes, *Min* = 5 minutes, *Max* = 252 minutes).

The survey consisted of seven broad sections. The first section was comprised of four open-ended questions which asked participants to refer to

³⁶ The geographic regions used in this survey were taken from the 2007 edition of the AALL Biennial Salary Survey, available at http://www.aallnet.org/products/pub_salary_survey.asp. The geographic regions are broken down as follows: New England (CT, MA, ME, NH, RI, VT); Middle Atlantic (NJ, NY, PA); South Atlantic (DC, DE, FL, GA, MD, NC, SC, VA, WV); East North Central (IL, IN, MI, OH, WI); West North Central (IA, KS, MN, MO, ND, NE, SD); East South Central (AL, KY, MS, TN); West South Central (AR, LA, OK, TX); Mountain West (AZ, CO, ID, MT, NM, NV, UT, WY); and Pacific West (AK, CA, HI, OR, WA).

their ABA Annual Law School Survey Take-offs³⁷ from academic years 2002/03 and 2006/07 to report the amount of acquisitions and electronic resources expenditures for those years. Next, participants identified their current subscriptions to or holdings of aggregate electronic legal databases (e.g., LexisNexis) and legal databases that provide PDF copies of print materials (e.g., HeinOnline) by completing two closed-ended questions.

The third section of the survey examined current trends regarding purchasing for and maintenance of law library print collections through three closed-ended questions. Participants indicated which of 15 print materials (i.e., digests, citators, state reporters, the National Reporter System, state annotated codes, federal annotated codes, session laws, the Code of Federal Regulations, the Federal Register, administrative materials, looseleaf services, commonwealth countries, foreign materials, international material, and law reviews and law journals) that their library continues to update, has canceled standing orders for, or are considering canceling because they are duplicated by electronic resources.

Using closed-ended questions, the survey examined how libraries addressed their collection of print Shepard's citators prior to 2002 and between 2002 and the time the survey was completed (i.e., canceling, weeding, considering canceling, considering weeding). Participants were also asked if they had electronic access to KeyCite or Shepard's for the public, and which state statutes they had subscribed to prior to 2002.

The fifth section of the online survey examined the role of library maintenance agreements in law libraries. First, participants were asked if they had signed an LMA. If an LMA had been entered into, participants were asked to indicate (1) why they decided to sign an LMA, (2) if they had renewed the LMA since 2002, (3) whether they will renew the LMA at the next renewal date, and (4) why or why not they would renew the LMA. Participants who had not entered into an LMA were asked to list some reasons why their library had decided against signing an LMA.

The sixth section of the survey focused on the functions and influence of consortia in law libraries. First, participants completed a closed-ended question indicating whether their library had joined a consortium since 2002. If the library was a member of a consortium, the participants were asked to indicate all of their library's reasons for joining the consortium: to borrow materials to review for purchasing decisions, to weed materials from collections, to save money on

³⁷ The American Bar Association's Annual Questionnaire is compiled by the ABA into the ABA Annual Law School Survey Take-offs and distributed to law schools.

electronic subscriptions, to broaden user access to materials, to provide physical access to other libraries, to provide unmediated interlibrary loan, and other (please specify). Using an open-ended question, consortia members were then asked if their buying patterns for print materials had changed since joining.

Finally, all participants were asked an open-ended question to see if the increasing availability of free access to official sources of primary law on the Internet had changed past or is anticipated to change future purchasing behaviors for print materials. General information about the law library, specifically geographic location and the length of time of the library's existence, was then solicited via closed-ended questions.

Analytic Plan

To answer the guiding questions proposed by this study, the participants' responses were subjected to basic statistical analyses. For the majority of the survey questions, the frequencies of different responses were calculated. When appropriate, the means, standard deviations, range, and percent changes were also calculated. To investigate the influence of acquisitions expenditures on the development and maintenance of collections, libraries were classified by the percent change in their acquisitions expenditures over the five-year period into "small" and "large" libraries based on the results of a median split. This classification allowed chi-square tests and t-tests to be conducted. See Appendix A for information about these analyses.

RESULTS AND DISCUSSION

Acquisitions and Electronic Resources Expenditures

All libraries must work within budgetary constraints when deciding which items to purchase, update, or subscribe to, regardless of the format of those materials. Key issues that were explored in this study were the amount money that academic law libraries were able to actually dedicate, rather than budget for, acquisitions in general and electronic resources (i.e., "online legal and non-legal databases"³⁸) in particular, and how these expenditures have changed over the past five years. As shown in Table Two, on average, law libraries spent \$952,212.10 on acquisitions in 2002/03. Expenditures on electronic resources

³⁸ This definition of electronic resources was taken from the ABA Annual Law School Survey Take-offs, question 43 ("Spent Databases").

accounted for, on average, 10.4%, or \$97,665.96, of overall acquisitions expenditures. By 2006/07 the law libraries had increased their overall average acquisitions expenditures to \$1,137,235.39, of which 19.8%, or \$215,297.70, were on electronic resources. Clearly demonstrating the magnitude of this increase is the finding that in 2002/03, the number of libraries that spent at least 20% of their acquisitions expenditures on electronic resources was 10%. By 2006/07, that number had risen to 40%.

Table Two: Expenditures

	<i>M</i>	<i>SD</i>	<i>Min</i>	<i>Max</i>
Overall Acquisitions				
2002/03 ^a	\$952,212.10	\$373,542.59	\$435,543	\$2,421,663
2006/07 ^b	\$1,137,235.39	\$420,636.07	\$563,606	\$2,513,076
Percent change from 2002/03 to 2006/07 ^a	20.7%	16.1%	-11.5%	48.0%
Electronic Resources				
2002/03 ^c	\$97,665.96	\$55,847.51	\$27,893	\$310,428
2006/07 ^a	\$215,297.70	\$87,117.71	\$42,593	\$391,423
Percent change from 2002/03 to 2006/07 ^c	147.6%	110.0%	10.0%	413.8%
Proportion of Acquisitions Expenditures Spent on Electronic Resources				
2002/03 ^d	10.4%	7.4%	0.1%	40.0%
2006/07 ^a	19.8%	8.9%	8.0%	40.0%
Percent change from 2002/03 to 2006/07 ^d	9.1%	7.2%	-1.0%	31.0%

^aN = 30. ^bN = 31. ^cN = 28. ^dN = 29.

Overall, between 2002/03 and 2006/07, the respondents saw an average increase in their acquisitions expenditures of 20.7% and electronic resource expenditures of 147.6% (see Table Two). Unfortunately, as shown in Table Three, not all libraries were able increase or maintain their overall expenditures on acquisitions. Despite this, all libraries did increase their expenditures on electronic resources.

Table Three: Percent Change from 2002/03 to 2006/07

	Acquisitions Expenditures Percent (Frequency) ^a	Electronic Resources Expenditures Percent (Frequency) ^b	Proportion of Acquisitions Expenditures on Electronic Resources Percent (Frequency) ^c
-20.0% to -10.0%	3.2 (1)	0.0 (0)	0.0 (0)
-9.0% to 0.0%	3.2 (1)	0.0 (0)	10.3 (3)
1.0% to 10.0%	26.7 (8)	3.6 (1)	58.6 (17)
11.0% to 20.0%	20.0 (6)	10.7 (3)	20.7 (6)
21.0% to 30.0%	16.7 (5)	0.0 (0)	6.9 (2)
31.0% to 40.0%	13.3 (4)	3.6 (1)	3.4 (1)
41.0% to 50.0%	16.7 (5)	3.6 (1)	0.0 (0)
51.0% to 60.0%	0.0 (0)	7.1 (2)	0.0 (0)
61.0% to 70.0%	0.0 (0)	3.6 (1)	0.0 (0)
81.0% to 90.0%	0.0 (0)	3.6 (1)	0.0 (0)
101.0% to 110.0%	0.0 (0)	3.6 (1)	0.0 (0)
121.0% to 130.0%	0.0 (0)	7.1 (2)	0.0 (0)
131.0% to 140.0%	0.0 (0)	7.1 (2)	0.0 (0)
141.0% to 150.0%	0.0 (0)	3.6 (1)	0.0 (0)
171.0% to 180.0%	0.0 (0)	7.1 (2)	0.0 (0)
181.0% to 190.0%	0.0 (0)	3.6 (1)	0.0 (0)
191.0% to 200.0%	0.0 (0)	7.1 (2)	0.0 (0)
211.0% to 220.0%	0.0 (0)	3.6 (1)	0.0 (0)
221.0% to 230.0%	0.0 (0)	7.1 (2)	0.0 (0)
271.0% to 280.0%	0.0 (0)	3.6 (1)	0.0 (0)
291.0% to 300.0%	0.0 (0)	3.6 (1)	0.0 (0)
401.0% to 410.0%	0.0 (0)	3.6 (1)	0.0 (0)
411.0% to 420.0%	0.0 (0)	3.6 (1)	0.0 (0)

^aN = 30. ^bN = 28. ^cN = 29.

One of the most important findings of this survey was that of the 29 participants who provided complete information about their acquisitions expenditures in 2002/03 and 2006/07, two libraries (6.7%) saw a negative percentage change in their acquisitions expenditures. Further, it must be noted that during the five-year time frame covered by this survey the Consumer Price

Index grew at a rate of 12.66%.³⁹ When factoring in this rate of inflation, 40.0% (12) of the participants were unable to increase their acquisitions expenditures to keep pace with inflation.

This information is useful for several stakeholders who are directly impacted by these findings: law school deans or any other person responsible for allocating funds to the library; law library directors and acquisitions librarians, who are increasingly having to make difficult decisions when trying to stretch acquisitions funds that frequently have less purchasing power; and vendors and publishers of legal information, who attempt to implement consistent price increases that are beyond what most academic law libraries can afford. In attempting to lessen the impact of the loss of purchasing power in their acquisitions funds, many academic law libraries have turned to electronic legal databases.

Database Holdings

As discussed previously, a main source of expenditures for law libraries is on electronic resources, or legal databases. Reflecting this was the finding that all of the law libraries surveyed subscribed to at least one aggregate electronic legal database at the time of the survey: Westlaw, (100.0%, 31), LexisNexis (96.8%, 30), BNA (87.1%, 27), CCH (71.0%, 22), or RIA (64.5%, 20). In addition to aggregate electronic legal databases, all of the libraries subscribed to and/or purchased one (29.0%, 9) or two databases (71.0%, 22) that provided PDF copies of print materials. All of the libraries held subscriptions to the HeinOnline database (100.0%, 31), and 71.0% (22) of libraries had purchased the Making of Modern Law database. Of the seven databases specified in the survey, the average library subscribed to and/or purchased 5.9 of the databases ($SD = 1.08$). See Table Four.

³⁹ Consumer Price Index (CPI), available at <ftp://ftp.bls.gov/pub/special.requests/cpi/cpi.ai.txt>; the annual average CPI numbers were used. The inflation rate is calculated using a simple “percent change” calculation, i.e., $CPI [(2007 - CPI\ 2003) / CPI\ 2003] * 100$. In this case, the calculation was: $[(207.3 - 184.0) / 184.0] * 100 = 12.66$

Table Four: Number of Legal Databases Holdings

	Percent (Frequency)
Seven	35.5 (11)
Six	32.3 (10)
Five	22.6 (7)
Four	6.5 (2)
Three	3.2 (1)

Note: N = 31.

Given the impact of the size of a library's acquisitions budget on its purchasing decisions and the range in the amount of acquisitions expenditures by libraries surveyed for this study, it was logical to classify libraries based on their acquisitions expenditures. This allowed for a closer examination of whether libraries with smaller acquisitions expenditures engaged in different collection development and maintenance behaviors than libraries with larger acquisitions expenditures during the five-year time period covered by this study. To this end, a median split was performed to divide the libraries into two categories based on the percent change in their acquisitions expenditures from 2002/03 to 2006/07. During this time period, the median percent change in acquisitions expenditures was 17.05%. The 15 libraries with a percent change in acquisitions expenditures less than 17.049% were labeled as "small libraries" and the 15 libraries with a percent change in acquisitions expenditures greater than 17.05% were labeled as "large libraries." One library did not provide information about acquisitions expenditures for both 2002/03 and 2006/07. As a result, this library was not included within these analyses.

When comparing libraries with negative or small changes in their acquisitions expenditures between 2002/03 and 2006/07 to libraries with large changes in their acquisitions expenditures during this time period, no statistically significant differences between the two groups were found in the libraries' average number of legal database holdings. See Table Five. In other words, irregardless of the amount of acquisitions expenditures a library is capable of making and the loss in purchasing power that a library faces, law libraries are subscribing to numerous databases. This trend clearly shows that libraries view database holdings as a way to get the most out of their acquisitions funds.

Table Five: Relationship between Acquisitions Expenditures and Number of Legal Databases Holdings

	<i>M</i>	<i>SD</i>	<i>Min</i>	<i>Max</i>
Small change acquisitions expenditures ^a	5.80 ^b	1.01	4.0	7.0
Large change acquisitions expenditures ^a	5.93	1.16	3.0	7.0

^a*N* = 15. ^b*t*(28) = -0.34, *p* = 0.74.

Purchase and Management of Print Materials Duplicated by Electronic Resources

Due to increasing fiscal constraints, libraries may question the importance and feasibility of continuing to update their existing holdings and whether they should cancel standing orders for future acquisitions when those materials may be duplicated within legal databases to which the library provides access. Indeed, several libraries have stopped updating particular print holdings, as shown in Table Six. Interestingly, at some point since 2002, the majority of law libraries have stopped updating at least one copy of the national reporter system (83.9%, 26). Other materials that a large number of libraries have stopped updating during the same period include: citators (48.4%, 15), foreign materials (48.4%, 15), state reporters (45.2%, 14), and commonwealth countries' materials (45.2%, 14). In contrast, all libraries continue to update their print copies of federal annotated codes and the Code of Federal Regulations.

An overwhelming majority (93.5%, 29) of the libraries reported that they had canceled at least one of the fifteen different print materials specified in the survey. See Table Six. Other than the federal annotated codes, the Code of Federal Regulations and the Federal Register, each type of material specified in the survey was canceled by at least one quarter of the responding libraries (8). Unsurprisingly, the most commonly canceled item was citators (90.3%, 28). Digests (67.7%, 21), looseleaf services (61.3%, 19), and law reviews and journals (48.4%, 15) were also frequently canceled by the libraries. A few libraries indicated that they had canceled their standing order for at least one copy of the federal annotated codes (6.5%, 2) and the Code of Federal Regulations (9.7%, 3); however, all libraries reported that they continued to update the federal annotated codes and the Code of Federal Regulations. It should be noted that for some materials, particularly the national reporter system and federal annotated codes, libraries who have canceled these materials or are considering doing so may be referencing extra copies when responding to these survey questions. It is highly unlikely that any law libraries would completely rid

themselves of these materials, given the collection requirements set out in ABA Standards for Approval of Law Schools.⁴⁰

Additionally, each type of print material specified in the survey was considered for cancellation by at least four libraries (see Table Six). This included the federal annotated codes and the Code of Federal Regulations (19.4%, 6; 12.9%, 4; respectively). A majority of law libraries also indicated that they had considered canceling digests (77.4%, 24), citators (74.2%, 23), law reviews and journals (74.2%, 23), looseleaf services (71.0%, 22), state annotated codes (61.3%, 19), and the national reporter system (58.1%, 18). Only one library (3.2%), reported that it had not considered canceling any of the print materials specified in the survey.

Table Six: Trends in Print Material Since 2002

	Do Not Update Percent (Frequency)	Canceled Percent (Frequency)	Consider Canceling Percent (Frequency)
Digests	19.4% (6)	67.7% (21)	77.4% (24)
Citators	48.4% (15)	90.3% (28)	74.2% (23)
State reporters	45.2% (14)	38.7% (12)	45.2% (14)
National reporter system	83.9% (26)	25.8% (8)	58.1% (18)
State annotated codes	16.1% (5)	25.8% (8)	61.3% (19)
Federal annotated codes	0.0% (0)	6.5% (2)	19.4% (6)
Session laws	35.5% (11)	25.8% (8)	29.0% (9)
Code of Federal Regulations	0.0% (0)	9.7% (3)	12.9% (4)
Federal Register	3.2% (1)	6.5% (2)	12.9% (4)
Administrative materials	35.5% (11)	25.8% (8)	38.7% (12)
Looseleaf services	9.7% (3)	61.3% (19)	71.0% (22)
Commonwealth countries	45.2% (14)	35.5% (11)	38.7% (12)
Foreign materials	48.4% (15)	25.8% (8)	38.7% (12)
International materials	22.6% (7)	25.8% (8)	35.5% (11)
Law reviews and journals	9.7% (3)	48.4% (15)	74.2% (23)

Note: N = 31.

⁴⁰ 2007-08 AMERICAN BAR ASSOCIATION STANDARDS FOR APPROVAL OF LAW SCHOOLS, Standard 606, *supra* note 1

To explore the impact of changes in acquisitions expenditures on the development and maintenance of a print collection, several additional analyses were conducted (see Table Seven). Overall, it was found that the percent change in the libraries' acquisitions expenditures rarely impacted the types of materials that the libraries stopped updating, canceled, or considered for cancellation. Instead, the smaller and larger libraries generally differed in the frequency with which they stopped updating, canceled, or considered canceling these materials. However, there was one exception to this generalization; both the smaller and larger libraries were nearly equally likely to stop updating citators (small 46.7%, 7; large 46.7%, 7) and state reporters (small 46.7%, 7; large 40.0%, 6).

Libraries with smaller or negative increases in their acquisitions expenditures were more likely to stop updating administrative materials (40.0%, 6) than their larger counterparts (26.7%, 4). The libraries with larger increases in acquisitions expenditures tended to stop updating commonwealth materials (66.7%, 10), foreign materials (60.0%, 9) and session laws (40.0%, 6) at a greater frequency than the smaller libraries (20.0%, 3; 33.3%, 5; and 26.7%, 4 respectively). It is possible that the larger libraries have stopped updating these materials at a higher frequency because they are more likely than smaller libraries to own these materials. The one material that smaller libraries stopped updating at a greater pace than larger libraries was administrative materials (40.0%, 6; 26.7%, 4). However, it must be noted that none of these trends reached statistical significance, making it possible that a larger sample size would produce slightly different results.

Both small and large libraries canceled or considered canceling similar types of print materials. For the most part, these cancellations or deliberations on whether to cancel happened at similar frequencies. For example, the majority of both small and large libraries had canceled citators (100.0%, 15; 80.0%, 12, respectively), digests (80.0%, 12; 53.3%, 8, respectively), and looseleaf service (66.7%, 10; 60.0%, 9, respectively). Both small and large libraries have considered canceling several types of print materials at nearly the same rate: digests (86.7%, 13; 73.3%, 11, respectively), law reviews and journals (86.7%, 13; 66.7%, 10, respectively), citators (80.0%, 12; 73.3%, 11, respectively), looseleaf services (73.3%, 11; 73.3%, 11, respectively), the national reporter system (66.7%, 10; 53.3%, 8, respectively), and state codes (66.7%, 10; 60.0%, 9, respectively). The one major, statistically significant, exception is that smaller libraries were far more likely to have canceled law reviews and law journals while large acquisition libraries maintained these subscriptions (73.3%, 11; 26.7%, 4 respectively; $\chi^2 = 6.53$, $df = 1$, $p < .05$).

Table Seven: Relationship between Acquisitions Expenditures and Updating, Canceling, and Considering Canceling Print Materials

	No Longer Updated		Canceled		Considering Canceling	
	Small ^a Percent (Frequency)	Large ^a Percent (Frequency)	Small ^a Percent (Frequency)	Large ^a Percent (Frequency)	Small ^a Percent (Frequency)	Large ^a Percent (Frequency)
Digests	20.0 (3)	13.3 (2)	80.0 (12)	53.3 (8)	86.7 (13)	73.3 (11)
Citators	46.7 (7)	46.7 (7)	100.0 (15)	80.0 (12)	80.0 (12)	73.3 (11)
State reporters	46.7 (7)	40.0 (6)	40.0 (6)	40.0 (6)	60.0 (9)	33.3 (5)
National reporter system	20.0 (3)	6.7 (1)	26.7 (4)	20.0 (3)	66.7 (10)	53.3 (8)
State annotated codes	20.0 (3)	6.7 (1)	33.3 (5)	13.3 (2)	66.7 (10)	60.0 (9)
Federal annotated codes	0.0 (0)	0.0 (0)	6.7 (1)	6.7 (1)	26.7 (4)	13.3 (2)
Session laws	26.7 (4)	40.0 (6)	26.7 (4)	26.7 (4)	40.0 (6)	20.0 (3)
Code of Federal Regulations	0.0 (0)	0.0 (0)	13.3 (2)	6.7 (1)	20.0 (3)	6.7 (1)
Federal Register	6.7 (1)	0.0 (0)	13.3 (2)	0.0 (0)	20.0 (3)	6.7 (1)
Administrative materials	40.0 (6)	26.7 (4)	40.0 (6)	13.3 (2)	53.3 (8)	26.7 (4)
Looseleaf services	13.3 (2)	6.7 (1)	66.7 (10)	60.0 (9)	73.3 (11)	73.3 (11)
Commonwealth countries	20.0 (3)	66.7 (10) ^b	46.7 (7)	26.7 (4)	33.3 (5)	46.7 (7)
Foreign materials	33.3 (5)	60.0 (9)	40.0 (6)	13.3 (2)	33.3 (5)	46.7 (7)
International materials	6.7 (1)	33.3 (5)	40.0 (6)	13.3 (2)	33.3 (5)	40.0 (6)
Law reviews and journals	6.7 (1)	13.3 (2)	73.3 (11) ^c	26.7 (4)	86.7 (13)	66.7 (10)

^aN = 15. ^b $\chi^2 = 6.65, df = 1, p < .01$. ^c $\chi^2 = 6.53, df = 1, p < .05$.

Another statistically significant finding noted in Table Seven is that larger libraries were significantly more likely to stop updating materials from commonwealth countries than their smaller counterparts. While this finding seems to be out of place given other findings in this study, it may be due to the fact that many smaller libraries may not have had the resources to purchase commonwealth materials in the first place.

Table Eight addresses the relationship between the percent change in libraries' acquisitions expenditures over the five-year period and the actual number of types of print materials that libraries no longer update, have canceled, or are considering canceling. One noteworthy trend revealed here is that libraries with smaller or negative increases in their acquisitions expenditures were significantly more likely to have canceled a wider variety of print materials (e.g., looseleaf services, administrative materials, digests, foreign materials) than those libraries with larger increases in their acquisitions expenditures ($t(28) = 2.15, p < .05$). No other statistically significant differences between libraries with large and small or negative changes in their acquisitions expenditures were found in terms of the total number of types of print materials that the libraries were no longer updating, had canceled, or were considering canceling.

Table Eight: Relationship between Acquisitions Expenditures and Number of Types of Print Materials Updated, Canceled, and Considered for Cancellation.

	<i>M</i>	<i>SD</i>	<i>Min</i>	<i>Max</i>
<i>No Longer Updating</i>				
Small change acquisitions expenditures	3.1	2.8	0.0	11.0
Large change acquisitions expenditures	3.6	2.6	1.0	9.0
<i>Canceled</i>				
Small change acquisitions expenditures	6.5*	3.4	1.0	13.0
Large change acquisitions expenditures	4.0	2.9	0.0	10.0
<i>Considering Canceling</i>				
Small change acquisitions expenditures	7.8	3.6	3.0	14.0
Large change acquisitions expenditures	6.4	4.2	0.0	15.0

* $t(28) = 2.15, p < .05$.

When taken together, Tables Seven and Eight paint an interesting picture for academic law libraries. The lack of numerous statistically significant differences between large and small acquisitions expenditures libraries in terms of what materials are no longer being updated, are being canceled, or considered for cancellation indicates that libraries, regardless of spending capabilities, are responding to the lack of purchasing power in a similar manner.

The only difference is that smaller libraries have canceled more types of materials than larger libraries. However, large libraries are clearly anticipating future budget tightening as they consider the same number of types of materials, including some of the standard sacred cows of print material such as the Code of Federal Regulations.

State Annotated Codes and Shepard’s Citators

Over the years, as the price of legal information has skyrocketed and libraries have found their acquisitions funds being stretched further, annotated state codes and print citators are frequently considered to be the most likely targets for cancellation. For that reason, participants were asked about their holdings of these types of materials both pre- and post-2002.⁴¹ Before or since 2002, all of the libraries (100%, 31) had canceled at least some their print copies of Shepard’s citators. Further, 80.6% (25) of the libraries had also weeded their collection of Shepard’s citators. For some libraries, additional action within their collections of Shepard’s citators was being considered, including: canceling and weeding (3.2%, 1), canceling only (3.2%, 1), or weeding only (3.2%, 1). See Table Nine.

Table Nine: Canceling and Weeding of Shepard’s Citators

	Percent (Frequency)
Canceled since 2002	93.5 (29)
Weeded since 2002	77.4 (24)
Canceled before 2002	9.7 (3)
Weeded before 2002	9.7 (3)
Not considering canceling or weeding	9.7 (3)
Considering canceling and weeding	3.2 (1)
Considering canceling only	3.2 (1)
Considering weeding only	3.2 (1)

Note: N = 31.

Facilitating the weeding and canceling print copies of Shepard’s citators, the majority of the libraries offered the public electronic access to KeyCite or Shepard’s (77.4%, 24). Only 16.1% (5) of those surveyed indicated that their library did not offer public access to these programs. One library (3.2%) did not

⁴¹ Respondents were not asked which or how many titles in each category that they had stopped updating or canceled. It is likely that some libraries still have a few Shepard’s in print. Additionally, it is likely that those libraries that had stopped updating or canceled state annotated codes had done so only for selected states.

serve the public and one respondent did not answer this question (3.2%). As shown in Table Ten, it does not appear that public access to KeyCite or Shepard's is related to the decision to cancel or weed the print collection of Shepard's citators from the collections ($\chi^2 = 1.20$, $df = 6$, $p = 0.98$).

Table Ten: Relationship between Cancellation or Weeding of Shepard's Citators and Public Access to KeyCite or Shepard's

	No Public Access ^a Percent (Frequency)	Provide Public Access ^b Percent (Frequency)	Do not Serve Public ^c Percent (Frequency)
Canceled and weeded since 2002	80.0 (4)	70.8 (17)	100.0 (1)
Canceled only since 2002	20.0 (1)	20.8 (5)	0.0 (0)
Canceled and weeded before 2002	0.0 (0)	12.5 (3)	0.0 (0)

Note: ^a $N = 5$. ^b $N = 24$. Column does not add up to 100% because one library weeded and canceled both before 2002 and since 2002. ^c $N = 1$.

Overall, these findings about Shepard's citators are not surprising. First and foremost, "one of the guiding principles of legal research is currentness."⁴² The electronic versions of Shepard's and KeyCite, which are updated almost instantaneously, have rendered the print citators obsolete. Additionally, it is far easier for patrons to enter a citation into an electronic citator service than to flip through multiple print monographs to find the same information. The ease of use of the electronic citation services, coupled with the sizeable price inflation of print citators,⁴³ has made the decision to cancel and/or weed print citators an easy one for many libraries.

Prior to 2002, all of the responding libraries (100%, 31) subscribed to the annotated codes of all fifty states. Since 2002, however, many of the responding libraries have stopped updating (16.1%, 5), canceled their standing order to (25.8%, 8), or considered canceling (61.3%, 19) their standing order to these materials. When the overall group of libraries is broken down by the size of the percent change in their acquisitions expenditures from 2002/03 to 2006/07, a clearer picture emerges. Smaller libraries were more likely than their larger

⁴² Roberta I. Shaffer, *Controlling Government: The People and the Rule of Law* (2000), <http://www.ifla.org/IV/ifla66/papers/046-160e.htm>.

⁴³ For example, the inflation rate from 2005 to 2006 for Shepard's federal, regional, state and subject specific citators was 21.14%. See the AALL PRICE INDEX FOR LEGAL PUBLICATIONS 4D., *supra* note 10.

counterparts to stop updating (20.0%, 3; 6.7%, 1, respectively) and cancel their standing orders to (33.3%, 5; 13.3%, 2) at least some of their state annotated codes. When considering canceling these materials, however, there was little difference between the two groups (66.7%, 10; 60.0%, 9).

Table Eleven: Relationship between Acquisitions Expenditures and Treatment of State Annotated Codes

	Small ^a Percent (Frequency)	Large ^a Percent (Frequency)
No longer updated	20.0% (3)	6.7% (1)
Canceled	33.5% (5)	13.3% (2)
Considered canceling	66.7% (10)	60.9% (9)

^aN = 15.

Library Maintenance Agreements

An additional issue driving this study was to explore the number of law libraries who had signed a Library Maintenance Agreement with Thomson-West and the rationale for signing, or not signing, an LMA. Library Maintenance Agreements are attractive to many law libraries because they allow libraries to forecast a large part of their acquisitions expenditures by specifying a consistent inflation rate for legal materials over the life of the contract and by including all Thomson West materials on one monthly invoice, “calculated at the same monthly sum.”⁴⁴

Nearly half (45.2%, 14) of the responding libraries had entered into a Library Maintenance Agreement with Thomson-West. While all of these agreements were signed between 2002 and 2008, most were entered into in 2006 (50.0%, 7) or 2005 (28.6%, 4). The remaining agreements were signed during 2002 (7.1%, 1), 2007 (7.1%, 1), and 2008 (7.1%, 1). Signing an LMA was not related to acquisitions expenditures ($\chi^2 = 1.22$, $df = 1$, $p = 0.27$, see Table Twelve).

⁴⁴ See Will, *supra* note 24.

Table Twelve: Relationship between Acquisitions Expenditures and Signing an LMA

	Small ^a Percent (Frequency)	Large ^a Percent (Frequency)
Have not signed an LMA	46.7 (7)	66.7 (10)
Signed LMA	53.3 (8)	33.3 (5)

^aN = 15.

Those respondents who indicated that their library had not signed an LMA were asked to list some of the reasons why that had been their choice. The responses to this question were varied, though some general themes did emerge. Several respondents indicated that their primary objection to signing an LMA was because they felt that they could not be locked into such a long-term contract without the opportunity to cancel materials to deal with uncertain budget situations (47%, 8, N = 17; e.g., “We thought it interfered with our ability to be nimble, i.e., to make decisions in a timely fashion when confronted with new budgetary situations”). Four respondents (23.5%) indicated that they felt that being bound by an LMA would limit their flexibility in library and collection management; for example, one responded stated that LMAs contained “Too much pressure and control from one company. It limits our ability to do collection management and ties up our money unfairly.”

Participants who had signed a LMA were asked to identify some of the reasons why their library decided to enter into such agreements. A common reason that LMAs were signed was to provide public access to Westlaw (42.9%, 6, N = 14; e.g., “for approximately the same dollars we were able to add Westpack access, important for us as a library that serves the public”). However, the vast majority of comments from participants centered on the need to control costs (92.9%, 13, N = 14). Participants felt that LMAs helped to control costs by avoiding overwhelming inflation rates (e.g., the library was able to “control [the] inflation rate of important materials, which are updated regularly”; the library was able to “avoid 11% inflation” because they “locked in at 6%”) or by receiving a lower, guaranteed price on materials (e.g., “the LMA guaranteed a price for 3 years at a lower cost than without the LMA”). Several participants indicated that they saw great benefit to being able to lock in at a fixed inflation rate because the fixed rate gave “better budget predictability in uncertain budgetary times.”

While these reasons motivate participants to sign an LMA, they do not guarantee that participants will be inclined to renew the LMA when the opportunity presents itself. Failure to renew an LMA was considered for the purposes of this survey as an indicator of dissatisfaction with the LMA. To examine this issue, participants who had signed an LMA were also asked if they

had renewed their LMA since 2002 and whether they intend to renew the LMA at the next renewal date. See Table Thirteen.

Table Thirteen: Satisfaction with LMA

	Renewed Since 2002 Percent (Frequency)	Will Renew at Next Renewal Date Percent (Frequency)
Yes	28.6 (4)	28.6 (4)
No	57.1 (8)	14.3 (2)
Undecided	N/A	57.1 (8)
Did not answer	14.3 (2)	N/A

N = 14.

The renewal rates for LMAs, as shown in Table Thirteen, seem to indicate that most libraries are struggling to decide whether the benefits of an LMA outweigh its costs, while at the same time realizing that they may be backed into a corner financially and have no choice but to sign or maintain one. LMAs are likely among the most discussed issues among law library professionals, although at the present moment there is no consensus about the LMA's place in the acquisitions sphere. Looking at the responses to the open-ended questions in this survey and comments on internet message boards and mailing lists, libraries' experiences with LMAs have been varied.⁴⁵ For each benefit provided by the LMA, there seems to be an equal or greater number of complaints about the agreements. Despite the fact that LMAs provide a perceived value to libraries at the cost of flexibility, the informal belief is that the loss of purchasing power in acquisitions expenditures will force many academic law libraries to enter into these agreements in the coming years. Given the high levels of dissatisfaction as indicated by a lack of renewal or hesitation to renew, these agreements may become a necessary evil, entered into because of fiscal concerns rather than for the betterment of the library.

Consortia Membership

One possible way for patrons to access materials that law libraries cancel or cease to update is through other libraries that are members of a consortial arrangement with the patron's home library. Further, consortial arrangements have the potential to maximize libraries' acquisitions funds. Therefore, an important question in this study considered whether libraries had joined consortia, and if so, their reasons for membership. See Table Fourteen. Overall,

⁴⁵ Megan Schulz, *Summary – West's Library Maintenance Agreement* (2006), <http://listproc.ucdavis.edu/archives/law-lib/law-lib.log0606/0393.html>

only a slight majority of the libraries had joined consortia since 2002 (51.6%, 16, $N = 31$). A large majority of the libraries that had joined consortia (81.2%, 13, $N = 16$) did so to save money on electronic subscriptions. Another common reason for joining a consortium was to broaden primary user access to materials (37.5%, 6 libraries). One surprising result was that no libraries reported joining a consortium for the purposes of unmediated interlibrary loan.

Table Fourteen: Reasons for Joining a Consortium

	Percent (Frequency)
Save money on electronic subscriptions	81.2 (13)
Broaden primary user access to materials	37.5 (6)
Weed materials	25.0 (4)
Provide physical access to other libraries	12.5 (2)
Preserve legal materials	11.8 (2)
Review purchasing decisions	6.2 (1)
Provide unmediated interlibrary loan	0.0 (0)

Note: N = 16.

Since the majority of respondents joined a consortium to save money on electronic subscriptions, the relationship between acquisitions expenditures and consortium membership was explored further. Surprisingly, as shown in Table Fourteen, libraries with small or negative changes in acquisitions expenditures were no more likely to join a consortium than their larger counterparts ($\chi^2 = 2.14$, $df = 1$, $p = 0.14$). Therefore, it appears that saving money on electronic subscriptions was a critical issue for libraries of all sizes.

Table Fifteen: Relationship between Acquisitions Expenditures and Consortium Membership

	Small ^a Percent (Frequency)	Large ^a Percent (Frequency)
Have not joined consortium	33.3 (5)	60.0 (9)
Joined consortium	66.7 (10)	40.0 (6)

^a $N = 15$.

Changing Trends in Buying Patterns

Those respondents whose libraries had joined consortia since 2002 were asked whether they felt the consortial arrangement had changed their buying patterns for print materials, and if yes, how so. Over half (53.3%, 8, $N = 15$) believed that the consortial agreements have not yet changed their buying patterns, but some in the group indicated that they believed that consortial agreements would change buying patterns in the future (e.g., “Not yet”⁴⁶). Of the remaining libraries who had entered consortial arrangements since 2002, two (13.3%, $N = 15$) believed that their consortial memberships had changed their buying patterns for print materials; for example, “If I can borrow it, or save money on an electronic version, there is less need to own it physically.”

Respondents were also asked whether the increasing availability of free access to official sources of primary law on the internet had changed their buying patterns of print materials, or if they anticipated that it would do so in the near future. The majority of respondents who answered this question (55.5%, 10, $N = 18$) indicated either that their buying patterns of print materials had already changed or were likely to in the future; for example,

Free access to official sources of primary law on the Internet likely will affect our purchasing and retention of certain materials, mostly like the codes for states that are not close to us in proximity and that we do not use in our research and writing program.

Other responses also indicated that print buying patterns had already changed or were likely to change in the future as a result of increasingly free availability on the internet. Responses included comments, such as: “We are cutting down on duplicate copies of publications such as court rules that are freely available on the web”; “the availability of state statutes and administrative materials free on the web has encouraged us to cancel print copies”; and “We do not purchase multiple copies of many primary sources as we had in the past.” Another respondent indicated that he or she felt that their library’s buying patterns had changed, but only to a limited degree due to concerns about authentication of freely available online materials. Finally, one respondent indicated that the library’s buying patterns had changed because, as a library that serves the public, the library was able to consider no longer subscribing to resources that were primarily used only by the public.

Overall, these responses make it clear that while consortial memberships and the increasing access to official sources of law on the internet for free have

⁴⁶ All survey responses are on file with the author.

not yet had much impact on law libraries' buying patterns, many libraries believe that their buying patterns were likely to change in the future for these reasons. This shift in thinking could very well indicate that a paradigm shift is imminent, or has already begun.

CONCLUSION

One can see from the results of this study that academic law library collections are on the brink of a major change, and indeed have begun to take a new shape over the past five years. Although further research using a larger sample is needed to confirm these results, what is clear is that right now, academic law libraries of all sizes are feeling the squeeze in acquisitions funds. Despite the range of acquisitions expenditures reported by the responding libraries, a good number of libraries had already taken action by ceasing to update or canceling some of their print materials, and even more had considered cancellations. While microtrends in the data show that smaller libraries may be the leaders in this paradigm shift, it is clear that larger libraries are not far behind. It is probable that what we consider the "sacred cows" of the law library collection will change drastically in the future.

These issues lend themselves to other interesting research. One issue for a follow-up study to explore is how newer law libraries (i.e., those that have existed for less than nine years) are managing these acquisitions issues. While libraries of all ages were actively recruited for this study, none of the respondents were from these younger libraries. It is conceivable that these younger libraries, which were created in a time when digital information has been the norm, are able to be more responsive and flexible when faced with the decreasing purchasing power of their acquisitions funds. Another interesting line of research could focus patrons' feelings on the shift to electronic resources and the availability of materials as a result.

APPENDIX A: GUIDE TO STATISTICAL ANALYSIS *

After collecting data from numerous participants, rather than looking through responses individually, researchers must find ways to summarize the results and identify trends within the data. The following describes some of the statistical techniques used in this paper.

Descriptive Statistics

Descriptive statistics are used to reduce data and provide a numerical summary of the results of individual questions or variables in a study. There are three types of descriptive statistics: frequency distributions, central tendency and dispersion.

Frequency distributions are the most basic format for presenting data about participants' responses. A frequency distribution is a summary of how often different responses were reported by participants. Typically, frequency distributions include both the discrete number of participants who gave each response and the percent of participants who gave the each response from the total N. The symbol "N" indicates the sample size; in other words, "N" is the number of participants who completed the study, answered a particular question, or were eligible to answer a question.

Measures of central tendency describe the "most typical score" of a survey question. Two measures of central tendency used in this paper are mean and median. Median is calculated by arranging the participants' responses in numerical order. The median is the "middle" score. If there are an odd number of responses, the middle score is easily identified. However, if there is an even number of responses, the two middle scores are added together and divided by two. The mean is the mathematical average of individual participants' scores. To calculate the mean, participants' responses are added together and then divided by the total number of responses. The mean is extremely sensitive to the presence of outliers (i.e., extreme score or atypical score) which make the mean artificially higher or lower. When outliers are present in a data set, the median becomes a better choice for to indicate central tendency. This is particularly true if the measure of central tendency will be used to divide the overall responses into two groups (i.e., median split).

Dispersion summarizes how participants' responses are "spread out" rather than just focusing on providing one number to describe all of the

* Information in this Appendix was gathered from two sources: Leslie A. Baxter and Earl Babbie, *THE BASICS OF COMMUNICATION RESEARCH* (2004) and Brian S. Everitt and Til Wykes, *A DICTIONARY OF STATISTICS FOR PSYCHOLOGISTS* (1999).

responses. The easiest dispersion statistic is range. Range is the distance separating the minimum reported score and the maximum reported score. Range is calculated by subtracting these two values. Standard deviation is probably the most frequently calculated measure of dispersion. Standard deviation indicates how much variability exists within a set of responses. It is calculated by averaging the distance of individual responses from the mean. As such, standard deviation measures the average distance scores that were from the mean. The smaller the standard deviation, the more “bunched up” the participants’ responses were.

Inferential Statistics

Inferential statistics are used to identify larger trends within a data set and to examine how questions (i.e., variables) within a study are related to one another. The inferential statistics used in this study included: chi squares (χ^2), t-tests (t), and correlations (r).

When examining inferential statistics it is critical to understand the idea of statistical significance. The statistical significance of a result is the likelihood that the result did not occur because of random chance or sampling error. Statistical significance is represented by a *p*-value. Typically, in social science, the *p*-value is set at .05. At this level there is only a 1 in 20 chance that a finding is due to chance. When a statistical test results in a *p*-value less than .05, we can consider the finding to be trustworthy.

Chi-square is a statistical test used to identify differences in frequency data. This test indicates whether groups created within the data by merging two variables together are larger or smaller than they would be if the variables were not related. When reporting a chi-square statistic, it is also necessary to indicate the degrees of freedom (i.e., *df*) within the test. Degrees of freedom are the number of possibilities for variation within a statistical test. Degrees of freedom are important to report because they help verify the statistical significance of a finding.

T-tests are also used to detect differences between groups. A t-test uses one variable to divide a data set into two different groups. Once divided into the groups, the mean (i.e., average) of another variable is calculated for each group. The means of the two groups are then compared to determine if the difference between the two means are larger than could be expected by chance. Once again, degrees of freedom must be reported to help verify the statistical significance of a finding.