

resources to meet the needs of individual offices (sometimes these act as a springboard to firm-wide initiatives – an interesting illustration of influencing strategy from the outside in) and finally, to develop firm-wide KM infrastructures and resources. As UK information professionals are often regarded as having more experience in this area, KM provides great opportunities to develop local and firm-wide services. Up to now at Howrey we have developed local KM tools but our department's goal is to execute a firm-wide KM strategy.

### Summary

All law firms are different. So many different factors impact on their development and structure and this is

reflected in the management of individual support departments. Fortunately pragmatism generally prevails over rigid management structures. Giving local offices autonomy over their affairs ensures that lawyers can focus on developing within their local market whilst optimising the benefits of the firm's global presence. Likewise, information departments can join together on firm-wide initiatives such as developing intranets and KM strategies whilst also developing local information initiatives. Sadly, for those yearning for John Grisham glamour, US law firms do not differ much from their UK counterparts of comparative size. However, working at the satellite fringes of a multi-site practice proffers information professionals excellent opportunities to develop and expand knowledge and information services within their firms.

### Biography

**Linda Maynard** is currently information officer at Howrey LLP. She previously worked at McDermott Will & Emery LLP another US law firm in London. Linda was Secretary of BIALL in 2005–06 and has had a long and varied career in law librarianship.

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# The American Collection at Middle Temple Library

Vanessa Hayward, Librarian and Keeper of the Records at Middle Temple, charts the history of one of the most important collections of American law in this country.

### Introduction

There has been a library at Middle Temple since before 1540, evidence coming from a manuscript in the Archive for that date which states, “*They now have no library so that they cannot attaine to the knowledge of divers learnings, but to their great chardges by the buying of such bookes as they lust to study. They had a simple library in which were not many bookes besides the law and that library by meanes that is stood always open, and that the learners had not each a key unto it, it was at last robbed of all the bookes in it.*”

### The Library in Tudor and Stuart times

Not much more is known about the library in Tudor times, and it was not until 1641 when Robert Ashley, with

his bequest of books and funding, that the library was rededicated and the first librarian was employed. There



Fig. 1: America – Molyneux Globe (1602)

## Vanessa Hayward

must have been books there in that hundred years as not only the barristers, but many of the Elizabethan explorers and navigators such as Raleigh, Gosnold, Hakluyt, Frobisher and Gilbert were also members of the Inn, and at some point in time, the library also obtained a magnificent pair of Molyneux Globes, which are still housed there. Drake, who was not a member but who was known to have dined at Middle Temple, was accompanied by Emerie Molyneux on his circumnavigation of 1588.

Other famous members included many of the signatories of the Virginia Charter, who included Sir John Popham, Edwin Sandys (who drafted the Charter), Gosnold and William Crashawe, set up the company to explore the New World of America and to claim the lands for James I. The 1607 expedition, lead by Gosnold, although not the first, was undoubtedly the most successful, as some of the colonists actually lived to tell the tale. They named their settlement Jamestown after the king and the state became Virginia after Elizabeth the Virgin Queen.

Sandys also drafted the Great Charter of 1618, which created the first set of legislative rules for a British colony and which also recognised free speech and established trial by jury in America. The colony established itself and grew, as did its links with the Middle Temple as the colonists sent their sons back to London to study law, and naturally to the Middle Temple. Further trained lawyers emigrated to the colonies in the 1700s and so were central to the development of the constitutional evolution in America.



Fig. 2: Portrait of John Laurens on the library stairs

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Fig. 3: Working in the American Library

Benjamin Franklin sent his son William to study at Middle Temple in 1751 and leading up the American War of Independence John Laurens (who became a close aide to George Washington) had also joined the Inn but did not live to see the end of the conflict. Following the war, Middle Templars had a more than hand in the Declaration of Independence. John Dickinson participated in its drafting and five other Middle Templars signed it. They were Edward Rutledge, Thomas Hayward Jnr, Thomas McKean, Thomas Lynch Jnr, and Arthur Middleton.

In the following centuries, the American Ambassadors to the Court of St. James have become Honorary Benchers of the Inn, the latest being Ambassador Robert Holmes Tuttle who was called on the 400<sup>th</sup> anniversary of the founding of the Virginia Company on 10<sup>th</sup> April 2006. Other famous Americans such as Chief Justice Taft (formerly President Taft), Chief Justices Burger and Rehnquist have been similarly honoured and the American Bar Association has also paid many visits to the Inn.

As the Inn's bond with the New World developed, the American Collection of books, law reports and journals developed in the library. Books and documents



Fig. 4: Lord Bingham opening the Capital Punishment Collection

relating to America date from 1602, and the Law Reports begin with The United States Supreme Court Reports 1754 – 1789, or No. 1 Dallas as the first volume is known, and they run to date, although now in electronic format rather than hard copy. The library also holds a historically important collection of state nominate reports, all first editions, Uniform Laws Annotated, (which consolidates major legislation) and the Corpus Juris Secundum which is the American equivalent to Halsbury's Laws.

The library also has a comprehensive range of textbooks covering all major areas of American law. In addition, we hold all of the current Slip Opinions of the Supreme Court that are supplied courtesy of the late Chief Justice Burger and several major legal journals including the *Harvard Law Review* and the *Yale Law Journal*.

However, all of our reports and journals are supplemented by our on line services including Lexis.com.

### Capital Punishment Collection

To bring the library and its history up to date our most recent addition is the Capital Punishment Collection which, although contains worldwide material on this subject, predominantly covers American states that still enforce the death penalty. The collection is free for use by members of Amnesty International and Amicus who send lawyers to these states to represent prisoners on death row. Both have contributed material to the collection, which was opened in May 2005 by Lord Bingham of Cornhill.

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# Online Subscription Contract Checklist

This is the latest article in our Checklist series and has been written by Fiona Durrant. It consists of a methodical list of questions to aid reading of a contract for an online subscription.

## Introduction

It has been a while since I was privileged enough to write for *Legal Information Management* in 2003 when I did a summary of some key issues when facing the negotiation of an online subscription.<sup>1</sup> I was very flattered by the interest that I had stirred up. This article led to a training course, which in turn led to a book published in February 2006.<sup>2</sup>

I still come across new things every day, and am constantly learning. This is particularly evident with contracts for online resources. It is easy to check a contract to see if it works for your organisation and how you want to use it, but we need to consider what the contract does not contain. It is not always possible to get the terms in a contract changed and you may not be the person to sign the contract, but that doesn't mean reading the contract is not necessary. It may be that the contract forbids the use of the information in a way that is crucial to your organisation. Keep in mind whether the product is aggregated material or content owned by the publisher, as this will give you an indication of how easy it might be to get terms changed.

## What constitutes the contract?

With an online subscription, the contract can come in many parts; these different parts make up the entire contract. For example there may be an order schedule, followed by a 'terms & conditions' section, followed by an appendix which might be a set of agreed variations or details of the charges.

## What to do before reading the contract

- Be aware of your organisation's policies, for example do you have a standard contract you would prefer over the publisher's contract?
- If a renewal, check back to what was discussed last time
- Have an idea of the prices
- Talk to the stakeholders or users of the product about how they want to use it and make a clear note of any preferences. If necessary ask them questions like:-
  - Where do you want to be using this product?
  - Who needs to be using the product?