

The role of the information professional

It is our duty to act for the benefit of our users. It involves being friendly to our vendors, but making the best deal we can obtain to bring in cost-effective services to our firms. It is incumbent on us to make sure that we have the best services and the best deals. I always make a business case for a new service or for the return of an old service. If I

cannot produce a good case, then it becomes obvious it is not a product or a service which we need. I promise to let the vendor know and to give my reasons, but I do expect them to do me the courtesy of believing me. I want us all to be in a win-win situation, me, the vendors and my users. Let us treat each other fairly and understand our business.

Please feel free to e-mail me at work with your stories, hints and/or tips and maybe we could follow up with some of your ideas and experiences.

Biography

Julie Kitchen is currently Law Librarian and Information Manager at Hugh James in Cardiff and has a wealth of law firm library experience. She began her career at Linklaters & Paines and has worked in a variety of law firms, both large and small.

Legal Information Management, 11 (2011), pp. 19–23
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doi:10.1017/S1472669611000090

Everything You Always Wanted to Know About CRIV but Were Afraid to Ask

Abstract: The Committee on Relations with Information Vendors (CRIV) is one of thirty-seven committees organized under the American Association of Law Libraries (AALL). The purpose of CRIV is to facilitate communications between information vendors and the members of the Association by monitoring complaints and providing constructive suggestions to vendors of legal information. The Committee also serves to educate AALL member librarians on helpful ways to communicate with information vendors. This article by Rob Myers provides a brief history of CRIV, outlines the Committee's organisation and structure, discusses its activities in pursuit of its charge, and outlines its goals for the immediate future.

Keywords: vendor relations; United States; AALL

Introduction – Purpose of CRIV

The Committee on Relations with Information Vendors (CRIV) is organized as one of thirty-seven committees created by the American Association of Law Libraries'

(AALL) Executive Board to address specific topics relating to AALL business and the field of law librarianship. The purpose of CRIV is to "facilitate communications between information vendors and the members of the Association by monitoring complaints and providing constructive suggestions to vendors of information in any

format. The Committee...educate[s] members on constructive ways to communicate with information vendors.”¹ Hence, CRIV is instrumental in carrying out two of AALL’s Strategic Directions — those goals being advocacy and education.

A Brief History of CRIV²

CRIV began in 1978 when AALL formed the Committee on Relations with Publishers and Dealers. At its inception, the Committee had 34 members. It began publishing its newsletter called the *Publication Clearing House Bulletin* in January 1978 with the stated purpose to “exchange knowledge and information concerning new ideas in publishing, problems, possible solutions, and solutions with other librarians, helpful both in professional support and in the all-important factors of time, money and effort saved.” Other objectives were to learn from publishers the reasons for their practices and procedures and share ideas with publishers for improving the field of legal publishing.³ Committee members communicated with publishers via mail to resolve issues, relying on the United States Federal Trade Commission’s *Guides for the Law Book Industry* (16 CFR 256, 1977). Summaries of the correspondence between the Committee and publishers were published in the Committee’s *Bulletin*.

The Committee changed its name to the Committee on Relations with Information Vendors in 1988 to reflect changes in the nature of information delivery. It was also decided in 1988 that the information presented in the *Publication Clearing House Bulletin* was of such value that it should be published as an insert to the *AALL Newsletter*. As an insert, the name of the Bulletin was changed to the *CRIV Sheet*. The *Publication Clearing House Bulletin* had been a freestanding newsletter with 350 subscribers. Inclusion of the *CRIV Sheet* in the *AALL Newsletter* increased circulation to the entire 4,200 AALL members. The *CRIV Sheet* has expanded over the years to include articles on a range of library/publisher issues. During the 1980s and 1990s, CRIV continued to focus on the resolution of complaints from librarians regarding the practices of information vendors using the FTC’s *Guides for the Law Book Industry*.⁴

The emergence of the law-lib listserv in the 1990s brought a dramatic change in terms of CRIV being the central clearinghouse for vendor-related complaints and concerns. Now librarians could post their complaints and questions directly on the listserv and publishers could post their responses back, all in a public forum. CRIV also took advantage of law-lib to post follow ups to complaints and notices of changes in publishers’ practices. During the late 1990s, CRIV created its webpage on AALLNET to provide vendor customer service contact information, archive its postings to law-lib (i.e., CRIVGrams), site visit reports, sample forms and other helpful tools.⁵

In 1996, the publisher CCH invited CRIV to visit its headquarter location. This began what became known as

the annual site visit. Each year, the Committee would select a publishing company to visit for the purposes of education, issue resolution and the exchange of ideas. The first site visits involved the entire Committee with the costs being paid largely by the publisher. Over the years, several publishers complained that the visits had become junkets and refused to participate.⁶ In order to control costs, the number of Committee members going on site visits was greatly reduced and some of the cost shifted to AALL. In the past few years, CRIV has not participated in site visits as this responsibility shifts to the newly created AALL Vendor Liaison position.

In 2000, the Federal Trade Commission rescinded its *Guides for the Law Book Publishing Industry* (16 CFR 256) reasoning that associations, such as AALL, are in a better position to adopt their own guidelines for best practices in the legal publishing field. AALL established a special committee to draft a model code for fair business practices for legal publishers. The special committee worked with publishers and AALL members to draft the *Guide to Fair Business Practices for Legal Publishers*. The draft was released in June 2002 for comment and discussion. On November 2, 2002 AALL Executive Board approved the final draft and distributed it to all AALL members and publishers.⁷ A second edition of the *Guide to Fair Business Practices for Legal Publishers* was approved in July 2006 and a revised second edition was approved in April 2008. CRIV relies heavily on the *Guide* in assisting librarians with publisher issues.

Organisation and structure

CRIV is currently structured as a fourteen member committee consisting of a Chair, Vice Chair, nine members, a non-voting Executive Board Liaison, and a non-voting Staff Liaison. The recently created position of Vendor Liaison is also an ex officio member of the Committee. Membership of CRIV is voluntary with applicants submitting a volunteer form. The President-Elect of AALL, with the advice of the AALL Appointments Committee, appoints members from the pool of applicants. When making appointments to CRIV, the President-Elect strives to achieve a balance among members employed in different settings (academic, law firm and court libraries, and occasionally publishing companies) and considers the potential impact of publisher interests on the work of the committee. Membership on the Committee is normally for three years, with three or four members leaving and three or four new members joining each year. The returning member who is selected as Vice Chair at the end of their first year serves in that capacity in their second year and becomes Chair in their third year.⁸

Sub-committees

The work of the Committee is performed through a number of sub-committees. The names of these sub-

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committees tend to remain the same from year to year, but the incoming Chair has discretion to make structural changes. In recent years and presently, there are three sub-committees. The Education sub-committee's chief responsibility is planning and proposing CRIV sponsored programmes relating to vendor issues for the AALL Annual Meeting and Conference. In recent years, the Education sub-committee has also proposed and presented webinars to the membership on topics such as licensing. The CRIV Publications sub-committee is responsible for adding content and making updates to the CRIV Web page and CRIV Tools. The Publications sub-committee also has editorial responsibility for the *CRIV Sheet*, the twelve to sixteen page insert that appears three times a year in the AALL *Spectrum* magazine. Articles appearing in the *CRIV Sheet* cover a wide range of information vendor-related issues. The *CRIV Sheet* strives to publish articles written by members of AALL and similar associations as well as articles written by CRIV members. The editor of the *CRIV Sheet* will also have shared editorial responsibility with the Vendor Liaison for the forthcoming AALL Vendor Relations blog and e-newsletter. The third sub-committee is the Communications sub-committee, which is responsible for member advocacy (i.e. handling librarians' requests for assistance with vendors), selecting the recipient of the annual AALL New Product Award, and planning and hosting the Vendor Roundtable held annually at the AALL Annual Meeting.

New Vendor Liaison position

Recognising that there are "larger issues concerning AALL and its relationship with vendors [that] have not been adequately addressed," the AALL Executive Board commissioned Penny Hazelton, a past AALL president, and director of the University of Washington Law Library and the University of Washington Law Librarianship Programme, to conduct an independent study and review AALL's vendor relations history. In November 2008, Ms. Hazelton reported to the Executive Board and recommended that AALL create a part-time Vendor Liaison position compensated by an annual honorarium. The Executive Board acknowledged that although "CRIV has done a good job over the years in addressing specific problems between vendors and individual members," there are "vendor/Association issues that are highly charged and require more attention than a committee comprised of volunteers, most of whom hold full-time jobs, can address."⁹

The Vendor Liaison works closely with AALL members, CRIV, the AALL Executive Board, AALL's executive director and AALL's president to focus on the relationships of libraries (not librarians) and vendors at the information policy level. The Vendor Liaison's responsibility is to develop an expertise in vendor issues that CRIV members, who have limited time on the Committee and are volunteers, do not have time to cultivate. The Vendor Liaison's duties include:

- Identifying areas of weakness in AALL's management of library-vendor relations and recommending actions needed to address these weaknesses,
- Drafting a comprehensive legal information policy for Executive Board approval,
- Developing a full understanding of law librarian issues in all types of law libraries,
- Developing an expertise in legal information creation and dissemination as they relate to the business of publishing legal information,
- Identifying areas where improved communication would serve important educational functions,
- Becoming an expert in the appropriate roles of a non-profit association in the areas of information policy and vendor pricing issues,
- Clarifying for the members what those advocacy roles are and how they may be limited,
- Creating opportunities for vendors and law librarians to discuss and educate themselves on the information policy issues that affect both, and
- Serving as the Association's consultant on library-vendor relations issues.¹⁰

While there was initial criticism from some members of AALL over the creation of the Vendor Liaison position, as there was a concern that it would undercut CRIV's authority, most of the membership appeared to understand the need for the position and were in favour of its creation. The past two Chairs and the immediate Chair of CRIV, along with a majority of past and present CRIV members are in favor of the position. CRIV's role is to work on individual members' relations with vendors. The Vendor Liaison's role is to work on the relationship of library institutions and AALL as an association with vendors. Obviously, it is not always well delineated where CRIV's role ends and the vendor liaison's begins, but we are working through these issues on a very cooperative basis.

Mission and charge

CRIV derives its mission and goals from its Committee charge. CRIV's charge is as follows:

"The Committee shall foster positive, constructive and open communication between information vendors and the membership of AALL in matters relating to provision of information in any format. The Committee shall support ongoing AALL educational initiatives and provide continuing educational opportunities for both AALL members and information vendors. The Committee shall serve as a forum and resource to provide constructive suggestions to vendors. The Committee shall foster a cooperative working relationship

between librarians and information vendors. The Committee will select one (1) or more recipients every year for the New Product Award, or no recipient if it deems none of the nominees sufficiently qualified, and will submit the winning recipient's name(s) to the Awards Committee.

The Committee represents the interests of all AALL members, and neither it nor its members will represent or advocate for the benefit of only one publisher or information vendor when acting in their capacity as committee members".¹¹

AALL's 2010–2013 strategic plan (formally titled "Strategic Directions") sets forth three goals: leadership, education and advocacy. Under each of these goals, the strategic plan sets forth a number of objectives. Embedded within CRIV's charge are the goals of education and advocacy. By fulfilling CRIV's charge, CRIV helps AALL achieve its Strategic Directions.

As discussed previously, the work of CRIV is conducted through a number of sub-committees, which are organised in keeping with CRIV's charge and to achieve the goals of education and advocacy. The former is achieved through the work of the Education sub-committee in its proposing and planning CRIV sponsored programmes relating to vendor issues for the AALL Annual Meeting as well as its occasional webinars. For the 2011 Annual Meeting, CRIV proposed two programmes and co-sponsored a third program.

All three of the programmes concern electronic resources and licensing agreements and are designed to build off each other. The first programme is titled *Best Practices for Evaluating a New Electronic Resource*. The second programme is titled *Anatomy in programmes of a License Agreement* and the third is *Getting to Yes for Your Library: Negotiating Vendor Contracts in Your Favor*. The goal of education is also achieved through the Publications sub-committee with its work on the CRIV Web page and CRIV Tools, publication of the *CRIV Sheet*, and contributions to the forthcoming Vendor Relations blog and e-newsletter.

Advocacy work

When most AALL members think of CRIV, what springs to mind is its advocacy work. CRIV addresses its advocacy directive through selecting the AALL New Product Award and hosting the Vendor Roundtable at the AALL Annual Meeting. But what most comes to law librarians' minds when they think of CRIV is the advocacy work the Committee does in assisting librarians with vendor-related issues and problems. Most vendor-related issues CRIV receives are sent to CRIV through its "Request for Assistance" Web page and through e-mail. In addition, CRIV monitors law-lib and a number of other listservs and blogs for issues in which the Committee might be of assistance. There are not many restrictions on the types of vendor issues CRIV handles. Generally, the issue must

involve an AALL member librarian and a vendor of legal information. The issue must affect similarly situated libraries and not be an issue solely affecting one library. On this point, CRIV will not pursue the issue on the individual librarian's behalf but will happily provide suggestions to a librarian on how to work with the publisher to resolve the issue. Lastly, the issue must not be one solely involving the cost of a product. CRIV does not get involved with issues of pricing, due to state and federal antitrust laws.

Traditionally, the Chair of CRIV handles the legwork in the vast majority of requests for assistance, with the other Committee members serving as a sounding board by providing guidance and suggestions. This year, CRIV is trying something new. As the issues that arise can be quite different between law firm, court, and academic libraries and the chair may only be knowledgeable about one type of library, the Advocacy sub-committee now consists of librarians from all three types of libraries. The plan is for the chair to farm out requests for assistance based on the type of library to the appropriate Advocacy Sub-committee member. That sub-committee member becomes the case-worker for that particular issue. It is hoped that this delegation process will relieve the chair of a fair amount of advocacy work, allow others on the Committee to develop advocacy skills and speed up the resolution process.

CRIV, in its advocacy work, relies heavily on the *AALL Guide to Fair Business Practices for Legal Publishers* in determining whether an issue is an unfair practice and in persuading publishers to cease the practice and change their policy. "Persuade" is the proper term as adherence to the *Guide to Fair Business Practices* is voluntary. On the other hand, publishers are very aware of the *Guide*, understand that not only CRIV, but a whole community of law librarians are watching, and thus largely follow its principles. Moreover, publishers know that satisfied customers are repeat customers.

The types of vendor issues CRIV handles vary widely and can be as simple as letting a publisher know that the glue on their boxes is defective resulting in customers receiving opened packages containing no materials, to more complex issues such as a publisher requiring customers to sign a non-disclosure agreement or clause as a non-negotiable requirement of doing business. CRIV is not always successful in convincing a publisher to change its practices and sometimes there are legitimate business reasons for not changing a practice. Occasionally, a request comes in, and after speaking with the vendor, it will turn out that the librarian was mistaken about the policy or the product. One of the keys to CRIV's success is to treat all parties politely, professionally, and with respect. As librarians and legal publishers need each other for the success of their trade, neither can afford to alienate the other.

The future

Being on CRIV requires a fair amount of time-consuming work. Committee members are volunteers with three-

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year term limits. Accomplishing CRIV's regular educational and advocacy responsibilities leaves little time for documenting many of the Committee's internal policies and procedures. Therefore there is a fairly long learning curve in becoming a knowledgeable Committee member. One of the goals this year is to build an enduring infrastructure of policy and procedural guides into the Committee. Towards this end, we are now using

PBWorks to work collaboratively on documenting procedures and to archive the documents. We are compiling a list of go-to people within vendor organisations who get things done. We are also updating our website and will be developing an electronic form for submitting vendor-related issues, complaints and suggestions to the Committee. CRIV is one committee whose work is never finished!

Footnotes

¹AALL Committee Profile of CRIV – Posted at <http://www.aallnet.org/committee/criv.asp>

²Eaton, Amy. (2009) CRIV: A Brief History of an AALL Committee, *The CRIV Sheet*, 31(3), 4–6

³Eaton, Amy. (2009) CRIV: A Brief History of an AALL Committee, *The CRIV Sheet*, 31(3), 4

⁴Eaton, Amy. (2009) CRIV: A Brief History of an AALL Committee, *The CRIV Sheet*, 31(3), 5

⁵Eaton, Amy. (2009) CRIV: A Brief History of an AALL Committee, *The CRIV Sheet*, 31(3), 5

⁶Eaton, Amy. (2009) CRIV: A Brief History of an AALL Committee, *The CRIV Sheet*, 31(3), 5

⁷Eaton, Amy. (2009) CRIV: A Brief History of an AALL Committee, *The CRIV Sheet*, 31(3), 5

⁸CRIV Committee Profile page – Posted at <http://www.aallnet.org/committee/criv.asp>

⁹AALL Vendor Liaison FAQ – Posted at <http://www.aallnet.org/vendorrelations/vendorliaison-faq.asp>

¹⁰AALL Vendor Liaison FAQ – Posted at <http://www.aallnet.org/vendorrelations/vendorliaison-faq.asp>

¹¹CRIV Committee Profile page – Posted at <http://www.aallnet.org/committee/criv.asp>

Biography

Rob Myers is the Associate Director of Collection Management, Acquisitions and Planning for the Judge Ben C. Green Law Library at Case School of Law in Cleveland, Ohio where he has worked for the past nine years. He is 2010–11 Chair of the American Association of Law Libraries' Committee on Relations with Information Vendors (CRIV). Rob has worked in law libraries since 1988. Prior to joining the staff at Case, Rob was the Director of Firm Libraries at Arter & Hadden LLP. Before that he was a solo law librarian with Weston, Hurd LLP and an associate law librarian with Squire, Sanders & Dempsey LLP. Rob received his Juris Doctor degree from Cleveland-Marshall College of Law at Cleveland State University in 1991 and his Master of Library Science degree from Kent State University's School of Library and Information Science in 1996.