PRESERVING & ENSURING LONG-TERM ACCESS TO DIGITALLY BORN LEGAL INFORMATION



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36th Annual Conference of the Canadian Association for Information Science (CAIS)

University of British Columbia, Vancouver June 5-7, 2008

DISCUSSION OVERVIEW





Case Study



Legal Information and Risk: History and Background



» Our written legal heritage — cases, regulations, and other legal documentation — has always been in danger of destruction, whether by natural or human means

» Important legal materials are increasingly being digitally born

- Most at Risk: Digitally Born Legal Information Published Directly to the Web
 - » Digitally born items threatened by technology obsolescence
 - » The lifespan of digital media is unknown
 - » Legal information permanently lost from the Web as files are removed and URLs are changed or inactivated through routine and seemingly innocuous Web site maintenance activities



- Tackling the Challenge of Digital Preservation
 - » This challenge is <u>not</u> insurmountable
 - » Tools and standards for best practices in digital preservation have been developed
 - » Digital repositories and Web harvesters are available for a fee or independent development using opensource software



Our Research Objectives

» To survey the United States state and academic law library community about its digital preservation efforts



» To profile a collaborative, multi-institution project currently underway to preserve digitally born legal information

Survey Questions

- » To what extent are academic & state law libraries participating in digital preservation activities?
- » What are the law library community's attitudes and perceptions about digital preservation and the vulnerability of digitally born legal materials?
- To what extent are law libraries collaborating in digital preservation projects and programs?
- » What factors are limiting or fostering law libraries' participation in digital preservation activities?



Methodology

- » Web-based questionnaire distributed via listservs to library directors only
- » Response rate of 13.6%





- Findings: Digital Preservation Activities & Attitudes
 - » 59 digital preservation projects reported among 21 responding law libraries



- » Only 4 out of 59 projects involved the preservation of digitally born materials
- » Yet, by a margin of 2 to 1, respondents indicated that they believed digitally born materials were in more urgent need of preservation than print materials

■ Findings: Collaboration

» Respondents reported a preference for collaborating with other libraries and institutions, as opposed to nonprofit or for-profit organizations



- Findings: Factors Limiting Digital Preservation
 - » Lack of funding
 - » Staffing shortages
 - » Lack of staff with requisite technological or digital preservation expertise



■ The Chesapeake Project: Overview

- » A collaborative digital preservation program for digitally born legal materials published online
- » Supported by the Legal Information Preservation Alliance and the American Association of Law Libraries
- » A two-year pilot implemented by three law libraries (academic & state):
 - Georgetown Law Library
 - Maryland State Law Library
 - Virginia State Law Library



- The Chesapeake Project: Tools & Strategies
 - » Partnership with OCLC
 - OAIS-compliant dark Digital Archive for digital masters
 & preservation metadata
 - Access copies & Qualified Dublin Core metadata in CONTENTdm
 - » Permanent URLs to archived titles placed in bibliographic records; access available through
 - Participating libraries' OPACs
 - Open-access WorldCat.org
 - Subscription OCLC databases (via FirstSearch)
 - The project's CONTENTdm system



- **■** The Chesapeake Project: Status
 - » First-Year Project Evaluation (as of March 2008)
 - » More than 2,700 items harvested from the Web & archived
- » Without marketing the project, access figures totaled more than 5,300 instances of access
- » More than 8 percent of archived titles were found to have disappeared from their original locations on the Web

- The Chesapeake Project: Future Prospects
 - » Project aims to evolve into a nationwide preservation program for U.S. legal materials
- » With support of nearly 70 law library members of the **Legal Information Preservation Alliance (including** the American Association of Law Libraries) the project vision is within reach
 - » Project hopes to inform the preservation initiatives of other libraries, and to raise global awareness of the vulnerability of digitally born legal materials published on the Web

CONCLUSION

■ In Summary...

» Law libraries recognize that digitally born legal materials are at high risk for loss, yet preservation of digitally born materials remains incipient



» Digital preservation activities by law libraries have been limited by a lack of funding, staffing, and expertise — challenges that could be overcome through resource-sharing and collaboration

CONCLUSION

- In Summary... (continued)
 - » The Chesapeake Project is a collaborative effort between academic and state law libraries to preserve digitally born materials published online



» The project's first year has been successful, and it aims to inspire a nationwide effort to prevent the loss of digital legal information at the close of its pilot phase in 2009

THANK YOU

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