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MEETING WITH PUBLISHERS

The ALLG Convenors' meeting was held in Sydney in April and included visits to the national offices of LBC, CCH and Butterworths. The purpose of these visits was to raise the profile of the ALLG with the publishers and establish lines of communication. All three publishers not only extended very generous hospitality to the group, but made themselves available to discuss issues raised and to talk about future directions. All agreed it was a very useful exchange and that the lines of communication established should be maintained. All three publishers were most interested in having our input and through this column the ALL provides a vehicle for constructive dialogue. It is up to us to make best use of it.

CCH is to be commended on their responsiveness to customers concerns in reversing a decision to supply binders to store the 1996 parts of the *Australian Company Law Cases* and the *Australian Trade Practices Reports* instead of bound volumes. New conditions will apply from 1997, however, and I recommend you read Craig Norton's letter below.

Fay O'Grady has contributed a report on the Seminar on Standards and Issues in the *Electronic Publication and Dissemination of Legal Publications* held by the College of Law in April, which will be interesting reading for all those unable to attend.

CCH

Dear CCH Customer

Last month we notified you of a decision to provide an alternate method of storage for your back cases to *Australian Company Law Cases* and *Australian Trade Practices Reports* due to a significant increase in the cost of providing the case reporting print service. Instead of imposing a substantial price increase to cover these costs, we decided to offer bound volumes as an option, thus giving you the ability to choose the package that is most suitable for you.

However, some customers have indicated that they would prefer to retain the 1996 bound volume as part of their print service and to have more time to consider the most appropriate package for their organisation.

In order to satisfy this requirement, and to demonstrate our responsiveness to our client, **CCH is now sending all customers the 1996 bound casebook at no additional charge**. Of course, if you require additional copies, the 1996 bound volumes may still be ordered for \$100 each.

Rather than introduce a significant price increase to cover the cost of producing the 1997 bound case book it is our current intention to adopt the following strategy:

1. CCH would not issue a bound case book as part of a subscription for cases reported from 1 January, 1997. Instead, a loose-leaf transfer binder would be issued so that back cases can be transferred from the updating service into the new binder.
2. CCH would continue to offer customers the option of obtaining bound volumes of back cases as a separate purchase subject to demand.

Naturally your feedback on this approach is encouraged

Should it become necessary to implement this system for other CCH services you will receive appropriate notification. Thank you for your support in this matter. I look forward to sharing with you the challenges and opportunities we have ahead in this rapidly evolving technological world.

If you have any further queries, please don't hesitate to contact CCH Customer Support on 1300 300 224 for the cost of a local call Australia-wide.

We look forward to continuing to meet your information needs

Yours sincerely

Craig Norton

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ELI CONFERENCE 1997

On 5 April 1997 the College of Law hosted *ELI 1997: Standards and Issues in Electronic Publications and Dissemination of Legal Information*. This conference arose from a survey which exposed the concern of stakeholders about the lack of standards in the electronic publication of legal information. All speakers at the conference were personally invited to give a presentation, and the promotion of the inaugural conference was restricted to those who could contribute to the debate at a professional level. This was the first conference of its kind on standards and issues in electronic publications and dissemination of legal information.

The conference was opened by the Honourable Justice Vince Bruce, Chairman of the Law Foundation of NSW. His address included

comments on the American Bar Association Special Committee on citation issues and he went on to express the view that there is no proper alternative to an appropriately adapted American Bar Association media neutral citation system in Australia. Justice Bruce emphasised that only with the co-operation of the courts will the Australian community be able to obtain the products of the courts in their most useful form.

The first lead paper was a joint presentation by Tony De La Fosse, Senior Deputy Marshall (Administration), High Court of Australia and Bruce Finley, Assistant Director, Information Technology, Federal Court of Australia. This informative and comprehensive paper was an edited version of a report provided to the Council of Chief Justices in late 1996, which examined issues surrounding the use of electronic material in appeal cases throughout all jurisdictions, and included strategies that would assist Appeals courts in moving towards electronic appeals at some stage in the future.

"The impact of intellectual property rights on digital publication of case law: a status report on current US developments" was the next paper presented by Professor Daniel Guggenheim, Associate Professor, Faculty of Law, Niigata University, Japan. This paper gave a historical overview of the creation of an environment of competition for law publishers, in which a number of US law reports were discussed including *West Publishing Co. v Mead Data Central Inc.* 616 *F.Supp* 1571. He concluded that the technology for providing information was progressing in leaps and bounds, while the law governing the law publishing industry was struggling to catch up. Professor Guggenheim felt it was too early to predict what outcomes will derive from the interplay between the law and the competitive law publishing market.

Delegates then chose breakout sessions for which the principal streams were: Preparation and Publication of Electronic Legal Information; Access and Security and Technical Issues - Research and Copyright.

Speakers on Preparation and Publication included Peter Meyer, Desktop Law, whose paper "Pollution free packaging of the information age" proposed that proper packaging increases competition, promotes innovation and improves publication. Naida Haxton, Council of Law Reporting for NSW, followed with "The impact of electronic publication on traditional law reporting" which served as reminder of the part this type of legal information plays in the administration of justice regardless of the publishing format. The third paper in this stream was presented by the Queensland Law Society demonstrating the new software Themis in "Queensland practitioners on the electronic forefront"

The second stream, Access and Security, was covered by Alan Mowbray, University of Technology, Sydney who conducted a stocktake of the first two years of AUSTLII including funding, technical and public policy issues. Dr. Villiers, AGPS, followed with "Accessing legal information online" covering the improvements AGPS has made to the dissemination of information to the legal profession. John Gaudin, NSW Privacy Committee "Privacy issues in online publications" raised some of the potential issues including the possibility of creating restricted research environments and anonymising cases while still allowing citation

The third stream, Research, Copyright and Technical Systems began with "Current state of research", an entertaining paper in which Rob Brian, Parliament of NSW emphasised the importance of Internet research. Yvonne Butler, Manager of The Information Source, presented the results of a 1996 survey of the legal profession's use and perception of the "Net" in an insightful address "The Internet - recent research". Brett Mc Carthy from CAL reinforced our understanding of CAL's operations and its changing response to digital resources in "CAL - a practical means of obtaining copyright permissions".

After the lunch break, representatives from the leading legal publishers formed a publishers panel to discuss issues in electronic services to the legal profession. The panel rules were explained by the Chair, Neville Carter, Managing Director, College of Law. The scope of the discussion covered standards and issues in the areas of documentation, software, cost structures, technical issues, published standards and future products and services. This generated a number of questions from the floor

The publishers panel took a cautious and united view about the following topics: Electronic publishing is in its early stages

Technological changes are constant

Publishers are doing their best to meet user needs by being flexible

Publishers are currently taking risks financially

Costs will reduce over time.

The preparation and publishing stream continued in the afternoon with Brendan Scott from Gilbert and Tobin whose paper focused on likely problems encountered in establishing a web site in "Delivery of information over the Web". He was followed by David Grainger, Attorney General's Department, Canberra, who gave a historical view of the development of SCALEplus. Richard Griffiths, Capital Monitor Pty. Ltd gave an illuminating paper "Billboards in the wilderness (Written in Assyrian)" which looked at the problems associated with quality control standards for electronic publishing by Government agencies on their numerous web sites.

The Access and Security stream continued after lunch with an excellent paper from Gayle Davies, Legal Information Services, "The role of the law librarian the electronic age" (*reproduced in this issue of the Australian Law Librarian*). Gayle advocated how essential it was for organisations to use experienced and professionally qualified librarians to manage their information. Tony De La Fosse returned to talk on the difficulties

experienced by the High Court extending CD-ROM tower access outside Canberra. Simon Rice of the Law Foundation closed this stream by giving a checklist of matters that need to be addressed when adopting electronic technology in his paper "Universal access: an overview of issues for lawyers and the community."

Research Copyright and Technical Systems continued when Ernest Schmatt and Murali Sagi from the Judicial Commission of NSW gave a graphical demonstration of the intelligent application of available software adapted to JIRS. Wendy Smith of the National Library took a humorous approach to an enormous project facing the National Library in "Future access - long term preservation of Australian legal publications".

The conference concluded with a final plenary session which brought delegates back to discuss changes and current practices. Philip Argy, Mallesons Stephen Jacques gave the closing address adeptly drawing together the main issues discussed during the day

The conclusions reached were:

At present there is a lack of standards

Standards required are wide and complex

Users are diversified in their needs for standards

There is a need for textual integrity

The overall feeling at the conference was a sense of urgency to put standards in place but at the same time all were aware of the complexity of the problems and the difficulties involved in how to address them correctly.

Conference papers are available from the College orders department.

Ph: (02) 9965 7000.

The College of Law should to be congratulated on their initiative in convening this conference. Delegates agreed that the conference was highly successful, and the College has already started to plan ELI 1998 Preliminary information is on the College website:

<http://www.openet.net.au/collaw>

Do you need someone in Canberra who can supply answers?

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