Law Libraries as Publishers

Historic Statutes

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What resource in your library is the most troublesome to use? My library's collection of superseded Indiana statutory codes would be high on my list (just behind anything on microfiche, especially superseded statutes on microfiche!). Our superseded statutes are used often enough that I cannot forget about them, but not so often that I develop enough experience to make trudging through the parallel reference tables between recodifications any easier.

Many of the volumes are unique in our collection and some are a bit fragile, so while pulling down five volumes and several pocket parts—plus maybe a session law volumeto ascertain the exact penalty for loitering in Indiana in 1956, we have to *be very careful about it*. To my mind, superseded statutes are crying out for digitization.

But how should libraries approach such projects? Fortunately, I've found three libraries digitizing their respective states' statutes, and their experiences show us some possibilities.

Scanning and Presentation

There are several fundamental questions that arise when considering a sizable digitization project. Should the scanning be performed in-house or by a vendor?

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assembled the digital collection. The library digitized its collection of Georgia statutes through the LYRASIS consortium. As a part of that collaboration, the digital files were also added to the Internet Archive, which provides public viewing and download options. The

library's Digital Commons repository presents each volume's table of contents for download and embeds the Internet Archive's BookReader display tool (compare http://digitalcommons.law.uga.edu/ga_code/21/ with <https://archive.org/details/georgiacode1926a00unde>). UGA has digital copies of the statutes, but uses the Internet

Archive's copies for public access. Since many of the code volumes were unique to the library's collection, cradle scanners were used to avoid damage. With digital public access, those volumes now require less physical handling and are kept in closed stacks.

The Texas State Law Library also used a vendor for scanning its collection of Texas statutes (<http://www.sll.texas.gov/library-resources/collections/historical-texas-statutes/>). The library hosts its own public access copies and installed the open source BookReader tool to display the statutes, and provide PDF downloads. Betsy Nitsch, Reference/Electronic Services Librarian, said one challenge was achieving accurate optical character recognition from the scans; another problem was building an effective search tool. The Texas collection ranges from 1879 to 1960.

The third library I found performs its scanning in-house and has enough spare copies of volumes to slice the spine off each book for sheet-fed scanning. The Florida State University Law Research Center, as part of a collaboration of all twelve academic law libraries in Florida, currently hosts digital Florida statutes from

Texas State Law Library

continued on page 6

continued from page 5

Law Libraries as Publishers—Historic Statutes

1941 to 1988 (<http://archive.law.fsu.edu/library/collection/flastat/>). According to Mary McCormick, Assistant Director for Research, FSU student employees digitize a steady stream of Florida legal materials (indeed, the collections include much more than historic statutes, like attorney general opinions, regulations, and appellate court briefs). The volumes are broken into chunks that can be downloaded as PDFs, and are being uploaded to a site that will provide access to statutes from 1941 to 1996, organized by year and chapter.

Funding

Each library I spoke with has found different sources for funding these projects. UGA received support from a program funded by the Sloan Foundation and used some of its own funds. The Texas State Law Library, supplemented its own funds with a number of grants from local and state bar associations. Presumably these grants helped cover digitization, but ongoing public access is supported by the library's budget. Grant funding helps achieve projects with well-defined scopes. Positive results in one phase may help persuade funders to support additional phases. Both Bradley and Nitsch expressed hopes to digitize more materials in their libraries' collections with new grants.

The Florida academic law libraries, on the other hand, have committed to maintaining a standing digitization program. McCormick said the libraries are planning to digitize more Florida primary legal materials in the coming years. The collaboration has been recognized by AALL with its 2016 Public Access to Government Information Award.

Benefits

All three librarians indicated digitizing the historic state statutes have been worthwhile projects. Download counts from the digital collections indicate there is greater researcher demand for these materials once barriers to access are removed. The primary users for the statutes seem to be attorneys and judges, and—surprisingly to me—genealogists, who use the statutes

for researching the histories of counties and municipalities. Digital access has also enabled the libraries to better conserve fragile or scarce physical volumes.

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With academic or judicial law libraries in every state, it seems to me digitizing superseded historic state statutes may be relatively low-hanging fruit for the larger project of increasing public access to primary legal materials. These libraries have set an example to emulate. If you know of any other libraries that are digitizing historic state statutes, or wish to discuss law library publishing activities, please contact me at bkeele@indiana.edu.