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Moving Your Student Law Reviews Towards An Open-Access Publishing Model

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Moving Your Student Law Reviews Towards An Open-Access Publishing Model

Whitney Alexander
Director of Technical Services

David Brian Holt
Electronic Services Librarian



What is an institutional repository?

An institutional repository is a technology to collect, organize, expose, and preserve the scholarly output of your law school. Santa Clara Law has selected BePress (maker of ExpressO and LawKit) as our vendor. Adoption of an IR can enable:

- Collating scholarship into one unified location
- Collecting digital content that is not text-based (videos from symposiums, audio from lectures, charts and data from empirical legal research)
- Provide open access to these materials
- Improve the online "presence" of the law school
- Increase the law school's visibility on the Internet



We are platform agnostic

Although we are currently using Digital Commons from BePress, these principles apply to other institutional repositories.





Getting buy-in for your IR

Many faculty, and even student law review editors, may be reluctant to share content in an IR.

- Faculty are worried about their SSRN download numbers
- Students are worried about the print subscription revenue stream





Suggested solutions...

- Convince key faculty members
- they will bring along the rest
- For student journals, the benefits of increased exposure and higher citation rates outweigh the cost of reduced print subscriptions

Recommended reading:

Donovan, James M. and Watson, Carol A., "Citation Advantage of Open Access Legal Scholarship" (2011). Research on Institutional Repositories: Articles and Presentations. Paper 4. <http://digitalcommons.bepress.com/repository-research/4>

Donovan, James M. and Watson, Carol A., "White Paper: Behind a Law School's Decision to Implement an Institutional Repository" (2008). Articles, Chapters and Online Publications. Paper 15. http://digitalcommons.law.uga.edu/law_lib_artchop/15

Watson, Carol A. and Donovan, James M., "Will an Institutional Repository Hurt My SSRN Ranking?: Calming the Faculty Fear" (2012). Articles, Chapters and Online Publications. Paper 29. http://digitalcommons.law.uga.edu/law_lib_artchop/29



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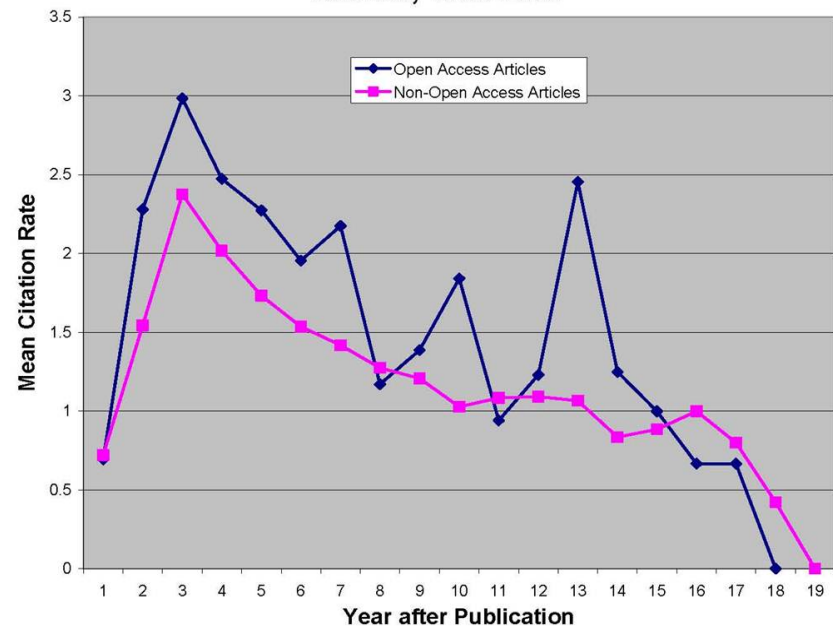
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Open-Access Student Law Reviews

The future of student law journals and reviews is towards an open-access model. The Durham Statement, adopted at Harvard Law in 2008, "calls for all law schools to stop publishing their journals in print format and to rely instead on electronic publication coupled with a commitment to keep the electronic versions available in stable, open, digital formats." Citation rates for some open-access journals have increased by 50%.

Effect of Open Access on Citation Rates of the Georgia Law Review, 1990-2007





Success of the Durham Statement

The Durham Statement called for the end of print publishing of student law journals. Although we have seen an increase in the number of journals which have become open-access, there has actually been little movement towards electronic-only publishing.

Relevant sources:

Richard A. Danner, Kelly Leong, Wayne V. Miller, *The Durham Statement Two Years Later: Open Access in the Law School Journal Environment*, 103 *Law Libr. J.* 39 (2011).

Richard Danner, *Open Access to Legal Scholarship: Dropping the Barriers to Discourse and Dialogue*, 7 *J. of Int'l Comm. L. & Tech.* 65 (2012).





Print subscriptions to law reviews continue to decline rapidly

Even the most prestigious law reviews are experiencing a rapid decline in print subscriptions due to the constraints on library budgets and online access



Stanford Law Review



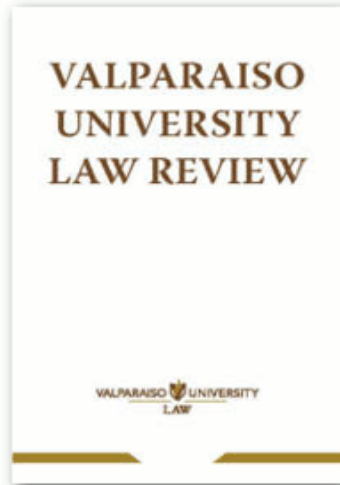
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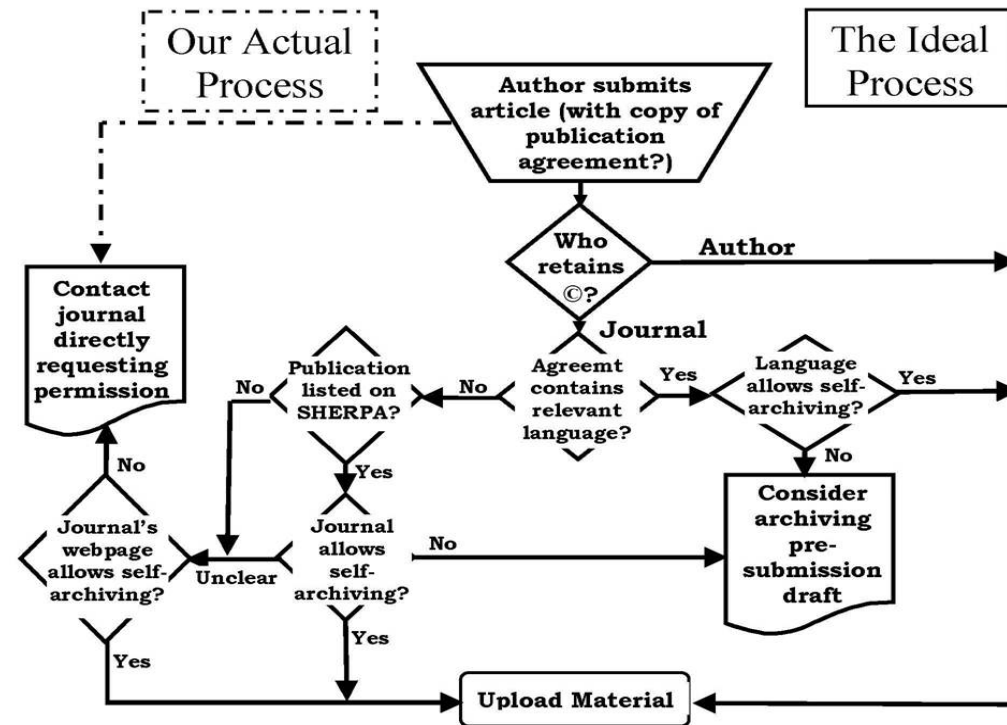
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What about copyright clearance with journal publishers?

A large number of journal publishers permit self-archiving. For those that do not, the library can contact these publishers to get permission. Pre-submission drafts can usually be archived without copyright issues.





If you have to digitize...

It is comparatively inexpensive to purchase back issues from Hein. What if you can't afford that or what if your journal isn't on Hein?

You can purchase digitization equipment if you have the budget for this. Major vendors include ATIZ, BetterLight, Digital Library Systems Group, i2S, Indus, Kirtas, Konica/Minolta, Microbox, Phase One, SMA, Tarsia, Treventus, ZBE and Zeutschel. You can also try building your own bookscanner. This is MUCH cheaper and uses standard SLR digital cameras that are easily replaceable. There are lots of designs available at <http://www.diybookscanner.org>.





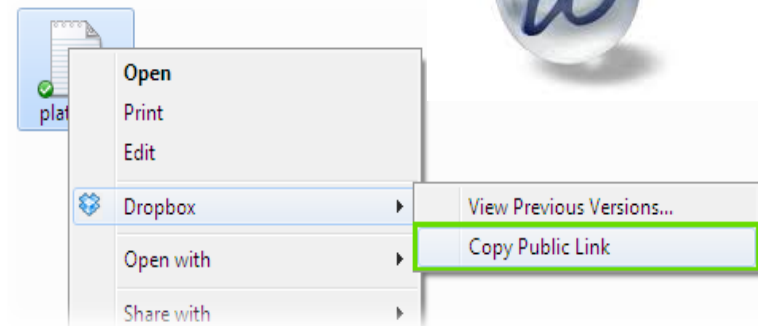
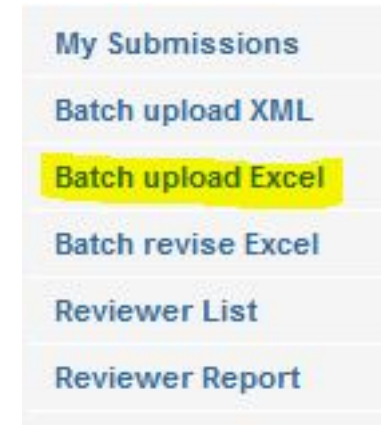
Review of overhead scanners

Jody L. DeRidder, Overhead scanners: reports from the field. 29 Library Hi Tech 9 (2011).



Getting metadata into the DC

1. Purchase or scan the issues of your journals. SCU purchased our issues from Hein. This was much easier than having to digitize them and divide the articles into separate PDF files.
2. Contact BePress to enable "Batch Upload Excel" function. This enables you to upload metadata for an issue all at once.
3. Create the "structure" of your journal on your digital commons site.
4. Use Dropbox or Box.net to create publicly accessible URLs that BePress can use to pull the articles from.
5. Collect all available metadata about the articles into Excel spreadsheets, parse the metadata into the correct fields, and collate the metadata into one uploadable spreadsheet.
6. Batch upload spreadsheet to DC.





Journal "structure" in the DC

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Dropbox

The screenshot shows the Dropbox web interface. On the left sidebar, there are navigation options: Dropbox, Sharing, Links, Events, and Get Started. The main area displays a 'Public' folder, which is circled in red. Inside this folder, a list of files is shown with columns for Name, Kind, and Modified. One file, '1SantaClaraLawyer16.pdf', is selected and circled in red. A context menu is open over this file, with the 'Copy public link' option circled in red. In the foreground, a 'Copy public link' dialog box is displayed, also with a red circle around the text input field containing the URL: `http://dl.dropbox.com/u/1406996/1SantaClaraLawyer16.pdf`. The dialog box includes a 'Shorten link' button and 'Copy to clipboard' and 'Cancel' buttons.

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1SantaClaraLawyer4.pdf	document pdf	5/31/2012 9:56 AM
1SantaClaraLawyer5.pdf	document pdf	5/31/2012 9:56 AM
1SantaClaraLawyer16.pdf	document pdf	5/31/2012 9:57 AM
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Subjects: Intellectual property; License agreements; First sale doctrine (Copyright); Patent exhaustion
Keywords: First sale doctrine



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18	Federal disability discrimin...	Santa Clara Law Review;2011, Vol. 51 Issue 2, p515-543, 29p	Discrimination against people with ...		
19	Greenhouse gas emission t...	Santa Clara Law Review;2011, Vol. 51 Issue 3, p935-987, 53p	Government policy;Automobiles -- M...		
20	Heller as Hubris, and how ...	Santa Clara Law Review;2010, Vol. 50 Issue 4, p1221-1261, 41p	United States. Constitution. 1st-10th...		
21	Heller, the Second Amend...	Santa Clara Law Review;2010, Vol. 50 Issue 4, p1073-1094, 22p	United States. Constitution. 14th Am...		
22	INFANCY DOCTRINE INQUI...	Santa Clara Law Review;2012, Vol. 52 Issue 1, p47-80, 34p	United States;Minors;Defense (Civil ...		The article discusses the i
23	MAKING SENSE OF NEW TE...	Santa Clara Law Review;2012, Vol. 52 Issue 2, p571-622, 52p			
24	Making sense of state acti...	Santa Clara Law Review;2011, Vol. 51 Issue 3, p885-933, 49p	State action doctrine (Antitrust law)		
25	Market integration and (th...	Santa Clara Law Review;2011, Vol. 51 Issue 4, p1241-1282, 42p	European Union countries;North Am...	Agreement on Trade-Related Aspects of Intellectual Prop...	
26	Measuring a "degree of de...	Santa Clara Law Review;2011, Vol. 51 Issue 1, p217-264, 48p	Academic freedom;First Amendment ...		
27	Menu-labeling laws: a mov...	Santa Clara Law Review;2011, Vol. 51 Issue 3, p989-1023, 35p	United States. Food & Drug Adminis...	Food labeling -- Laws and regulations -- California	
28	MORE THAN WORDS: RETH...	Santa Clara Law Review;2012, Vol. 52 Issue 1, p105-144, 40p	United States;Evidence, Demonstrati...		The article discusses the u
29	Navigating through the le...	Santa Clara Law Review;2011, Vol. 51 Issue 2, p705-741, 37p	Perfection of security interests;Intell...	Uniform Commercial Code Accession Number: 5021436...	
30	Patent exhaustion: What's ...	Santa Clara Law Review;2011, Vol. 51 Issue 4, p1087-1147, 61p	Patent exhaustion		



METADATA: raw metadata in spreadsheet

The screenshot shows an Excel spreadsheet with the following data:

	A	B	C	D	E
1	Title	Article Type	Page	Author	Author 2
2	Issue 1;- 2012	Issue 1;- 2012	Page [i]		
3	Table of Contents	Table of Contents	Page [i]		
4	Takings by Regulation: How Should Courts W		Page 1	Crump, David	
5	Infancy Doctrine Inquiries		Page 47	Preston, Cheryl B.	Crowther,
6	Delaware's Expanding Duty of Loyalty and Ille		Page 81	Rosenberg, David	
7	More than Words: Rethinking the Role of Moc		Page 103	Santee, David S.	
8	Proportionality's Cultural Foundation		Page 145	Singer, Jordan M.	
9	Eradicating Elder Abuse in California Nursing	Comment	Page 213	Chen, Linda K.	
10	Whistleblower Tug-of-War: Corporate Attempt	Comment	Page 255	Quigley, Shannon Kay	
11	Issue 1;- 2011	Issue 1;- 2011	Page [i]		
12	Table of Contents - Issue 1	Table of Contents -	Page [i]		
13	Apprendi Land Becomes Bizarro World's Policy		Page 1	Priester, Benjamin J	
14	Future of Corporate Aiding and Abetting Liabi		Page 79	Mamolea, Andrei	
15	Trillion Dollar Problem of Underwater Homeov		Page 153	Crespi, Gregory Scott	

Red circles highlight the following cells: C2, C3, C4, C5, C6, C7, C8, C9, C10, C11, C12, C13, C14, C15, and D4-D5.



METADATA: formula to parse middle name

The screenshot shows the Microsoft Excel interface. The formula bar for cell B2 contains the following formula, which is circled in red:

```
=RIGHT(E2,LEN(E2)-((LEN(LEFT(E2,FIND(" ",E2)))+1)+(LEN(IF(F2>1,LEFT(MID(E2,FIND(" ",E2)+2,50),FIND(" ",MID(E2,FIND(" ",E2)+2,50))),IF(F2=1,MID(E2,FIND(" ",E2)+2,50))))))
```

	A	B	C	D	E	F	G	H
1	First	Middle	Last	Suffix		Spaces	Trimmed Data	Original Data
2	Robert	P.	Mosteller	Jr.	Mosteller, Robert P.	3	Mosteller, Robert P. Jr.	Mosteller, Robert P. Jr.
3	A.	Pierce	van der Meer		van der Meer, A. Pierce	4	van der Meer, A. Pierce	van der Meer, A. Pierce
4	James	C. E.	Phillips	III	Phillips, James C. E.	4	Phillips, James C. E. III	Phillips, James C. E. III
5	Matthew	E.	de Orso		de Orso, Matthew E.	3	de Orso, Matthew E.	de Orso, Matthew E.
6	Danielle		Johnson		Johnson, Danielle	1	Johnson, Danielle	Johnson, Danielle
7	Allison		Ara		Ara, Allison	1	Ara, Allison	Ara, Allison
8								



METADATA: Spreadsheet after parsing

	A	B	C	D	E	G
1	INDEX	VOL	ISSUE	PAGE	TITLE	ARTICLE TYPE
2	501	50	1	1	Why Defense Attorneys Cannot, But Do, Care about Innocence	article
3	5079	50	1	79	Source of Information or Dog and Pony Show: Judicial Information Seeking during U.S. Supreme Court Oral Argument, 1963-	article
4	50183	50	1	183	Cellular Phones, Warrantless Searches, and the New Frontier of Fourth Amendment Jurisprudence	article
5	50225	50	1	225	Same-Sex Divorce Jurisdiction: A Critical Analysis of Chambers v. Ormiston and Why Divorce Is an Incident of Marriage that S	comment
6	50255	50	1	255	ADA Amendments Act of 2008: Do the Amendments Cure the Interpretation Problems of Perceived Disabilities, The	comment
7						
8						
9	50281	50	2	281	Further Reflection on Post-Realist Legal Scholarship and Teaching: A Brief Response to Professor Scordato	article
10	50303	50	2	303	When Self-Policing Does Not Work: A Proposal for Policing Prosecutors in Their Obligation to Provide Exculpatory Evidence to	article
11	50333	50	2	333	Negro Blood in His Veins: The Development and Disappearance of the Doctrine of Defamation Per Se by Racial Misidentification	article
12	50407	50	2	407	Redefining the Bank Secrecy Act: Currency Reporting and the Crime of Structuring	article
13	50515	50	2	515	Thug Life: Hip-Hop's Curious Relationship with Criminal Justice	article
14	50547	50	2	547	Political Implications of 527 Organizations Necessitate Reform, The	comment



METADATA: Final spreadsheet created using vlookup

	A	B	C	D	E	F	G	H	I	J
5	index	vol	no	title	fulltext_url	keywords	abstract	author1_f	author1_r	author1_l
6	521	52	1	Takings by Regulation: How Sho	http://dl.dropbox.com/u/14	United States. Consti	David			Crump
7	5247	52	1	Infancy Doctrine Inquiries	http://dl.dropbox.com/u/14	Minors;Defense (Civi	Cheryl	B.		Preston
8	5281	52	1	Delaware's Expanding Duty of L	http://dl.dropbox.com/u/14	Duty of loyalty (Law)	David			Rosenberg
9	52105	52	1	More than Words: Rethinking th	http://dl.dropbox.com/u/14	United States;Eviden	David	S.		Santee
10	52145	52	1	Proportionality's Cultural Found	http://dl.dropbox.com/u/14	United States;Propor	Jordan	M.		Singer
11	52213	52	1	Eradicating Elder Abuse in Calif	http://dl.dropbox.com/u/14	California;United Sta	Linda	K.		Chen
12	52255	52	1	Whistleblower Tug-of-War: Cor	http://dl.dropbox.com/u/14	United States;United	Shannon	Kay		Quigley
13										
14										
15	511	51	1	Apprendi Land Becomes Biza	http://dl.dropbox.com/u/14	Sentencing guideline	Benjamin	J.		Priester
16	5179	51	1	The Future of Corporate Aidi	http://dl.dropbox.com/u/14	Accomplices;Custom	Andrei			Mamolea
17	51153	51	1	The Trillion Dollar Problem o	http://dl.dropbox.com/u/14	Foreclosure;Home o	Gregory	Scott		Crespi
18	51217	51	1	Measuring a Degree of Defer	http://dl.dropbox.com/u/14	Academic freedom;F	Erica			Goldbera



Macro creates a spreadsheet that is ready to upload

Spreadsheet containing all metadata

index	vol	no	title	fulltext_url
1				
2		51	1	
3				
4				
5	index	vol	no	title
15	511	51	1	Apprendi Land Becomes Biza
16	5179	51	1	The Future of Corporate Aidi
17	51153	51	1	The Trillion Dollar Problem o
18	51217	51	1	Measuring a Degree of Defer
19	51265	51	1	Climate Change: A New Real
20	51299	51	1	The Key to the Courthouse C
21	51331	51	1	Stock Option Backdating: Is

Spreadsheet that is ready to upload

title	fulltext_url	keywords	abstract	author1	author1_r	author1_l	author1_s
2	Appendi	http://dl.c	Sentencing guideline	Benjamin J.		Priester	
3	The Futu	http://dl.c	Accomplices;Custom	Andrei		Mamolea	
4	The Trilli	http://dl.c	Foreclosure;Home o	Gregory	Scott	Crespi	
5	Measurin	http://dl.c	Academic freedom;F	Erica		Goldberg	
6	Climate C	http://dl.c	United States. Enviro	Lauren		Case	
7	The Key	http://dl.c	Pleading;Motions to	Michael		Eaton	
8	Stock Op	http://dl.c	United States. Securi	Lara	E.	Muller	



Regrets...

- Better coordination with journal editors to make sure all necessary metadata fields are incorporated into the original journal design (must have fields for volume, issue number, etc.)
- Corporate authorship needs to be a valid author
- Make sure all article types in spreadsheet are defined in the DC before uploading metadata





Bluebook Rule 16.6.2 - Student-Written Law Review Materials

Examples:

B. George Ballman, Jr., **Note**, *Amended Rule 6.1: Another Move Towards Mandatory Pro Bono? Is That What We Want?*, 7 *Geo. J. Legal Ethics* 1139 (1994).

Catherine Hauber, **Note**, 30 *U. Kan. L. Rev.* 611 (1982).

Recent Case, 24 *Vand. L. Rev.* 148 (1970).

William Dubinsky, **Book Note**, 90 *Mich. L. Rev.* 1512 (1992) (reviewing Daniel A. Farber & Phillip P. Frickley, *Law and Public Choice* (1991)).

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1. Make a DIY bookscanner and have interns or student employees do the digitization (you can also use a digitization service if you have an extra run of the journal that can be destroyed using destructive book scanning).
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3. If you only want to publish your journals, then consider using Wordpress, Drupal or OJS. There is a presentation on this topic today at 4pm by Michelle Pearse from Harvard.



Thank you!

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