Just as the day of the traditional law firm is ending, so too is the era of the traditional law library. The author offers new, valuable, and evolving roles for law librarians.

Awkwardly, haphazardly, and very reluctantly, law firms are starting to change how they operate. The legal market environment has downshifted radically in the last few years, leaving law firms scrambling to adapt to a colder and harsher climate. Firms have now used up all the short-term tactics they could think of to protect their profits and market positions; their last remaining option is to change their behaviors to reflect the new environment.

Law libraries and KM departments have been hit as hard as everyone else by the disruption in the legal market. Law librarians and all legal professionals have witnessed the widespread decentralization of knowledge resources, the relentless pressure to cut costs and shrink physical footprints, and even the incursion of underemployed associates into territory previously inhabited solely by librarians. Now it’s time to respond to these changes and gain control over the evolution of functions involving content management and its associated roles in KM, IT, client services, and analytics.

Starting now, law librarians and KM personnel have the opportunity to integrate themselves into the architecture of the burgeoning new law firm model. The collection, curation, dissemination, and application of knowledge will lie at the heart of profitably efficient law firms of the future, and they are the stewards of that knowledge. Accordingly, here are eight possible new careers with the potential to transform not just law firms, but also the entire profession.

**Firm-Facing Positions**

1. **Niche Expert Resource**: Embedded within practice or industry groups, this knowledge professional becomes a sort of specialized “in-house librarian” with a deep and thorough knowledge of the laws, regulations, practices, and current events in a given area. The group’s lawyers and staff draw upon this person’s ability to locate relevant knowledge and rely on him or her to keep them up-to-date on important developments in the field.

By Jordan Furlong
Partner, Edge International, Ottawa, Canada
The Future is Now: Eight Emerging Roles for Law Librarians
By Jordan Furlong

Just as the day of the traditional law firm is ending, so too is the era of the traditional library. The author offers new, valuable, and evolving roles for law librarians.

The Role of Information Resources in Strategic Account Management and Key Client Planning
By Silvia L. Coulter

Strategic Account Management (SAM) strategies are being incorporated into the sales efforts of law firms. Competitive intelligence professionals and librarians can assist in these initiatives by collecting, scrutinizing, and organizing SAM data, thus contributing to the growth of their firms.

ISO 2000 for Law Firms
By Linda Will

ISO 2000 affords a law firm an opportunity to take a holistic approach to purchasing materials from legal providers. More and more firms are implementing ways to take time and waste out of their legal work processes. ISO is a certification step in that process.

Designing the Library of Tomorrow
By Lynn Watson

When your library sat on the top floor and housed your collection, your attorneys were a captive audience. Where else would they go? By contrast, in your virtual space, you have competition. If your attorneys can’t find the value in your offerings (or find your offerings at all), they will go ‘next door’ to Google.

Beyond Procurement—Negotiating Value and Results
By Elaine M. Egan

Consistent models in procuring goods and services will focus on results and expectations. Content purchasers may utilize these models individually or in combination to add value, accountability and enhanced service.

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Consistent models in procuring goods and services will focus on results and expectations. Content purchasers may utilize these models individually or in combination to add value, accountability and enhanced service.
2. Bespoke CLE Designer: Post-call education and training is not a one-size-fits-all endeavor: every lawyer has unique CLE needs and interests. This position, perhaps cross-posted with Professional Development, profiles every lawyer in the firm, in particular his or her current and future PD interests and requirements, and then selects a customized learning regimen that mixes substantive legal knowledge with business development training.

3. LPM Coordinator: Legal project management will play an increasingly significant role in improving the effectiveness, efficiency, and responsiveness of practice groups and project teams. Librarians and KM personnel with a knack for process would be ideally placed to lead the construction of LPM systems and the training of lawyers and staff in the appropriate procedures.

4. Business Intelligence Director: Most law firms, if pressed, would admit that when it comes to internal business information, they “don’t know what they don’t know.” Law firms are swimming in rolling seas of business data, floating aimlessly about; if this information were organized and applied by an experienced knowledge manager, the resulting business intelligence would be an invaluable resource for the firm.

Client-Facing Positions

5. Legal Knowledge Liaison: Take the position of Niche Expert Resource (#1, above), turn it to face externally, rather than internally, and you have the Legal Knowledge Liaison: a subject-matter specialist available on call for the firm’s best clients in a particular area. Not only would this be a tremendous service for in-house counsel, but it could also greatly enhance the job security of the knowledge professional who becomes an indispensable resource to a key client.

6. Expert Application Programmer: Powerful new software is emerging that can delve into the depths of the legal profession’s knowledge resources and provide automated processes to answer straightforward legal and regulatory questions. Who better to program these applications than a librarian or knowledge professional, especially if the firm’s own resources form part of the database.

7. AFA Coordinator: Law firms can’t keep discounting hourly rates forever; the need to come up with truly innovative pricing is becoming urgent. Knowledge professionals can gather and integrate internal and external data to measure the firm’s real costs of production and give lawyers the information they need to negotiate rational flat prices that can safeguard profitability while meeting client demands.

8. Client Knowledge Engineer: Whenever a customer logs in to Amazon.com, the system assesses his or her previous browsing and buying behavior and offers customized items of interest. Imagine a law firm applied knowledge engine that could do the same: analyze all recent client interactions with the firm and build a menu of recommended activities to reflect the client’s needs. Better yet, don’t just imagine such a system: let the law library take the lead in creating it.

Finally, whatever new roles are envisioned for law firm knowledge specialists, there are four principles that one should follow when helping to engineer the evolution of the entire law library function:

1. Delegate, outsource or automate wherever possible. Lawyers are taking these steps to streamline internal systems and reduce costs; libraries must do the same to keep pace and demonstrate solidarity with the firm’s efforts.

2. Change from being receptive to active. Knowledge workers can sometimes tend towards passivity, waiting for someone to come ask for help. Become proactive, leading people out of the library and into lawyers’ offices to find out what librarians can contribute.

3. Shift out of “neutral:” recommend, opine, and analyze. By no means should non-lawyers offer legal advice; but as the recognized experts in knowledge assembly and application, information professionals should feel confident making recommendations to lawyers about what the research indicates.

4. Start thinking about process, not just knowledge. As legal information becomes more widely distributed within law firms and across the legal market, knowledge—the “what” of law—is losing ground to process—the “how” of law. The future lies in “how.” Knowledge workers need to think hard about becoming process workers.

Just as the day of the traditional law firm is ending, so too is the era of the traditional law library drawing to a close. What will replace it, and how that replacement will contribute value to the firm, is still within librarians’ power to guide and influence. As the foregoing lists suggest, however, there is every indication that the future of the law librarian and knowledge workers will be more challenging, more sophisticated, and more fulfilling than it has ever been. It’s time to take the next steps.
The SAM Process
Strategic Account Management (SAM), also known as Key Client Planning in Corporate America, encompasses most companies’ sales strategies. Usually businesses can count on ongoing business from their key accounts. Accounting firms have adopted the SAM process into their sales strategy and it now drives their sales teams’ focus each year; law firms are beginning to follow by incorporating SAM strategies. Whether a formal or informal initiative, the keys to a continually successful SAM strategy are information and intelligence. Competitive, market, client, and key executive intelligence can turn a weak sales strategy into a highly competitive and successful one. To be most effective, the right intelligence in a user-friendly format is critical. Otherwise, information overload occurs and someone’s hard work at collecting all the data is wasted.

Actionable Intelligence
To better prepare me for some upcoming team meetings with a firm’s key client teams, the firm sent me a box of materials. Once opened, I saw it contained five six-inch binders of information, one that covered each client. The information was all there, but how it was organized was a different issue. It was more of an assembled mess. Someone had put a huge amount of time and effort into these binders, but where to begin sifting through all this data so I could be helpful to my client, and how to lug these to my meetings were huge issues. This was not an unusual one-off delivery of intelligence data. One partner commented, “I need a new bookcase in my office to hold all this information.” The opportunity to tighten up this process and integrate a strong information resources “voice” into the process is significant. Every go-to-market strategy should be based on sound market and client intelligence. Here is the opportunity: identify two or three client teams and visit with the relationship lawyers or team leaders to find out what information they are lacking, as well as what information will be most and least helpful to them. Linda Will, Thompson & Knight’s Manager of Library Resources, suggests the most useful information the library team can provide to inform a key client team’s planning process is “to go beyond ‘sustainable information,’” such as news articles and biographies. Instead, provide “creative or competitive information:” industry statistics on whom the clients’ competitors are and their market share. It is also important to tabulate this data in a way that makes it easy to reference.

When asked what she and her colleagues in other firms think often gets overlooked and could
be included in these SAM reports she added, “Definitely, market reports of key players and their share of the market are consistently overlooked.”

**Extended Shelf Life**

Market share reports go beyond SAM strategy and can help inform overall firm strategy. Will and her peers agree and believe, “comparisons of information for like industries are always helpful since a firm may not know when a merger or acquisition may be a topic that will be pursued.” Using intelligence on a proactive basis informs the firm about important and pending client and market changes. The data can help save a client or build new relationships.

**Create Action and Impact a SAM Strategy**

If your firm does not have a formal SAM key client strategy, you still have a great opportunity to be proactive and add value to overall revenue growth. Select two or three key clients and put together a Client Strategy Insight Report using various resources to which the firm has subscriptions, combined with other intelligence sources available on the Internet, the firm’s financial system, and the clients’ websites. Where possible, develop some suggested opportunities or value propositions based on the data. Once this type of report is created and the partners realize the value they receive from it, there will be many more opportunities to strut the information resources team’s stuff.

In summary, to help add octane to the firm’s client retention and growth strategy:

- be proactive and reach out to partners to hear what will be most helpful to them;
- gather intelligence data about clients and their industries;
- organize it in a user-friendly format—like a book, with a table of contents, if necessary (think bite-size pieces); and
- follow up on a regular basis and help partners create actionable steps for reaching out to their clients.

SAM strategies can be top-down or bottom-up. By collecting, scrutinizing, and organizing data in a way that offers value within the firm, the SAM key client strategy will be stronger and much more competitive. Knowledge is power in the SAM world.
ISO 2000 affords a law firm an opportunity to take a holistic approach to purchasing materials from legal providers. More and more firms are implementing ways to take time and waste out of their legal work processes. ISO is a certification step in that process.

ISO 2000 is a set of standards relating to quality management systems designed to assist organizations while ensuring the needs of customers and other stakeholders. Originally published by the Department of Defense in 1959 and now published by the International Organization of Standardization, ISO 2000 deals with the establishment and maintenance of quality fundamentals. It is also an international standard that addresses systematic change. The global adoption of ISO 2000 is associated mainly with major manufacturers requiring their suppliers to hold ISO certification, as it has been found that organizations with certification demonstrate superior operational performance.

Law Firm Library Management and ISO 2000

So why should law firms bother requesting ISO certification from their legal information suppliers? ISO was established for the standardization of manufacturing products, a concept unheard of in the legal information realm. ISO provides independent confirmation that organizations meet the requirements of ISO 2000. Over a million manufacturing organizations worldwide are independently certified, making ISO 2000 one of the most widely used management tools in the world today. Despite widespread use, however, the ISO certification process has been criticized as being wasteful and not being useful for all organizations. Implementation depends heavily on senior management to monitor, control, and improve quality, as it focuses on improving the customer experience.

Ensuring that top level management executives require legal information vendor ISO certification may be a way to establish a measurable standard that could affect bottom line costs for law firms, as well as improve our customer experience.

Traditionally law firm law libraries rely on costly consultant analyses followed by comprehensive guidelines for quality management to ensure a company’s competitiveness in the marketplace. Much like Six Sigma Certification, more and more firms are implementing ways to take time and waste out of their legal work processes. This is also a good approach for creating consistency across the firm for deliverables. To get a clear assessment of the cost of the work product sold, it is important to deconstruct the work product and review what each portion of the process costs. The sum of the parts then provides a good idea of the total cost to produce and deliver the end product.
Law firms have few, if any, standards of measurement for the purchase of new legal research products. Acquisitions are often based on questionable analytical evaluations: cost, relationships with vendors, and sometimes hearsay (“another law firm uses this product”). But are these measures the best basis for spending hundreds, if not thousands of dollars? Vendor purchases which answer consumers’ needs for the “now” may not fill the needs of tomorrow. (For example, can your new purchase be posted freely on your intranet, or copied full text to clients?) Upgrading firm service responsibilities to clients (and not just equipment) is something vendors should understand. They should be prepared for a law firm’s scholarship “needs of tomorrow;” for mobile applications, seamless passwords, intranet presence, and so forth. Knowledge products should be applicable to a firm’s standards as well as its vision.

Many administrators fail to recognize that the providers of legal information online, electronically, and via the Web are, for the most part, the providers of the print editions. The providers understand the legal research process. They have a grasp of the use of legal scholarship to meet client expectations. As more and more administrators take a hand in negotiating the firm’s research resource contracts (and this, by the way, is a direct application of the “holistic approach to purchase”), all those involved in negotiation processes should be well versed in the dynamics of the online product marketplace. For the most part, large law firms comprise the majority of the profits for legal product providers, but are not very vocal when it comes to expressing their needs. This is a travesty, because vendors solicit and welcome product feedback and development ideas from the marketplace, either through third party consultant interviews, or their own focus groups. Vendors constantly create new products to fulfill market needs, and law firms should take advantage of being on the creative side of the industry. For example, Thomson Reuters is creating a due diligence tool by packaging their Westlaw PeopleMap and Company Investigator products into a due diligence/conflicts tool. They actively solicit marketplace input. Drafting tools (such as compilations of SEC documents like those found in Practical Law Company modules) can be extremely helpful for transactional practices. The creation of the augmentation of public records can be invaluable, and is a direct response to the marketplace.

Sidebar
In recent years ISO 2000 global certifications have increased rapidly in China, which now accounts for approximately a quarter of those certifications.

<table>
<thead>
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<th>Country</th>
<th>No. of certificates</th>
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<tr>
<td>China</td>
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<tr>
<td>Italy</td>
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<tr>
<td>Japan</td>
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<td>Spain</td>
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<tr>
<td>Korea, Republic of</td>
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Global Economy
Now that ISO 2000 is an international standard, it is more important than ever to achieve professional certification. Such certifications demand that large law firms achieve a competitive edge, especially when participating in “beauty contests” involving manufacturing entities as potential clients. At present, I am not aware of any law firms or legal providers advertising ISO certification. Although ISO is a new concept to law firms, embodying vision and downright radicalism, it is a legitimate concept that management would be wise to heed. As mentioned above, more and more law firm administrators are taking a role in law firm contracts. This is a prudent decision, as law firms become global with corporation-sized staffs. Indeed, law firm library partners should lead contract negotiations that become increasingly complex because of multiple international locations.

Sidebar
ISO/IEC 20000-1:2005 is the formal specification and defines the requirements for an organization to deliver managed services of an acceptable quality for its customers. The scope includes:
Summary
The world is governed by standards, ranging from food regulations to computer specifications, and even in law firms, space planning follows government regulations. But a set of established standards has yet to be set for legal publishers. For example, print formats are not produced in accordance with standard library shelving.

Legal materials comprise not only a large portion of a firm’s new acquisition budget, but a substantial part of supplementation costs as well. Filing services are a part of a firm’s bottom line, just like rent and administrative salaries.

When librarians and law firm managers ask that publishers establish and adhere to standards directed by both the Association of Legal Administrators, as well as the American Association of Law Libraries, those firms can establish a truly mutually beneficial relationship between the procurers and the providers of legal services.

ISO 2000 affords a law firm an opportunity to take a holistic approach to purchasing materials from legal providers. More and more firms are implementing ways to take time and waste out of their legal work processes. ISO is a certification step in that process.
In 1987, when my firm moved into its current location, the world was a different place. Law firms were known for their grandeur: mahogany paneling and doors, marble floors, formal reception on every floor, lavishly appointed partner offices, and—in the center of it all—the law library. In our office, the library occupied two upper-level floors connected by a brass-railed staircase. It was a showcase, with stacks of books from floor to ceiling and a beautiful reference desk prominently positioned at the entrance. Any client visiting the firm was sure to get a tour of the magnificent law library, the heart of any reputable law firm.

Fast-forward to 2013 and law firms look a lot different. Any firm moving to a new space or redesigning their existing space is taking a totally different view of their work environment and what a 21st century firm looks like. The area seeing some of the most significant renovation is the library. As more and more of the resources being managed by the library staff transition to digital, the library as a physical space is becoming less relevant. The library used to be a place to be managed; it was basically a posh warehouse for books. Frankly, the core functions of a traditional library, aside from research, were not much different from a warehouse: purchasing, stocking shelves, inventory control, and distribution. All of these functions required a lot of space. However, over the last 10+ years libraries have been making a steady migration away from print to electronic resources, and in the past five years since the “Great Recession,” that pace has accelerated (Fitchett, 2011). It’s becoming apparent that it’s not only the format of the materials that’s undergoing a major transformation but also the library, itself.

Therefore the law library now is confronted with an identity crisis. No longer able to showcase its success by the volumes of books amassed in the stacks or by the number of items circulating off the shelves, the librarian is at a pivotal decision point: how is the librarian role defined going forward, and how does that alter the face of the library? Do we still need a large physical footprint? Do we need any physical footprint? Now that much of the collection is invisible (Heller, 2009), what’s the best way to surface resources to their intended audience? How do users browse the collection? Does the firm still need a reference desk? These aren’t easy questions, but law firm librarians are in a fortunate situation because their colleagues in public and academic libraries already have confronted many of these same issues. Remove the blinders...
and take a look around. Law firm libraries aren’t as unique we might like to think. Step back and take some cues from peers in other types of organizations.

**The New Physical Space**

Obviously law firms aren’t going to throw out every book any time soon, so four walls and some square footage will need to be assigned. But it is almost certain that the library will be vulnerable to financial and space reductions if the scope and value of its offered services are not broadened (Fitchett, 2011). To be granted physical space in the firm in today’s economy, building a solid business case to justify “the rent” is essential. How much space is allocated depends on two factors: the services offered, and how much the firm is willing to give.

**Training**

Training is critical to ensuring the efficient and cost-effective use of expensive digital resources (Axelroth, 2011). Many libraries have created training spaces for offering presentation-style, classroom, and one-on-one training options. It’s important that the space is flexible and can be rearranged to meet the requirements of these various training styles. When not in use, this facility can also serve as an internal conference room, which, if well equipped, may serve as an additional attorney workspace.

**Research and Reference**

Practical experience and surveys have indicated that a library’s most valued output is the research assistance offered by librarians (Fitchett, 2011). As the collection becomes more invisible, having research and reference experts available to help navigate the digital resources and the limited print resources is critical (Heller, 2009). However, this does not necessarily require a large reference desk anymore; by design, an imposing desk actually creates a barrier between the attorney and the research staff. Some libraries have replaced the reference desk with L or U shaped desks that allow the attorney and librarian to sit together more easily to confer on an assignment (Axelroth, 2011).

**Books and Shelving**

Although law firm print collections have been reduced significantly, few firms will go as far as the “bookless” or “paperless” library, as modeled by institutions such as Cornell, Drexel, or the BiblioTech in San Antonio (Haq, 2013). As a result, shelving will still be a concern, but there are a variety of options to consider. Walk into most public and academic libraries and one can see where they’ve begun moving away from sterile book shelving to more creative book displays. Many firms have looked at compact shelving because of its extremely efficient use of space. Another alternative is the use of low shelving to open up the space and create sight lines (Axelroth, 2011). The lower shelving obviously is more attractive, but it may be in the library’s best interest to highlight and promote the print investments that remain. Depending on the size of the collection, a mix-and-match design may be best.

**Office Space and Staffing**

The staff is by far the library’s most valuable asset, and it’s also the most expensive investment—highlight this team! In the past, many libraries scattered staff throughout the library and hid them in hard to find corners. In the new design, locate staff in accessible office spaces close to the entrance of the library (Axelroth, 2011). It should be easy for an attorney to locate someone for assistance.

**Social/Collaboration**

Creating spaces for social interaction and collaboration has been a big initiative in public and academic libraries. As Sarah Hull, the library manager for a small public library, pointed out to me, the library has become a social outlet, a place for personal enrichment. In some settings such as a college campus, this is an obvious extension, but how does this fit within the context of a law firm? As more people opt to work from home and only visit the office occasionally, they will increasingly need an informal space to meet up with their colleagues and be seen. The space could be a casual sitting area like a cafe, or it could be more structured. These spaces should be informal but modular and flexible so that the space can be arranged to meet the needs of the users. The question is whether or not the library director can make a sound argument for why this setting belongs within the confines of the law library.

**The New Virtual Real Estate**

Although libraries on average take up 75 to 95 percent less physical space than they did a decade ago (Pendergrast, 2011), librarians now also have a stake in the virtual world, where there are no physical confinements and “rent” is cheap. This real estate is an asset to be developed. The virtual/digital library is a solid investment; it is the future, after all. Attorneys don’t want to have to go to the library to get the information they need; they want it at their fingertips. They want access to the information, whenever and wherever they need it, whether they’re in their home office, at a hotel, or in the cafe, and they want it on their phone, their iPad, and their laptop. Attorneys want to be mobile and they want
to have all of the services and information they would have if they were in the office. Furthermore, the “born digital” generation is heading our way with expectations based in the experiences they’ve had in academic and public libraries, not law firm libraries.

So invest some resources up front into designing this virtual space. Your virtual library begs for the same consideration as your brick and mortar establishment, and the space allocations and design considerations referenced above are still relevant. Find a “good architect.” Consider that this space is even more complex to design. When the firm’s library sat on the top floor and housed an extensive print collection, the attorneys were a captive audience. Where else would they go? However, in the virtual space, there is competition. If attorneys can’t find the value in the information center’s offerings (or find them at all), they will go “next door” to Google or Bing where, chances are, they’ve had success in the past.

Regardless of whether the library is physical or located in the cloud, if it’s all print or paperless, the goal of library design remains the same: the creation of a functional space that meets today’s informational needs and is flexible enough to adapt to tomorrow’s (Axelroth, 2011). The future of our libraries will be, and must be, different from our past (Fitchett, 2011). We’ve already seen dramatic changes and there are certainly more to come.

Sources:


Clients of legal content providers, whether law firms, government agencies, or academic institutions, have long held beliefs that price and value are not intertwined. Therefore, even if pricing is “transparent,” negotiations are based on the identified rate set by the provider and not by the competitive market or user profile. Content providers create pricing schedules by number of users, logistics, behavioral statistics, historical activity, concurrent users, and enterprise—all models fraught with uncertainty. Organizations committed to achieving the best value and resources to support their clients and organizational needs are buried in the complexity around pricing and expectations. Though wisdom dictates that a content procurement team will include a Research Services Librarian, one who is a credentialed, experienced product specialist possessing the ability to assess content, there are additional opportunities in negotiating terms that will enrich the content agreement (see, for example: Linda Will, “Research Service Management: Strategic Sense?,” Practice Innovations, March 2013).

Procurement goals succeed when they include clauses that define service, achievement, milestones, or measurable organizational results. Additionally, as content providers have continued on a course of consolidation, service expectations become legacy traditions rather than a strategic value. Library and information center directors and procurement teams not only need to evaluate content, but how content consolidation affects their users, making it imperative to identify value measures. Even though pricing continues to be the compelling driver in a successful negotiation, an organization also relies on a procurement team to build a comprehensive procurement portfolio, one rich in value that supports and achieves organizational goals.

Briefly, the agreements defined below support expectations to build upon skills, experience, and measurable business outcomes. One outcome, in particular, that most organizations strive to attain is loyalty. Loyalty occurs when measures and expectations are exceeded to create a valuable partnership.

- **Service Level Agreements (“SLAs”)** are contracts/agreements that identify the services required by the client and the performance expected of the vendor/provider. A SLA defines the level of service as “expected” or “minimum,” and sets parameters for the completion of a service that will benefit the client. A SLA historically has been an operational agreement. However, it can easily be reimagined to enhance a content agreement. A client may identify service enhancements such as annual or monthly site visits, CLE offerings, invoice alerts, e-mail response within a designated time frame, dedicated portals for users to gain access to WebEx, and “just in time” training.
■ **Performance Based Contracts** (“PBCs”) are much like SLAs. A PBC will identify expected deliverables, performance measures or outcomes, and payment is contingent on their successful delivery. **Performance based contracts** use measurements and/or milestones that may include consequences and/or incentives to ensure the agreed upon value to the client is received. One scenario could be the migration of print users to the equivalent electronic platform. If the agreed-upon target falls short, there is a hold on payment until the performance is achieved. Granted, this is more challenging in the legal content environment.

■ **Outcome Based Agreements** (“OBAs”) are utilized most frequently with technology agreements. This relatively new type of contract binds vendors/suppliers to provide particular business results and not just a service or delivery of a product. Such contracts may become more common as private and public sector organizations face continually shrinking budgets. An illustration of an OBA would require the content provider to measure click-through rates from a “publisher daily alert,” ensuring the content is opened, presumed read, and valued.

■ **Client Management Agreements** (“CMAs”) describe the strategy and standards to which a vendor will commit, identified by the client, in order to achieve higher levels of client interactions and exceed expectation. Much of the CMA strategy should be offered by vendors/providers as a unique value that will distinguish them from their competitors and drive loyalty. Think Ritz-Carlton, the only company to twice be awarded the *Malcolm Baldridge National Quality Award*. The Ritz-Carlton considers loyalty the bottom line. As purchasers of content we have a general expectation that our vendor/provider will assign a competent account team to our organization and provide training, troubleshooting, reporting metrics, automatic upgrades, and password management. But what if we had a CMA designed specifically for our organization’s business goals? Wouldn’t that be a higher value agreement, one that builds loyalty?

Shared characteristics of value and results driven agreements are:

- **Emphasize results related to output, quality, and outcomes**
- **Specify deliverables, standards, and clearly defined objectives and timeframes**
- **Use quality assurance plans, measurable performance standards, and/or outcomes**
- **Provide performance incentives and/or consequences for non-performance**
- **Map payment to deliverables, performance, and/or outcomes**

Legal content purchasers can only benefit from a provider relationship that is committed to their business and organizational goals. Traditional content agreements do not reward providers for achievement because it is often not part of the negotiation dialog. As we continue to focus on cost, there is a loss of opportunity to build unique and consistent value. As fewer achievement drivers are in place, loyalty and value diminish. This propels clients to focus exclusively on cost, disregarding the business relationship, and moving their business toward a competitor or in another direction entirely.