

APPLICATION

The Law Library Microform Consortium, a non-profit library cooperative dedicated to fulfilling its members' requirements for preservation, collection development and space recovery, is now accepting applications for Charter Membership in its new on-line service, *LLMC-Digital*.

Membership is available in six categories, as detailed on the reverse of this sheet. Applicants should self-define themselves into their appropriate classification using the descriptors given. Those who have questions regarding the applicability of these criteria to their situation should contact LLMC for clarification (800-235-4446).

The deadline for the receipt of Charter membership applications is 7/31/03. Payment of the first annual subscription fee is due during calendar 2003. Libraries planning to make payment in the second half of the year should so notify LLMC.

Our library hereby applies for Charter Membership in *LLMC-Digital*, the digital-library consortium being organized by the Law Library Microform Consortium.

Library HUGH F. MACMILLAN LAW LIBRARY, EMORY UNIVERSITY

Contact person (technical and billing) TERRY GORDON

Contact person (consortium related activities¹) "

Addresses:

Mail 1301 CLIFTON RD., ATLANTA, GA 30322

Billing (if different) _____

Phone 404-727-6950 FAX 404-727-2202

E-Mail tgordon@law.emory.edu

Payment details:

Bill us Purchase order number _____

Check enclosed _____

Bill credit card: VISA _____ MasterCard _____

Number _____ Exp. Date _____

Signature: Jerry E. Blum Date 3/25/2003

¹ *LLMC-Digital* will be a governed consortially. This will require periodic notifications; e.g., notice of the annual meetings. Normal practice will be to mail these to the Library Director. Please indicate here whether you wish a change from that default practice.

LLMC-Digital **The Membership Program**

Membership categories¹

Category A Charter Member —

U.S. law schools (AALS accredited, fee paying & non-accredited)
Major U.S. non-academic research libraries (holdings over 250K vols.)
Mega-law-firms (over 750 lawyers)

Category B Charter Member —

Non-U.S. law schools
Significant non-academic legal research libraries (120–250K vols.)
US Circuit libraries with associated district branches
Very-large-law-firms (300 to 750 lawyers)

Category C Charter Member —

Non-law-school-university library systems (U.S.)
Large-sized St./Ct./Cnty. law libraries (80 to 120K vols.)
Large-law-firms (150 to 300 lawyers)

Category D Charter Member —

Non-law-school-college library systems (U.S.)
Non-law-school-college or university library systems (non-U.S.)
Mid-sized St./Ct./Cnty. law libraries (40 to 80K vols.)
Mid-sized-law-firms (75 to 150 lawyers)
Major public libraries (over 1-million vols.)

Category E Charter Member —

Small St./Ct./Cnty. law libraries (below 40K vols.)
Smaller-law-firms (10 to 75 lawyers)
Smaller public libraries (under 1-million vols.)
Larger corporate & non-profit organization law libraries (10 lawyers or more)

Category F Charter Member —

Small St./Ct./Cnty. law libraries (under 10K vols.)
Small & solo-law-firms (under 10 lawyers)
Smaller corporate & non-profit organization law libraries (under 10 lawyers)

Rights of Members

All participants, both Charter Members and standard subscribers, will have access to all of the titles offered on *LLMC-Digital*, including both the initial offerings and also all titles added to the ever-expanding digital title base. All enrolled participants will be eligible also to purchase LLMC microfiche at 66% off catalog list prices. Charter Membership is limited to members enrolling before 31 July 2003. The two principal benefits accruing exclusively to Charter Members are price stability and the right to share in the governance and direction of *LLMC-Digital*. The current LLMC Board of Directors has committed the organization to holding Charter Member subscription rates constant for a period of at least five years absent egregious change in the US inflation experience of the past two decades. The practical sanction underlying that commitment is provided by the fact that after 7/31/03 all future LLMC Directors will be elected² solely by the Charter Members of *LLMC-Digital*.

¹ Annual Charter Member rates B through F are derived from the Category A rate of \$5,800, successively "stepped down" by 33%. Beginning standard subscription rates incorporate a 33% late-adopter fee. These standard rates may be increased at any time in the discretion of LLMC's Board of Directors.

² These elections will be held annually during the annual conventions of the American Association of Law Libraries under a system analogous to the current LLMC practice, with weighted voting corresponding to the six categories of *LLMC-Digital* Charter membership.

LICENSING

The Directors of LLMC believe that access to *LLMC-Digital* should be as free as it can be made to be given the necessity of preserving the service's core subscription base. Meeting those constraints requires only that subscribing libraries not pass on the service to any of the other potential subscribers described in the published Subscription Price Schedule. Excepting that requirement, the Directors have adopted the general rubric that each subscribing library should be able to serve its *traditional patron base*.

Most libraries will differ at least somewhat from all other libraries in the composition of their patron base—usually in ways that are best known locally. Therefore it seemed most efficient to the Directors that subscribing libraries be asked to submit a self-description of their traditional patron base along with their application for membership. These self-descriptions will be reviewed upon receipt at LLMC for compliance with the general constraints described in the previous paragraph. Assuming compliance the application will be processed routinely and the subscription activated. Where questions arise, LLMC staff will contact the applying library to resolve any problems.

The self-descriptions requested need not be elaborate, nor lengthy. Most libraries will be able to handle the task in something like a hundred words. To highlight areas which may be overlooked, or to provide possibly useful boilerplate, several representative libraries offer copies of the self-descriptions for their own institutions. These samples appear on the reverse of this page. Please contact LLMC if any questions remain.

APPLICANT'S SELF-DESCRIPTION

Name of Library HUGH F. MACMILLAN LAW LIBRARY, EMORY UNIV.

Description of traditional patron base

THE HUGH F. MACMILLAN LAW LIBRARY SERVES THE FOLLOWING
USER GROUPS (IN DESCENDING ORDER OF PRIORITY):

1. STUDENTS, FACULTY, AND STAFF OF THE EMORY UNIVERSITY
SCHOOL OF LAW.
2. STUDENTS, FACULTY, AND STAFF OF OTHER UNITS OF EMORY
UNIVERSITY.
3. ALUMNI OF THE SCHOOL OF LAW.
4. ATTORNEYS, JUDGES, AND OTHER MEMBERS OF THE
METROPOLITAN ATLANTA LEGAL COMMUNITY.
5. STUDENTS, FACULTY, AND STAFF OF MEMBER SCHOOLS OF
THE ATLANTA REGIONAL CENTER FOR HIGHER EDUCATION.
6. MEMBERS OF THE GENERAL PUBLIC NEEDING ACCESS TO
PUBLICATIONS OF THE U.S. GOVERNMENT AND EUROPEAN UNION.

(attach extra sheet if needed)

WE PROVIDE REMOTE ACCESS TO SUBSCRIPTION DATABASES TO THE FIRST TWO CATEGORIES VIA A PROXY *LLMC-Digital* enrollment packet, p. 3 of 6 SERVER. MEMBERS OF THE OTHER FOUR GROUPS HAVE ACCESS TO ONLINE SERVICES ONLY VIA WORKSTATIONS WITHIN THE CAMPUS LIBRARIES.

SAMPLE SELF DESCRIPTIONS

These samples are offered for possible exemplary use by your colleagues in the libraries listed. The fact that they already have been vetted by LLMC means that they also illustrate a wide range of permissible site uses.

Law Library of Louisiana

Our heaviest and most frequent users of LLMC-Digital will be the judges and staff of the Louisiana Supreme Court and the local circuit of the Court of Appeals, many of whom may use it by controlled remote access at their personal terminals. The service will also be available for use by the bar and general public on a walk-in basis. As with other library materials, interlibrary-loan service for individual items gleaned from the LLMC site will be available in the traditional manner in response to off-site requests.

Notre Dame University Law Library

The Notre Dame patron base consists of: faculty, staff, and students of the law school; faculty, staff and students of the University who are not members of the law school community; and any patron personally visiting the University libraries.

Orange County Law Library (CA)

By state statute, the patron base of a California county law library includes judges, state and county officials, attorneys and all residents of the county, all of whom are entitled to free access for the examination of books and other publications at the library or its branches.

University of Michigan Law Library

Our traditional patron base is our Law School student body, our Law School faculty, and other members of the faculty and student body on our campus. For these groups we provide access from off-campus via proxy servers which authenticate them. In addition, our traditional base includes walk-in patrons who may access LLMC-Digital on the premises of the various University libraries.

University of Toronto

Our traditional patron base is our student body, our faculty, our staff, other members of the faculty, staff and student body of the University of Toronto, and walk in patrons who access LLMC-Digital on site at the various University libraries.

Wayne State University Law Library

Our traditional user base is all full-time and part-time students and faculty of the University accessing LLMC-Digital from the full range of University IP addresses including the proxy servers. Our walk-in community of users will have access from the premises of the various University libraries.

Yale University Law Library

Our traditional patron base is our student body, our faculty, other members of the faculty and student body on our campus, and walk-in patrons who access LLMC-Digital on the premises of the various university libraries.

Institute of Advanced Legal Studies Library (UK)

The Institute of Advanced Legal Studies is a unit of the School of Advanced Study of the University of London. Our library would expect to be able to offer access to LLMC-Digital to our own staff and students at their desktops or via password-protected proxy server at their home. We would expect to serve the staff and students of other parts of the University on their sites, i.e. using their IP ranges, and to their faculty, staff and postgraduate students registered with IALS via our proxy. To non-University of London readers we would expect to offer walk-in service only.

COMMITMENT

The (name library) HUGH F. MACMILLAN LAW LIBRARY, EMORY UNIVERSITY, recognizes that *LLMC-Digital* is a consortial undertaking which will be highly dependent upon mutual trust and cooperation among its members. In keeping with that sense of mutual trust, we pledge that we will use our best efforts to help maintain the service's core subscription base by restricting access obtained through our agency to those potential patrons who can fairly be included in the attached self-description of our traditional patron base.

For the library: Jerry E. Gordon date 3/25/2003

ACCESS

The bulk of the feedback received by LLMC to date indicates that most potential subscribers prefer to handle local on-line access via an IP-address regime. Therefore, the Digital Library Extension Service of the University of Michigan Library (DLXS), the LLMC partner which will be handling all on-line serving functions, is gearing up for an IP-address-based system.

LLMC will be responsible for gathering the requisite information and for notifying DLXS of each subscribing library's eligibility, its IP ranges, and any subsequent changes. In order to assist us in fulfilling that function, please fill in the information requested below. Note that, ordinarily, the contact person(s) you list will be the only person from whom LLMC will accept notification of possible future IP range changes.

If you feel that your situation requires special handling, please feel free to give us a call on our toll-free number (800-234-4446). Ask for Jerry Dupont or Debbie Bagwell. In compensation for the time difference, you may want to initiate your call during the afternoon your time.

Library HUGH F. MACMILLAN LAW LIBRARY, EMORY UNIVERSITY

IP ranges 170.140.174.X - 170.140.175.X

Contact person(s) TERRY GORDON

Addresses:

Mail 1301 CLIFTON RD., ATLANTA, GA 30322

Phone 404-727-6950 FAX 404-727-2202

E-Mail tgordon@law.emory.edu

LEGAL

The six pages comprising this document constitute the sole agreement between the parties.

LLMC represents to its subscribers that it has the right to convert and make available all materials to be provided through *LLMC-Digital*, either because some of the titles (the great bulk) are in the public domain, or because others (a small percentage) are copyrighted materials for the distribution of which LLMC has explicit permission on file. LLMC further represents that the materials supplied contain no matter that is knowingly libelous, injurious, or otherwise unlawful or that infringes on any literary or proprietary right, copyright, or right of privacy.

LLMC acknowledges that it alone is responsible for the financial requirements of its normal business operations, affirms that it carries sufficient business and other liability insurance to cover claims arising from those business activities, and concedes that Charter Members are financially responsible for LLMC activities solely to the extent of their obligation to continue to pay their annual fees so long as they wish to remain members.

LLMC's maximum liability under this agreement shall not exceed the purchase price of the services which give rise to any claim. The sole and exclusive remedy of Charter Member or standard subscribers for any cause of action arising under this agreement is a claim for damages which in no event shall exceed the price of the specific services to which the claim is related. Any action resulting from any breach of this agreement on the part of LLMC must be commenced within one year after the cause of action has accrued.

The parties recognize that they are entering into a voluntary association and that under normal circumstances the preferred remedy available to possibly aggrieved parties in such a relationship is simply to part company. In cases where a simple parting of the ways does not resolve differences between the parties, they mutually agree to submit the dispute to binding arbitration by a panel of three law librarians, with one being appointed by each of the parties and the third being selected by agreement between them.

Signed for¹

Signed for

Law Library Microform Consortium (applicant library) HUGH F. MACMILLAN LAW LIBRARY

A. Jerome Dupont, Exec. Dir.

(print name) TERRY E. GORDON

(signature)



(date)

3/25/2003

MAILING

The completed membership application should be mailed to:

The Law Library Microform Consortium
Attn: *LLMC-Digital*
P.O. Box 1599
Kaneohe, HI 96744

¹ Mr. Dupont will sign for LLMC after the completed applications are received and reviewed. The signed copies of this agreement will be maintained in each active subscribers file by LLMC.