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Spreading the Riches Around Administering Selective Housing Arrangements From the Law Library Perspective: An Overview

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My presentation this afternoon will overview selective housing arrangements, list the advantages of the arrangement to the law library depository as well as the non-depository library, detail the considerations both libraries should take into account, and briefly cover my own experience in sharing a selective housing arrangement with the Geosciences Reading Room at Texas Tech University.

What is a Selective Housing Arrangement?

Quite simply, a depository library may select depository material to house in a non-depository library. The material may be current or retrospective. When the administrator of the depository library does not also administer the non-depository site, then the two libraries must sign a formal selective housing agreement or memorandum of agreement (see p. 17 of the Federal Depository Library Manual). The non-depository library must meet the same retention standards and the same public access standards as the depository library. In essence, the non-depository library must adhere to all Federal Depository Library Program policies.

But, Is a Selective Housing Arrangement Still Desirable in the Age of the Internet?

Certainly, many Federal Government publications are now available over the Internet. Still, not everything currently in the depository system is available, and few agencies have added all of the retrospective collections that depository libraries hold. Not every patron wants to use materials via the Internet, and not every format works well in electronic form. Finally, receiving Federal documents for a very low cost appeals to most potential selective housing sites. So, yes, a selective housing arrangement has viability even in the age of the Internet.

Why Would a Non-Depository Library Want to Participate in a Selective Housing

Arrangement?

As mentioned above, the non-depository library will receive Federal documents at a very low cost. The library will also be able to mold and strengthen its collection to meet the Government information needs of its specific clientele. With added information and resources, the library can better serve its clientele. And, the library will be making an alliance with an expert in government and law—the law librarian.

Why Would a Depository Law Library Want to Participate in a Selective Housing Arrangement?

The Law Library has the opportunity to form a valuable partnership outside the law library community. Such a relationship may very well be a first step in the direction of cooperation and support for the future. More importantly, the law library shows its dedication to fulfilling the Government information needs of the Congressional District or local area. This is the primary goal of all depositories, and selective depositories not close to a regional or an almost 100 percent selective depository should feel a particular impetus to fulfill their local area's Government information needs.

A law library does not generally collect in the subjects of consumer affairs, business, medical, or scientific information, but a depository law library has the opportunity to make those documents subjects available to its community by establishing a selective housing arrangement with a local public library, special library, or academic library.

Moreover, a law library can alleviate its own space constraints by housing documents in another site. For instance, if a law library has collected environmental impact statements but finds its shelves overflowing, perhaps a local library serving patrons interested in the environment might be willing to house such documents.

A separate housing arrangement also benefits the law library's principal clientele because then attorneys, judges, law professors, and law students will have access to materials that may very well have relevance to their cases or studies with generally more expertise in non-legal areas than a law library may be able to offer. For example, a law school may offer a joint J.D./M.B.A. degree. While a law library may not traditionally select business-related materials, and may have no space to store such materials, perhaps there is a business library on campus that would be delighted to house Federal documents related to business.

Why Would an Administrator Support a Selective Housing Arrangement?

I think any administrator is impressed, especially in tough economic times, when a library can demonstrate cooperative planning and sharing resources. And, the administrator of a law library, as well as the dean of a law school, chief administrator of a court, or county commissioner, should be pleased with the public relations value of the law library's cooperative venture with another entity in the community. At times, legal institutions may be seen as elite institutions. The law library may help to dispel or quell that perception.

Steps to Achieving a Selective Housing Arrangement

The first step should be that the depository law library make certain that Government information needs are indeed lacking in the Congressional District or local area served by the library. Even if, say, a regional depository or near-full selective depository exists within the same area, the potential housing site may offer subject expertise unavailable in the larger libraries, or the location of the housing site is more appealing to many users. At any rate, the depository library should be certain that gaps exist in the provision of Government information and not merely duplicate materials already in the district.

Both the depository and non-depository should also understand that the selective housing arrangement will require a substantial commitment of staffing and resources. I will discuss this more in depth a little later, but just because the FDLP does not charge for documents does not mean that putting documents on the shelf will have no cost.

Both libraries should also realize that the arrangement requires a long-term, official relationship. Not only must the non-depository keep the Federal documents for at least five years, but also the arrangement requires the participation of two other institutions: the regional library and the Federal Depository Library Program.

Law Library Staffing and Resources

When participating in a selective housing arrangement, the law library must:

- Review its own collection development plan
- Amend item selections
- Process extra documents
- Physically transfer the documents to the non-depository
- Keep in contact with the non-depository regarding claims, changes to call numbers and item numbers, and FDLP news (of course, with the advent of the FDLP Web page, such communication is much easier and more comprehensive)
- Monitor the adherence of the non-depository to the policies of the FDLP

The Non-Depository Library Staffing and Resources

When participating in a selective housing arrangement, the non-depository library must:

- Review its public access and weeding policies and make them compliant with FDLP standards
- Process extra publications
- Promote the documents collection to library staff and patrons
- Promote the professional development of the librarian or librarians responsible for the documents collection
- Identify item numbers that most closely match the information needs of the library's users
- Compile biennial reports, self-study, and statistics

The Selective Housing Agreement

When the two libraries have determined to establish a selective housing arrangement for

Federal documents, they must execute a formal agreement, also known as a memorandum of agreement. A sample form may be found in the Federal Depository Library Manual on page 17. The essential elements of the agreement are that the libraries:

- Adhere to the policies of the FDLP
- Justify the transfer of the Federal documents
- Detail the duration of the agreement
- Set out the conditions for terminating the agreement
- Discuss how the housing site will maintain the collection
- Guarantee free access and ILL
- Provide for the disposition of the documents in case the libraries dissolve the agreement

The Texas Tech University Law Library and the Geosciences Reading Room

For decades, the Geosciences map room or Reading Room housed USGS and DMA maps selected by the Texas Tech University Library, a regional depository. In the late 1970s, the University Library elected to house all depository maps together in the library's map room. Understandably, the Geosciences Reading Room desperately wanted to continue receiving the maps, and the law library, a newly designated depository, assumed the housing arrangement with the Geosciences Reading Room.

The Texas Tech Law Library currently selects around 13 percent of FDLP offerings. Of the almost 900 item numbers the Law Library selects, only 67 are dedicated to the Reading Room. Most items ship directly to the Reading Room from USGS. The Reading Room clerk and her student assistant identify, process, record, and file maps according to FDLP guidelines.

A few items selected, around 10-15 pieces per week, come first to the Law Library. In this case, the Law Library identifies the material with a depository stamp, writes the call number and shipping list number on the piece, photocopies the shipping list for the convenience of the Reading Room, and places the material on a shelf in the documents workroom.

Every other week, the Reading Room clerk drops by the Law Library to examine the materials on the shelf. She usually takes 90 to 95 percent of the materials. The rest either go into the Law Library's collection or into storage.

Back at the Geosciences building, the Reading Room clerk enters a record identifying each piece into a stand-alone database. Usually the clerk waits until a full cataloging record appears on the University Libraries public online catalog before creating the database record in order to ensure correct title and author. The clerk may add subject headings as well.

In future, we hope that the Law Library can include the Reading Room as a location on the University Libraries online catalog and simply attach the Reading Room's holdings onto full MARC records and phase out the stand-alone database. However, because the Reading Room is not an official library, certain policy considerations must be resolved with the administrators of the online catalog.

Usually once a month, I visit the Reading Room to discuss problems and to monitor compliance with FDLP guidelines. At least once a week, though, I am on the phone or e-mail with the Reading Room clerk answering questions, giving advice, and passing on news about the depository program.

The most frustrating aspect of our arrangement with Geosciences is the frequent turnover in the clerk's position. In the last ten years I have worked with seven different clerks. Typically, the clerks are doctoral graduate students in Geosciences, although one clerk had an M.L.S. (though stayed for only six months). Such a revolving door puts a strain on me to make certain that the clerk understands the importance of the depository program and standards.

Unfortunately, I have little influence to encourage the Department of Geosciences to upgrade the clerk position in order to attract a stable governor for the depository collection, other than the ultimate and very heavy club of ending the arrangement. Neither I nor my administration wishes to wield such a drastic solution.

The Selective Housing Arrangement Benefits the Law Library's Clientele

Despite the headaches of constantly having to train new staff, I am pleased with the Law Library's arrangement with the Reading Room, and my law professors and students certainly benefit from the arrangement. The Reading Room helps support the curriculum and research for

- Land Use Planning
- Environmental Law
- Agricultural Law
- Oil and Gas Law
- Trial Advocacy

Attorneys also benefit from the arrangement. An attorney can use the GIS expertise at Geosciences to craft a map covering intersection accidents, crime incidents, or just about any other map they need to demonstrate evidence in court or to help a client.

Finally, the selective housing agreement benefits the Law Library because our Law School Dean takes great pride in cooperative efforts. He is quite happy to assure University officials that the Law School gives back to the University and surrounding community. And, quite frankly, a happy Dean means a happy law librarian.

Sources

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