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White Paper: Behind a Law School's Decision to Implement an Institutional Repository

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Repository Citation

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WHITE PAPER

**Behind a Law School's Decision to
Implement an Institutional Repository**

by
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University of Georgia School of Law
Alexander Campbell King Law Library

March 4, 2008

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Introduction

An institutional repository [IR] is a means to collect the intellectual digital output of an organization. Among the primary goals of the IR are the following:

1. To collect an organization's documentary output into one virtual location.¹ This includes not only the formal intellectual scholarship destined for publication, but also internal publications and other items of potential interest and value.
2. The genre of these contributions includes not only the traditional papers, but also videos, slide presentations, and anything else that can be preserved in a variety of electronic formats. The long-term value of the IR lies in its inclusion of materials that would otherwise be lost or difficult to access, such as theses, dissertations, speeches, and other elusive items. This is the gray literature defined as "any documentary material that is not commercially published and is typically composed of technical reports, working papers, business documents, and conference proceedings."²
3. After collection, the IR offers open access to those materials.³ By design the IR is bi-directional: materials flow in from contributors, and out to consumers. Although the IR can fulfill the functions of a static archive, that is not its highest envisioned end.
4. The combination of diverse contents and open access culminates in the institution's heightened visibility on the internet. This prominence raises the awareness of the institution's achievements among consumers of the now-discoverable contents, a population likely to be meaningful to the institution's other goals such as fundraising and reputational rankings.⁴

Assessment of the merits of any IR plan can usefully be framed in terms of these four goals.

However conceived, the decision to create an IR represents a significant investment for any institution. The following sections address some of the issues associated with the commitment to initiate and sustain a productive IR.

The authors' home institution, the University of Georgia School of Law chose Digital Commons [DC], the product created and supported by The Berkeley Electronic Press, or "bepress," as its IR platform.⁵ For present purposes, therefore, "IR" and "DC" will be used interchangeably. Digital Commons is related to another bepress product, SelectedWorks [SW]. SelectedWorks allows an individual to post his or her papers to a customizable individual page, which can be institutionally branded and related back to the institution's DC. The following comments are based upon the authors' own experiences, but are intended to be broadly applicable to any setting considering whether and how to implement an IR.

¹ Clifford A. Lynch, *Institutional Repositories: Essential Infrastructure for Scholarship in the Digital Age*, 226 ARL BIMONTHLY REP. 1 (2003), available at <http://www.arl.org/resources/pubs/br/br226/br226ir.shtml>.

² Brian Matthews, *Gray literature: Resources for Locating Unpublished Research*, 65(3) COLLEGE & RESEARCH LIBRARIES NEWS 125-128 (2004).

³ Raym Crow, *The Case for Institutional Repositories: A SPARC Position Paper*, The Scholarly Publishing & Academic Resources Coalition, Washington, D.C., August 2002, at http://www.arl.org/sparc/bm-doc/ir_final_release_102.pdf.

⁴ *Id.*

⁵ For a discussion of the benefits of choosing an off-the-shelf institutional repository product rather than an open source solution, see Mark Sutherland and Peta Hopkins, *Open Source or Off-the-Shelf? Establishing an Institutional Repository for a Small Institution* (2007), at http://epublications.bond.edu.au/library_pubs/11/.

“The primary challenge...is to present a business plan that aligns the adoption of the institutional repository with the institution’s strategic goals.”

This paper reviews three major topics. The first concerns the arguments favoring the implementation of the IR. Administrators are not always aware of the benefits of an IR that would justify the sizeable expenditure in terms of both finances and moral endorsement. A well-considered business plan can prepare the Manager with the needed discussion points to successfully communicate the benefits of the project.

Once a commitment has been made to create the repository, the next major challenge for the Manager will be the control of contributions into the collection. This ongoing task requires a two-pronged strategy, one to elicit materials from targeted populations, and a second to prevent the IR from being usurped by individuals eager to have every item of their personal papers included without regard for the integrity of the whole.

Finally, the digital nature of the IR makes feasible cooperative projects between departments and schools on a campus, between units of a system, or even between cooperative associations of unrestricted geographic distribution.

Each of these three topics shares the concern to educate supporters and collaborators about the benefits accruing from implementation of the institutional repository. While much could be said about how the mechanics of the project can be managed—such as specification of metadata standards, establishing uniform workflows, and the like—the present focus shall limit itself to clarifying why any of these other undertakings merit the organization’s commitment.

I. Business Plan

While librarians may be attracted to the IR for its inherent value as an archive of institutional scholarship, this alone is not likely to convince many administrators to undertake the project. The primary challenge, then, is to present a business plan that aligns the adoption of the IR with the institution’s strategic goals.

As for many academic institutions, debates at the UGA Law School occurred against the background of a consensus position that sought new ways to optimize the benefits of heightened visibility of faculty scholarship. While such attention would be desirable in any environment, the pressure created by widely consumed school rankings in which reputational variables play an important role (such as that by U.S. News and World Report) has necessitated a more methodical strategy, one that does not leave the consumption of locally produced scholarship utterly to external factors. The only debatable issues, therefore, related to specific implementable strategies to achieve the desired notice of faculty output. This notice can take the form of not only delivery to a targeted audience of likely readers, but also accessibility to accidental consumers who may do no more than recognize the source of the material.

“...Digital Commons situates every individual work within its home institution, an identity embedded as deeply as each item’s weblink.”

⁶ According to one recent survey, startup costs for an institutional repository average \$78,802. Primary Research Group, THE INTERNATIONAL SURVEY OF INSTITUTIONAL DIGITAL REPOSITORIES (2007).

In our case the elements of the business plan were couched in a need to distinguish the benefits of the DC from those of another somewhat similar undertaking, the Legal Scholarship Network (LSN) of the Social Science Research Network, or SSRN (www.ssrn.com). SSRN is a popular mechanism within the legal specialty that facilitates the rapid dissemination of new scholarship often while still in pre-publication draft form. The database of submissions cumulatively resembles the core contents of what could be expected to be deposited in the IR, especially in any “Working Papers” category.

Neither undertaking is inexpensive.⁶ This economic reality makes questions concerning whether both expenses should be underwritten reasonable, and ones requiring a considered response. While this discussion might appear to some as narrowly tailored to the concerns of a law school, SSRN has announced plans to expand significantly beyond law and related fields to include the humanities and social sciences. This comparison, therefore, will become more relevant in its particulars to other academic organizations as time goes by.

Our formal response, which proved ultimately effective, addressed the following three issues keyed to the four goals of any IR:

- **Level of Promotion.** We first highlighted the different emphases of the two resources. SSRN favors the individual scholar who then leads users back to the institution. This emphasis is illustrated by the lack on the SSRN search page (<http://papers.ssrn.com/sol3/DisplayAbstractSearch.cfm>) of any ability to include institutional delimiters. The reader can review papers by any institution that has subscribed to publish a paper series through SSRN, but not as a general search parameter that includes unsubscribed organizations.

By contrast, DC situates every individual work within its home institution, an identity embedded as deeply as each item’s weblink. Whereas SSRN materials are assigned sequential abstract numbers when items are deposited into its database, DC’s association between an article and its institution is part of the permanent URL. For example, although the web addresses <http://ssrn.com/abstract=878691> and http://digital-commons.law.uga.edu/fac_artchop/8/ refer to the same content, only in the latter is the item inseparably identified, when reading only this information, as a product of the UGA School of Law. No corresponding information can be read off the SSRN link.

In other ways as well the Digital Commons offers significantly greater branding flexibility at every level of the database. This openness encourages the presentation of the scholarship in a manner consistent with the style and tenor of the school itself (see Figures 1-2). In this way, rather than experiencing the work as a stand-alone product, the association of the work with the institution is continually reinforced. The visual presentation of each page is further enhanced in DC by the lack of the unrelated advertisements that appear in SSRN. Broadly considered, this point advances the fourth of the goals of the IR identified earlier.

Figure 1: Comparison between Digital Commons and SSRN showing DC's increased branding flexibility at the document level

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SCHOLARLY WORKS

The Problem of Social Cost in a Genetically Modified Age

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Paul J. Heald, *University of Georgia School of Law*
James Charles Smith, *University of Georgia School of Law*

Hastings Law Journal, Vol. 58, No. 1, pp. 87-151 (Nov. 2006)

Abstract

"In Part I of this Article, we apply the Coase Theorem and its most useful corollary to the problem of pollen drift. We conclude that the liability of pollen polluters should be governed by balancing rules against nuisance law, to be applied on a case-by-case basis, rather than by a blanket liability or immunity rule. We also conclude that truly bystander non-GMO farmers should have a viable defense to patent infringement because liability would result in the application of a reverse Pigovian tax that cannot be justified under accepted economic theory. Only a contextual approach can account for the wide variety of costs that must be identified before determining whether liability for genetic pollution is socially desirable.

"In the rest of this Article, we demonstrate that existing legal doctrines support the adoption of the framework we advocate. In order to do that more effectively, we briefly provide the background science of genetically modified plants and

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The Problem of Social Cost in a Genetically Modified Age

PAUL J. HEALD
University of Georgia Law School
JAMES CHARLES SMITH
University of Georgia Law School

January 27, 2005

UGA Legal Studies Research Paper No. 06-004

Abstract:
Genetically modified pollen drifting onto the field of a neighboring farm may cause substantial harm. If the bystander farmer is growing non-genetically modified crops, she may suffer a pecuniary loss due to genetic pollution. If the pollen is patented, the patentee may also claim harm stemming from the unauthorized distribution of its proprietary genetic material. Disputes arising from pollen drift present classic legal questions arising under the law of neighbors and classic economic questions broached most famously by Ronald Coase in his essay on *The Problem of Social Cost*. The application of the Coase Theorem and its most applicable corollary strongly suggest that: 1) balancing rules under nuisance law should be applied on a case-by-case basis to determine whether any particular genetic polluter should be liable for damages caused by pollen drift; and 2) most bystander farmers should have viable defenses to patent infringement. Venerable legal principles applied to this new problem suggest the same two conclusions. Proving both propositions provides a textbook demonstration for the usefulness of economic analysis and solves a world-wide multi-billion dollar legal problem.

Keywords: patents, GMO, pollen, agriculture, Coase, law and economics, nuisance

JEL Classifications: D23, D61, D62, K12, Q1

Working Paper Series

Suggested Citation
Heald, Paul J. and Smith, James Charles, "The Problem of Social Cost in a Genetically Modified Age" (January 27, 2005). UGA Legal Studies Research Paper No. 06-004 Available at SSRN: <http://ssrn.com/abstract=876691>

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Annuity Tax
Annuity Tax sites Save on Annuity Tax
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Figure 2: Comparison between Digital Commons and SSRN highlighting increased branding flexibility of DC and SSRN Institutional Series home pages

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UGA Legal Studies Research Paper No. 08-001, Journal of Intellectual Property Law, Vol. 15, No. 1, 2007

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SSRN eLibrary Statistics:

Papers & Authors:

Abstracts: 171,817

Full Text Papers: 137,270

Authors: 86,433

Papers Received in Last 6 months: 17,097

Paper Downloads:

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Last 12 months: 4,122,291

Last 30 days: 294,301

Feedback to SSRN (Beta)

Sort by:

Number of Downloads

Date Added, Descending

Abstracts, Ascending

Abstracts, Descending

“...the institutional repository allows for a more extensive scope of formats than would be made easily available in traditional archives.”

⁷ Current trends in legal scholarship include many new formats such as blogs and podcasts. See Jan Ryan Novak and Leslie A. Pardo, *The Evolving Nature of Faculty Publications*, available at http://works.bepress.com/ir_research/9.

⁸ See generally Carol A. Parker, *Institutional Repositories and the Principle of Open Access: Changing the Way We Think about Legal Scholarship* (2006) available at http://works.bepress.com/carol_parker/1 (arguing that open access to scholarship is a natural fit for legal scholarship given our tradition of making government and legal information available to citizens.)

• **Depth of Content.** Advancing the first and second of the goals for an IR is the range of genres—the range of content—and formats—the variety of file types—that the Digital Commons can accommodate.

As mentioned earlier, the IR can be constructed to collect an organization’s gray literature in addition to its published scholarship. The DC communities established by the UGA Law School capture the complete universe of documentary output of the Law School (see Figure 3). While more extensive than most, our design highlights the adaptability of the chosen platform. Final content is limited only by the vision of the IR Manager.

In addition to the wide-ranging genres of content, the IR allows for a more extensive scope of formats than would be made easily available in traditional archives. The baseline functionality of the product, like SSRN, relies upon Adobe Portable Document Format (PDF) files uploaded by the Manager. Alternatively, bepress can convert Word or RTF files into PDF after upload. Unlike SSRN however, a variety of additional formats are also supported by DC, including PowerPoint, sound clips, data sets, images and smaller audio or video files. This flexibility allows a more varied selection of content to be preserved within the repository than can ever be accumulated in the LSN.⁷

This combination of richer content and diverse formats produces an array of organizational history that far exceeds what can be held by other services such as SSRN. SSRN is designed to expedite the distribution of the most current scholarship, and is therefore not well-adapted to contain and promote the archived institutional output even when limited to only faculty writings. IRs, by comparison, are intended to contain the whole of an institution’s historical intellectual output, even beyond the traditional paper publications. While possessing a similar capacity to highlight the most current productions, they also instruct the visitor in the longer-term milestones of the organization’s achievements. Moreover, by not limiting content to only the newest items, DC maximizes the institution’s presence on the web, correspondingly increasing opportunities for browsers to encounter an item associated with the institution and thereby incrementally augment its scholarly reputation.

• **Search Engine Visibility.** The previous point noted the enhanced presence of the organization that the IR makes possible simply by virtue of the greater range of content it will put “out there.” The more there is to be seen, the more likely it becomes that a searcher will find something from the organization on her results list. This outcome indirectly supports the third goal of the IR, the open access of content.⁸ This goal is, however, more specifically advanced by a separate feature that further differentiates the Digital Commons from similar products such as SSRN.

A key feature leading an institution to adopt SSRN and an IR should be the resulting accessibility of its scholarship via the web. One product or another should be favored to the extent it differentially facilitates electronic access to its holdings.

Figure 3: The Digital Commons communities established by the University of Georgia School of Law exhaustively describe the organization's institutional and intellectual productivity.

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“The organization has complete editorial control over the contents of its institutional repository...”

Documents in the DC are likely to be significantly more visible to search engines like Google than is the similar item in SSRN. This variable result occurs because, while the entire document within DC can be visible to and indexed by the search engine (especially when it has been converted directly to PDF from word processing software), SSRN limits the engine to only its metadata. As a result, the same document in the IR can receive several times more downloads than the identical document in SSRN.

For example, even while the DC's download statistics are strictly counted (meaning each hit is very likely to be an actual download by a real person, rather than merely the result of being touched by robots of some kind), the first author's two identical documents in both SSRN and the DC-product for individual pages SelectedWorks recorded the following different downloads (data as of January 14, 2008):

	<i>SSRN Downloads</i>	<i>DC Downloads</i>
Delimiting the Culture Defense	22 Uploaded 6/6/07	247 Uploaded 3/1/07
Prolegomenon to a Fairness-Centered Anthropology of Law	33 Uploaded 1/4/07	50 Uploaded 3/15/07

While a small and unrepresentative sampling, privacy issues prevent publication of download statistics for anyone other than this author. In no case examined, however, in which SSRN and DC/SW statistics are available for the same document, does the SSRN tally exceed that for the DC. This result is all the more impressive given that often the SSRN upload occurred significantly prior to deposit in DC/SW, meaning that the higher DC downloads occurred after presumptive saturation of the community of most likely readers. (In this case, the earlier upload date of the first paper was due to using the third integrated bepress product, ExpressO, to submit the manuscript for publication to law reviews. Submission via ExpressO allows simultaneous upload of the draft to the author's SW page.) Institutions looking to maximize the visibility and dissemination of their output beyond the small community targeted by SSRN would find extremely attractive the browser visibility granted by Digital Commons and its related product, SelectedWorks.

In addition to these points, other considerations can factor into the decision to implement an institutional repository. The organization has complete editorial control over the contents of its IR, whereas SSRN is mediated by the service's editors who must approve each submission, and even have the power to refuse to include any item they consider "outside" the topical interests of the specific research network. SSRN also operates on its own organizational calendar, which may not mesh well with the needs of the law school.

The University of Georgia School of Law concluded that the benefits of an IR significantly further its long-range strategic goal to increase its competitive position relative to peer institutions through heightened access of its intellectual and institutional productivity. The articulated business plan in selecting the Digital Commons required differentiating it from other potentially competing ventures, such as SSRN, and identifying its capacity to advance the institution's objectives. We found, as have other similarly situated institutions, that the prudent course was to adopt all nonexclusive methods that support the work to be accomplished. In this case that meant pursuing both DC and SSRN.⁹

⁹ In addition to choosing to implement both DC and SSRN, it should also be noted that our current philosophy is that open access models complement rather than supplant current academic legal publishing. For a similar view, see Michael J. Madison, *The Idea of the Law Review: Scholarship, Prestige, and Open Access*, 10 *Lewis and Clark Law Review* 901 (2006), available at http://works.bepress.com/ir_research/6.

We believe that in most instances the institutional repository, given its unique combination of long term core investment, immediate payoffs, and heightened branding opportunities, will prove a prudent business choice.

II. Obtaining Content for the IR

Success of the IR project requires more than the support of funding administrators. Achieving its goals ultimately depends upon the quantity and quality of its contents. Although every well-rounded IR will have an archival dimension, priority should therefore be given to cultivation of a steady stream of new contributions that can be anticipated to be of high current interest value. To meet this challenge, the IR Manager must establish positive relations with the source of those contributions: the scholars.

Intended contributors will exhibit a range of interests in the IR project, leading to uneven response to solicitations to participate. While some will show little concern whether their works appear in the listing—perhaps believing that the most beneficial outlets for their scholarship lie elsewhere—others will seek to make the IR one-stop shopping for all their output, including the ephemeral that falls outside the designed parameters of the collection's content. The first will have to be cajoled to contribute anything at all; the second will have to be dissuaded from offering inappropriate items. Consequently, well-planned IR content management requires two identifiable faces: techniques to solicit desirable items from contributors, and policies to control the intake of unwanted content.

A. Building Buy-In from Intended Contributors

Central to the elicitation of new content are several straightforward considerations. The unifying theme of these suggestions recapitulates the challenge when presenting the business plan: to convince others to embrace the IR project as an undertaking that can further other worthwhile goals, both personal and organizational. In addition to the arguments already outlined, discussions with potential contributors should focus on these further factors:

“ In combination these factors—publicity, ease of operation, feedback and increased readership—impress upon the writing members of the organization the ways in which the repository can unobtrusively become part of their standard practices, while yielding easily discerned rewards. ”

¹⁰ Cornell University's Catherwood Library adopted a similar strategy and reported that their faculty were happy to participate in the IR when they learned there is no additional work involved. Suzanne A. Cohen and Deborah J. Schmidle, *Creating a Multipurpose Digital Institutional Repository* (2007), available at <http://digitalcommons.ilr.cornell.edu/articles/118>.

¹¹ This experience is not just unique to the University of Georgia. See sample statements of Cornell faculty members who were unsure about copyright permissions in Phillip M. Davis and Matthew J.L. Connolly, *Institutional Repositories: Evaluating the Reasons for Non-use of Cornell University's Installation of DSpace*, available at 13 D-Lib Magazine 1 at 14 (2007). http://works.bepress.com/cgi/viewcontent.cgi?article=1007&context=ir_research

¹² Steve Lawrence, *Online or Invisible?* 411 Nature 521 (2001), available at <http://citeseer.ist.psu.edu/online-nature01/>.

- **Awareness of the Repository.** Before they can contribute, contributors must first know that the repository exists. After our initial design and population of every category with at least one representative document, and one item from every current faculty member, the Law Library held a wine and cheese reception to familiarize the community with Digital Commons. Even those who were unable to attend the event learned of the new product through the invitations and other publicity prior to the open house. This roll-out allowed not only hands-on demonstration in the features of DC, but also afforded an opportunity for faculty to provide input into improvements that would make the repository more useful to them.

- **Ease of Submission.** Digital Commons allows for direct submission of material by contributors, with subsequent opportunity for editing and approval by a designated series editor. In an environment with a large contributor base, this function can encourage submissions by eliminating the need for contact with human intermediaries. It is, however, especially important when using this function to have well-established content policies (see following section B). It can be extremely difficult to reject content that has already been submitted by an earnest contributor.

The UGA Law School does not utilize the direct submission option in its DC setup. For our smaller community, we felt that we could provide better service, and maintain tighter control over the IR, if we solicited content through personal interaction with our faculty, followed by upload by a designated series editor within the library.¹⁰ Moreover, although the direct submission process includes a step requiring submitters to verify they hold the needed copyright permissions, in our experience faculty are surprisingly unaware of the details of the publication agreements they have signed (see following section C).¹¹ To avoid ethical and legal complications later, we have found it prudent to delay upload until copyright permissions have been verified.

- **Feedback on Benefits.** A valuable publicity feature of the Digital Commons is the automated report that it provides every author concerning the number of downloads each document has received. This fosters a sense of the value of the IR in pushing the intellectual product into the hands of consumers.

- **Increased Readership.** An author may question whether the repository is the best medium for dissemination of scholarly works. It should be noted that free online availability maximizes a publication's impact. Online access to scholarship has been proven to increase readership. According to Steve Lawrence's article "Online or Invisible?", articles freely available online are more highly cited.¹²

In combination these factors—publicity, ease of operation, feedback and increased readership—impress upon the writing members of the organization the ways in which the repository can unobtrusively become part of their standard practices, while yielding easily discerned rewards.

“Policies governing content should be set under the aegis of the highest appropriate authority, which in all circumstances should be hierarchically above the typical intended contributor.”

B. Content Policies

Inevitably there will be disagreement between contributors and Managers about what content should go into the IR. Granting that one of the goals of the IR is to present the organization's intellectual face to the world, some control will need to be exerted over both content and its presentation.

Policies governing content should be set under the aegis of the highest appropriate authority, which in all circumstances should be hierarchically above the typical intended contributor. In our context, for example, non-tenure-track librarians were not to be in the position of having to evaluate content of law professors, judging it acceptable or unacceptable for inclusion within the Digital Commons. Broad standards of inclusion were established by the Associate Dean for Faculty Development, which it then became the responsibility of the IR Manager to interpret and apply on a routine basis.

That is the context against which one must deal with those few enthusiastic contributors who wish to upload into the IR content that detracts from the intended intellectual tone the organization hopes to project (e.g., material that is nonacademic, appears in outlets of limited reputation, or otherwise falls outside the scope of the organization—in our case, for example, items that are nonlegal).

We have identified three solutions to this problem. The first recognizes that material that might otherwise be of interest should not be allowed to overwhelm the true gems of the collection. While this makes no difference from the perspective of the internet browser, it can be a significant impact when browsing the DC contents directly. When the issue is one of segregation rather than exclusion, the solution may be to create a new category. For example, in order to preserve the impact of the traditional scholarly pieces, we load them into a community apart from those appearing in popular media.

Where impact needs to be even more strictly minimized, but institutional politics prevent outright exclusion, one compromise solution may be to use the option within DC to upload unlimited supplemental documents to a main record. This facility can be used to aggregate materials that would, if entered separately, potentially swamp the content the organization wishes to promote. The author is able to have this content included in the DC, with all the benefits that accrue thereby such as heightened presence on the web, without unduly detracting from the primary design of the repository.

Alternatively, bepress's SelectedWorks product can provide a compromise solution that IR Managers can offer to faculty members who prefer to maintain exclusive control of the dissemination of their scholarly works. SW is a web locus that the author can self-administer (although third-party editors can be assigned by the page owner). It is a user-friendly service that enables faculty to present their research and to organize it according to personal criteria. Using SW, faculty can promote themselves and more directly manage the presentation of

“...every Manager should have established policies that identify the institutional repository’s intended content with sufficient clarity that they can be invoked when need arises.”

their identities to the world. While the author determines the content for his or her SW site, the Manager can take advantage of the connectedness of all affiliated SW pages to the institution’s DC repository to directly import documents posted on one into the other. By allying the DC with its sister services, the faculty’s desire for control and self-promotion can be fulfilled while yet providing the IR administrator with a reliable source of appropriate content for the repository.

Figure 4: SelectedWorks harnesses faculty desires for self-promotion to promote themselves to gather content for the repository.



However such situations are resolved, the general lesson is that every Manager should have established policies that identify the IR’s intended content with sufficient clarity that they can be invoked when need arises.¹³

¹³ The need for a strong content policy framework is one of the top ten major issues discussed in Margaret Henty, *Ten Major Issues in Providing a Repository Service in Australian Universities*, 13 D-Lib Magazine 1 at 6-7 (2007)

C. Copyright

Complicating the acquisition of materials for the IR are considerations of intellectual property, particularly copyright. One service the Manager can perform for at least some repository contributors is to help clarify the permissions granted by signed publication agreements. Knowing that they can rely upon the Manager for assistance in contacting and negotiating suitable permissions—or more importantly, offering suggestions on how to do this for themselves—will render scholars more receptive to participating in the repository.

“Managers of institutional repository projects should educate their potential contributors concerning the need to carefully read their publication agreements (and to make those documents readily retrievable to answer any questions).”

While the time-depth of the IR collection complicates the matter considerably due to publication agreements that did not anticipate this kind of re-purposing, even current agreements can fail to explicitly address the possibility of posting to institutional repositories. Although not all disciplines are equally represented (law, for example, is only sparsely included), SHERPA/RoMEO (<http://www.sherpa.ac.uk/romeo.php>) details policies of some publishers regarding electronic posting of its materials.

Managers of IR projects should educate their potential contributors concerning the need to carefully read their publication agreements (and to make those documents readily retrievable to answer any questions). In the event of ambiguity about the right to post content in the IR, an author should append supplemental language to the agreement specifically allowing him or her to retain this right. Language for such supplemental documents can be found on the internet. Our own amendment (<http://www.law.uga.edu/facstaffstu/faculty/amendment.pdf>) incorporates language common to this type of document.

Where rights to post in the IR are in doubt, the Manager should contact the respective publications. To the extent possible, when several articles have appeared in a given periodical, it may be more convenient to batch these items rather than submit individual requests for each article. Some publications, if asked, will grant general permission to post all articles written by your faculty that have appeared in their pages. To assist in the training of new personnel, we created a copyright permissions flowchart (Figure 4).

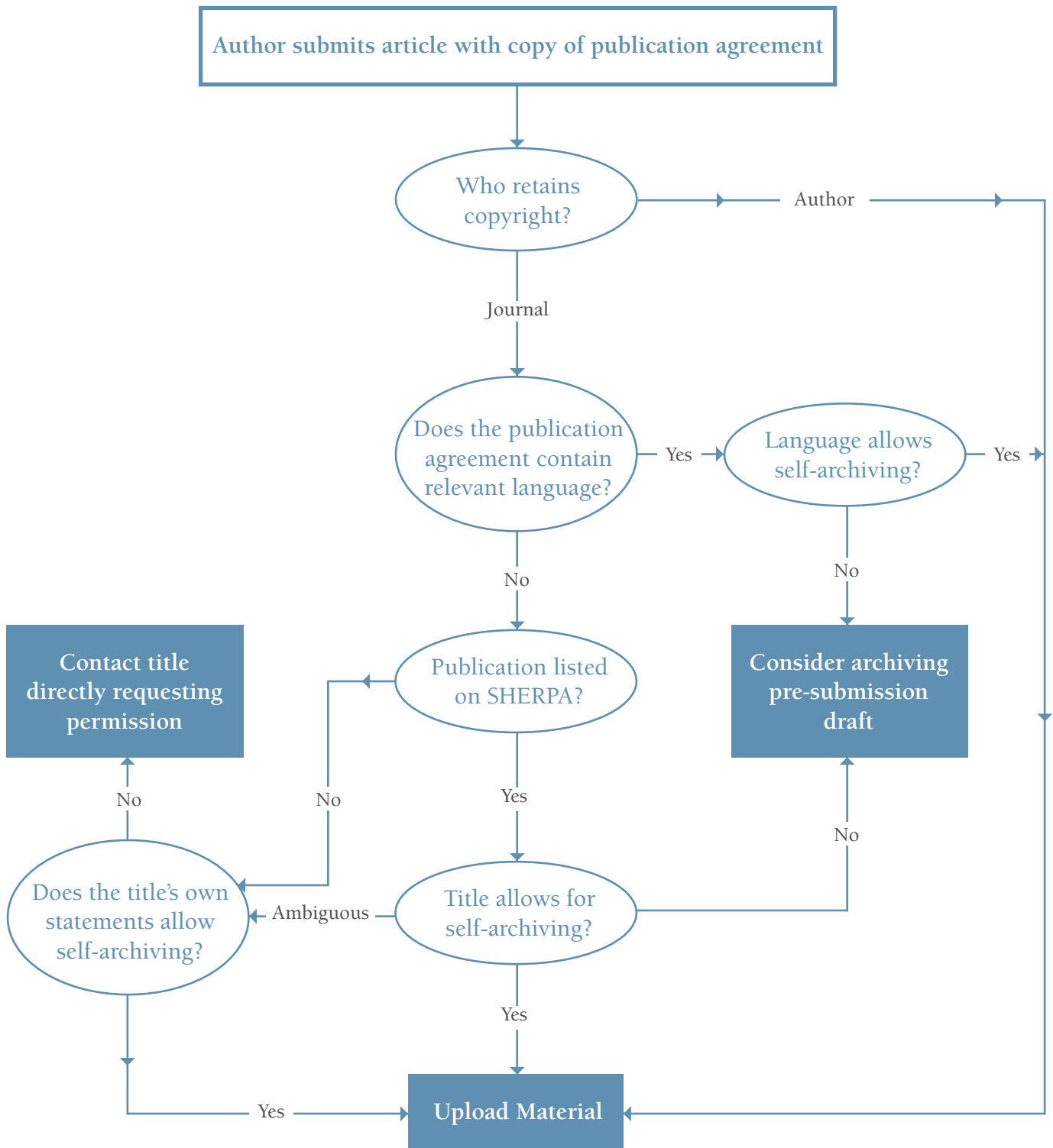
Having received permission, DC allows a convenient way to retain the grant in proximity to the posted article. Rather than retain cumbersome paper folders, we post a digital document as a supplemental file that is then hidden from view. Browsers of the IR do not see this administrative detail, nor is it visible to search engines, but it can be retrieved by the IR Manager in the event that permission to post is questioned.

III. Cooperative Repository Applications

The previous sections discuss ways to foster support for the institutional repository within the organizational home, among those who will pay for it and those who will populate the database by contributed writings. The IR can serve as an impetus to create liaisons with other institutions that not only add value to the repository but also allow the sponsoring entity to assume new, visible relationships with similar bodies.

One of the goals of our own IR has been to coordinate with other internal departments throughout the Law School to archive and preserve its institutional history. Consequently we do not limit the content of our IR to solely collecting the scholarly output of our faculty, but instead we strive to capture all intellectual activity at our institution.

Figure 5: Decision Flowchart for Copyright Permissions



“Regional organizations, consortia and partnerships can take...advantage of the benefits of institutional repositories such as Digital Commons to establish supra-institutional repositories.”

Our Managers liaise with internal departments to preserve items ranging from scholarly conference presentations and colloquium proceedings to law school public relations publications. The IR provides us with the opportunity to coordinate with our internal departments in an unprecedented manner. While falling within the goal of the IR to preserve an institution's gray literature, the organizational activities required to identify and collect these materials have the added benefit of raising the visibility of the library within areas where it would otherwise be rarely noticed.

As one example, U.S. Supreme Court Justice Clarence Thomas served as the law school commencement speaker in 2003. Our Office of Communications and Public Relations arranged for the video recording of his graduation address. Coordinating with the Office of Communications and Public Relations, we converted the video to a digital format that could be included in our IR. Additionally our public relations staff transcribed the text of Thomas' speech which we converted to PDF format and uploaded to our IR. Finally we collaborated with our public relations department to obtain press releases and related news articles in order to preserve the record of the event. Working closely in this manner with the public relations officers forged a new respect for the library's leadership, inspiring them to subscribe to DC's RSS feed of new additions to the collection so that the office could immediately utilize the links in their press releases.

“...a supra-institutional repository can reduce tangible and intangible costs while simultaneously expanding access to an institution's digital materials.”

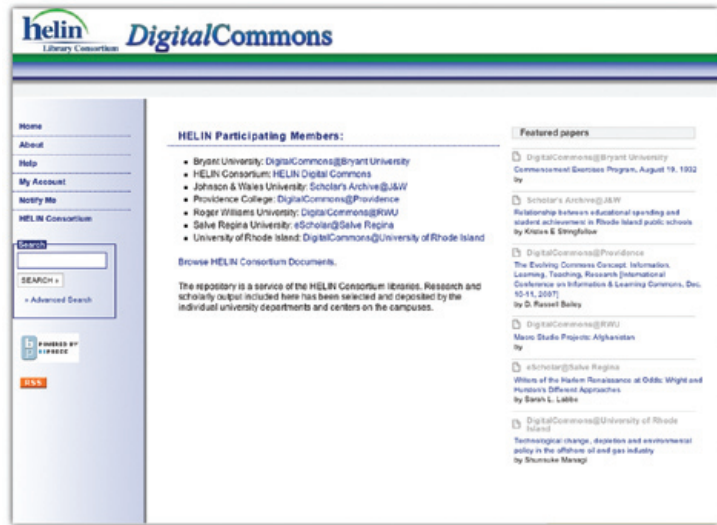
IR cooperative opportunities are not limited to a single academic institution. Regional organizations, consortia and partnerships can take similar advantage of the benefits of IRs such as Digital Commons to establish supra-IRs. For example, the HELIN Library Consortium (<http://helindigitalcommons.org/>), made up of ten academic libraries in Rhode Island and Massachusetts, has successfully established a presence in DC to improve dissemination and visibility of the consortia's scholarly materials (see Figure 5).

There are many benefits for such supra-IRs:

- One of the obvious advantages is cost reduction. Due to increased buying power, consortia are often able to negotiate favorable IR software prices and hosting agreements.
- Technical support expenditures can be reduced by pooling resources.
- There are also many intangible benefits such as the sharing of experience and expertise.
- Establishing a supra-institutional project can help quickly populate an IR, leading to increased buy-in from potential participants. Smaller schools that are less known to the public than large research universities can leverage their collective presence via a supra-IR.

Overall, a supra-IR can reduce tangible and intangible costs while simultaneously expanding access to an institution's digital materials, often offering benefits to each member that exceed those obtainable

Figure 6: Helin Library Consortium Repository, <http://helindigitalcommons.org>



from undertaking the project on its own.

Expanding access to digital materials allows collaborative organizations to promote their common interests. Regional organizations can promote regional resources. In addition to geographically-based consortia, institutions with similar research interests can highlight scholarship in their respective academic subjects. One example of this type of cooperation is coda (<http://www.coda.ac.nz/>), a New Zealand consortium of six institutes of technology and polytechnics that has implemented its own supra-IR.

Of course, supra-IRs need not be limited solely to academic institutions. Academic institutions might reach beyond the realms of education and collaborate with government entities, community organizations or even corporations to develop supra-IRs. Whatever the binding ties of similarity, the success of any such endeavor, however, will depend upon all parties recognizing and realizing added benefits—be they in terms of cost-reduction, making the IR more affordable to organizations for whom such a project would otherwise be beyond reach, or in terms of heightened reputation through association with similar organizations whose combined visibility exceeds that of the sum of that of each of the individual members.

The main disadvantage of supra-institution applications is loss of the individual scholar's primary institutional identity. Recall that obtaining faculty buy-in stands as one of the main challenges of implementing an IR. If a faculty member's work is obscured within a larger supra-repository, there is a danger that the faculty member will be less inclined to actively participate in populating the IR. To prevent this scenario, IR implementers should publicize the unique added advantages of a supra-IR, in addition to the broad ones that flow from the IR generally. Whenever possible local contributors should be reminded of the value

“...the institutional repository can become central to the organization’s mission to bring the world to its halls...”

in capitalizing on the economies of scale, and that a supra-IR allows scholars to be easily apprised of the latest scholarship at peer institutions and organizations.

Summary

The goals of an IR are:

- to collect an institution or organization’s intellectual output, including gray literature
- to provide open access to repository materials
- to increase the visibility of the repository’s institution or organization

Promoting the benefits of an IR is critical for a successful implementation. This practical need requires that the goals to be realized by the project be clear and articulable by the proposers to all relevant communities. To obtain buy-in from administrators who are responsible for funding an IR, it may be necessary to distinguish the advantages of an IR over a similar service such as SSRN. If so, the IR’s ability to boost the stature of the institution should be emphasized as well as the depth and variety of the content. Additionally, advantageous search engine placement from an IR should be pointed out.

A primary justification for the IR will be a need to increase the institution’s visibility, which will be maximized by a well-populated IR. Obtaining content for the IR stands as one of the biggest challenges of repository implementation. The primary focus of the IR Managers should be to increase awareness of the repository and to design user-friendly submission processes. It is also essential to establish a clear content policy that has been vetted by authoritative administrative officials. Finally, potential contributors must be educated about obtaining copyright permissions and retaining archival posting rights in their publication agreements.

IRs provide an opportunity for the library to collaborate with other academic departments to preserve an institution’s history. Additionally libraries can develop cooperative relationships with external institutions in a shared environment to establish an IR. The advantages of a supra-IR include reduced costs, the ability to share expertise and the potential for increased buy-in. Supra-IRs can be useful for highlighting similar research interests or forming collaborative partnerships beyond educational institutions.

The repository can become an invaluable tool for promoting the strategic goals of any institution. Whether enhancing the scholarly reputation of an institution, serving as a historical archive of its achievements, or forging new relationships with peer institutions, the IR can become central to the organization’s mission to bring the world to its halls and to communicate its contributions.