



AALL GUIDE

TO FAIR BUSINESS PRACTICES FOR LEGAL PUBLISHERS

FOURTH EDITION



AALL Guide to Fair Business Practices for Legal Publishers
Approved by the AALL Executive Board April 2018

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AALL GUIDE TO FAIR BUSINESS PRACTICES FOR LEGAL PUBLISHERS: A BRIEF HISTORY

The original *AALL Guide to Fair Business Practices for Legal Publishers* was approved by the AALL Executive Board in November 2002. It was a response to the rescission of the *Federal Trade Commission's Guides for the Law Book Industry*, and the Federal Trade Commission's explicit encouragement that AALL or other interested groups develop standards to address member concerns.

The *AALL Guide* describes standards for the business practices of publishers that most directly affect law librarians, attorneys, procurement officers, and other consumers of legal information. It consists of five general principles, each of which is accompanied by subprinciples and examples. It sets forth principled business practices that will promote fair and appropriate treatment for customers.

The *AALL Guide* was revised in 2008, 2012, and again in 2018, incorporating additional examples of practices to follow and avoid and responding to new developments in legal publishing and the marketplace. AALL is under no illusion that the simple promulgation of a guide will solve all problems associated with the business practices of legal publishers. However, AALL believes that a good faith effort on the part of the legal publishing community to implement the provisions of the *AALL Guide*, coupled with consistent reference to the principles by customers, will facilitate effective business relationships and minimize problems.

The *AALL Guide* represents the cumulative efforts of many dedicated AALL members: from the original Special Committee (Frank Houdek, Chair, Kathy Carlson, Chris Graesser, Kay Todd, and Michelle Wu); the 2005-2006 Task Force (Kay Todd, Chair, Rita Dermody, Kamla King Hedges, and Richard Vaughan); and the 2011-2012 Task Force (Kay Todd, Chair, Michael Bernier, Kathy Coon, Margaret Maes, Jean Mattimoe, and Adeen Postar). Member input throughout these examinations and revisions has ensured that the *Guide* reflects contemporary practices. The 2017-2018 Special Committee (Elizabeth Outler, Chair, Stephanie Edwards, Michael Hughes, Ian Kipnes, Patricia Petroccione, and Elisabeth Umpleby) wishes to thank AALL President Greg Lambert, AALL Past President Ronald E. Wheeler Jr.; and members of the Executive Board for their support of this revision.

INTRODUCTION

1. The *AALL Guide to Fair Business Practices for Legal Publishers* (“*AALL Guide*”) is premised on the belief that good customer service and positive customer relations benefit legal publishers as well as customers. Equally fundamental is the understanding that the relationship between publishers and customers must be built on mutual respect and trust.
2. The *AALL Guide* provides guidelines for legal publishers doing business with librarians, attorneys, procurement officers, and other consumers of legal information, and covers the full range of their interactions, from advertising and solicitation to purchases and customer support. The best practices identified by the *AALL Guide* are designed to facilitate effective and productive relationships.
3. By following the provisions of the *AALL Guide*, legal publishers can significantly contribute to effective self-regulation in the public interest and help establish the *AALL Guide* as the accepted standard in the industry. AALL urges legal publishers to comply with the *AALL Guide* and to implement the requisite internal procedures and infrastructure to support compliance.
4. The *AALL Guide* offers practical guidelines, with examples of practices either to follow or to avoid that are intended to help explain these guidelines. The *AALL Guide* does not explicitly cover publishers’ internal operations, understanding that the publisher is in the best position to fully implement the guidelines in a manner suitable to its business plan. The *AALL Guide* is designed to allow legal publishers to take advantage of evolving technology and to foster innovation while adhering to fair business practices.
5. The *AALL Guide* uses the term “should” in recognition that this is a voluntary code. All provisions are strongly recommended for implementation by the legal publishing community. Law librarians and consumers of legal information are encouraged to regard the *AALL Guide* as a minimum basis for fair business practices by legal publishers and to reference these principles in their interactions with publishers.
6. The legal information and publishing environment is rapidly evolving. The *AALL Guide* will be modified to keep pace with developing technology, new business models and practices, and the needs of customers. AALL is committed to regularly reviewing the *AALL Guide* and updating it as needed.
7. The *AALL Guide* is evidence of AALL’s longstanding interest in vendor relations, together with the *AALL Principles & Practices for Licensing Electronic Resources*, the AALL Vendor Relations Policy, and the work of the **AALL Vendor Liaisons** and **Committee on Relations with Information Vendors (CRIV)**. CRIV is charged with fostering a positive working relationship between librarians and information vendors. CRIV activities include advocacy on behalf of AALL members, communication with information vendors, developing educational programs, and keeping the AALL membership abreast of new developments in legal publishing by way of *The CRIV Blog* and *The CRIV Sheet* newsletter. CRIV has also developed an online toolkit known as **CRIV Tools**, containing checklists, sample letters, customer service tips, an online **Request for Assistance** form, and publications (including this *AALL Guide to Fair Business Practices for Legal Publishers* and the *AALL Principles & Practices for Licensing Electronic Resources*).

DEFINITIONS

Unless the context otherwise requires, words or phrases defined in this section have the meanings stated.

beta testing

The final stage in the testing of a new electronic product before its commercial release, conducted by testers other than its developers.

communication

Any transmission or exchange of written, oral, or electronic information between publisher representatives and customers.

customer

Any individual or institution, including an employee or representative of a library, who has business dealings with a publisher.

customer service

Assistance provided by a publisher to enable a customer to receive the best possible value for the product by minimizing the amount of time the customer needs to spend in answering any questions about, or resolving problems concerning the product.

electronic product

Information that is sold or delivered in an electronic format, or a product that relates to the management of information in an electronic format.

fair dealing

The conduct of business with full disclosure.

MARC record

A record designed to describe a bibliographic entity or communicate authority or holdings information, and formatted with MARC tags and codes following national standards and conventions. MARC stands for Machine Readable Cataloging.

material information

Information that would be important in making a decision about a transaction.

product

A tangible item, not limited to a print publication that is distributed commercially for use or consumption.

publisher

Any corporation, partnership, government entity, or person that is in the business of providing legal information for sale. This includes those who act as agents or representatives of a publisher. Whenever the term “publisher” is used it is intended to include publishers of print and electronic products.

standing order

An authorization to make automatic regular or periodic shipments of new issues, new editions, or supplementary content for a specified product.

supplementation

Material or information provided to update the information content of an existing product.

transaction

An action involving two parties; usually an exchange or transfer of goods, services, or funds.

PRINCIPLES FOR FAIR BUSINESS PRACTICES OF LEGAL PUBLISHERS

The *AALL Guide* is based on five major principles. These principles should be considered together with their subprinciples and supporting comments and examples.

PRINCIPLE 1: TRUTHFUL AND ACCURATE COMMUNICATION **05**

Publishers of print and electric products should engage in truthful and accurate communication with their customers or potential customers.

PRINCIPLE 2: DISCLOSURE **06**

Publishers should provide full disclosure about their products, services, retail prices, and terms in order to enable customers to make informed purchasing decisions.

PRINCIPLE 3: FAIR DEALING **08**

Publishers should engage in fair dealings with their customers in all aspects of the business relationship.

PRINCIPLE 4: CUSTOMER SATISFACTION **11**

Publishers should seek to ensure customer satisfaction by training customer service employees, honoring representations, answering questions, and resolving complaints and disputes in a timely and responsive manner.

PRINCIPLE 5: PRODUCT QUALITY **13**

Publishers should create products that are capable of withstanding reasonable use by customers.

PRINCIPLE 1: TRUTHFUL AND ACCURATE COMMUNICATION

Publishers of print and electronic products should engage in truthful and accurate communication with their customers or potential customers.

1.1 TRUTHFUL ADVERTISING Publishers should engage in truthful advertising of their products and services regardless of format. Their advertising and marketing should not make deceptive or misleading representations or fail to include material facts.

1.1(a) Publishers should be able to substantiate any express or reasonably implied factual claims made in their advertising or marketing. Reasonable substantiation should exist prior to disseminating any claim.

1.1(a) PRACTICE TO AVOID: Beta testing on an electronic product is not completed prior to an assertion in an advertisement that the product has undergone successful consumer testing and is ready for general distribution.

1.1(a) PRACTICE TO FOLLOW: Upon request from a potential or existing customer, a publisher provides substantiation of all claims about the product and identifies the nature of the relationship if names of other companies or people are quoted.

1.1(b) Publishers should not mislead customers by creating a false impression of sponsorship, endorsement, popularity, trustworthiness, or product quality.

1.1(b) PRACTICE TO FOLLOW: A statement extolling the quality of a product, used in an advertisement, should indicate if a relationship exists between the source of the statement and the publisher of the product.

1.2 MARKETING AND COMMUNICATION All methods of communication that market products should accurately describe the nature and content of the products. Advertising and marketing materials should clearly state that they represent only an offer or encouragement to purchase.

1.2 PRACTICE TO AVOID: Material information in an advertisement is presented in such a way as to make it difficult to distinguish between informational content and advertising.

1.2 PRACTICE TO FOLLOW: A publisher clearly and conspicuously displays “NOT AN INVOICE” in any offer or encouragement to purchase a product that contains pricing, so as not to mislead the customer.

1.2(a) Advertising and marketing material for a product should clearly indicate if the material listed or linked to from an online advertisement is for different or expanded content from the original product, so as not to materially mislead the customer.

1.2(a) PRACTICE TO AVOID: A publisher’s promotional literature for a specific product, sold separately, links to a description of “bundled” services offered at additional cost.

1.2(b) Online marketing may link to websites where they add to or supplement information about goods or services but should not:

- i. Contradict or substantially change the meaning of any material statement or claim,
- ii. Create the false impression of affiliation,
- iii. Create the false impression that the content, merchandise, or service of another entity or business is its own.

1.3 CUSTOMER CONTACTS Publishers should make every effort to communicate “Who to Contact for What” in all correspondence with customers.

1.3 PRACTICE TO FOLLOW: A publisher assigns one main contact to the customer for all purchases and questions about products.

PRINCIPLE 2: DISCLOSURE

Publishers should provide full disclosure about their products, services, retail prices, and terms in order to enable customers to make informed purchasing decisions.

2.1 CLEAR AND ACCURATE INFORMATION All information about products, services, prices, and transactions provided by publishers to customers should be accurate, clear, and conspicuous, so as not to mislead the customer.

2.1 PRACTICE TO AVOID: A publisher's invoice uses such an abbreviated title for the item being billed that it is difficult for customers to identify the item.

2.1 PRACTICE TO FOLLOW 1: Pricing information on a publisher's website is prominent and easy to locate.

2.1 PRACTICE TO FOLLOW 2: A publisher makes readily available a description of standard discounts and variable pricing options for all products and services.

2.1 PRACTICE TO FOLLOW 3: Emails requesting price information receive a prompt response.

2.2 ESSENTIAL PRODUCT INFORMATION Prior to confirming a purchase, publishers should provide in writing all information necessary for a customer to make an informed decision about products and services, including but not limited to:

2.2(a) Full title, author(s) or editor(s), ISBN or ISSN (if applicable), and brand/publisher,

2.2(b) Copyright date of the print or electronic book and edition, prominently displayed in all communications, on all advertisements including the publisher's website, and on supplementary material,

2.2(b) PRACTICE TO AVOID: An advertisement for a previously published product that has not been updated does not disclose the copyright date, thereby implying that the product is either new or newly revised.

2.2(c) For electronic products, the browser or other technical requirements for receiving or accessing the product and any known system incompatibilities,

2.2(d) Notice as to whether the product is a revision, recompilation, abridgement, reprint, or is otherwise derived from another print or electronic source,

2.2(d) PRACTICE TO AVOID: A product that is created solely by extracting material from existing publications is marketed as a new product.

2.2(d) PRACTICE TO FOLLOW: A publisher clearly identifies the original source of a product that is a revision, recompilation, or condensation of an existing publication.

2.2(e) Expected publication date of a new edition, a substantial revision, or an anticipated format change, if known to be within the next six months,

2.2(e) PRACTICE TO FOLLOW: A publisher notifies customers that a looseleaf volume will be replaced with an annual soft cover book.

2.2(f) Complete physical description, including whether publication is a looseleaf or bound volume, contains a CD, DVD, or other electronic supplemental materials, or has a companion website,

2.2(g) Cost, including (1) itemization of all components, (2) estimate of any shipping and handling charges, (3) anticipated supplementation costs, (4) applicable discounts, and (5) any other advantageous purchasing options,

2.2(g) PRACTICE TO FOLLOW 1: The price supplied prior to purchase contains all elements for which the customer will be responsible, such as shipping and handling costs.

PRINCIPLE 2: DISCLOSURE

2.2(g) PRACTICE TO FOLLOW 2: Upon request by an existing or prospective customer, a publisher provides supplementation costs for the current and at least two preceding years.

2.2(h) If offered in multiple formats, a full description of each available format, including any differences in scope, price breakdown, frequency of update or supplementation, and license restrictions, and

2.2(h) PRACTICE TO FOLLOW: Review the *AALL Principles & Practices For Licensing Electronic Resources*. These *Principles* provide guidance to library staff in working with others in the institution and with licensors to create agreements that respect the rights and obligations of both parties.

2.2(i) Information on supplementation should include:

- i. Expected extent, content, and format of supplementation,
- ii. Expected frequency of supplementation or schedule of any and all such anticipated releases,
- iii. Whether cost of supplementation is included in the flat rate subscription or separately charged by shipment or some other arrangement, and
- iv. When possible, historic data and projected annual percentage of increase in the cost of supplementation for the product.

2.3 AGREEMENTS TO PURCHASE As part of an agreement to purchase, publishers should provide in writing, in plain language, all the terms of a particular transaction, including but not limited to:

2.3(a) Price and/or license fee to be charged with detailed line items,

2.3(b) Any offered terms or limitations, including special offers,

2.3(c) Expected tax, shipping, and handling charges,

2.3(d) Any known related material that will be shipped automatically as part of a subscription or standing order that will incur an additional cost,

2.3(e) Billing information and payment terms, and

2.3(f) Return, refund, and cancellation policies.

2.3 PRACTICE TO FOLLOW: Publisher notifies customer at least 30 days in advance, in writing, whenever there are changes in format, content, pricing, or other terms or policies.

2.4 ADVERTISING AND MARKETING MATERIAL

The content of information that appears in both print and non-print advertising and marketing sources should be consistent.

2.4 PRACTICE TO AVOID: A print advertisement lists a product's price, but an electronic advertisement or email solicitation for the same product does not.

2.5 TRIAL SUBSCRIPTIONS Advertisements that include offers of trial subscriptions should specify: (a) the trial terms; (b) what constitutes acceptance of these terms; and (c) any costs and other obligations if the customer accepts the terms. If a trial subscription is offered under a negative option plan, the offer must clearly explain what a customer must do to accept or cancel the subscription.

PRINCIPLE 3: FAIR DEALING

Publishers should engage in fair dealings with their customers in all aspects of the business relationship.

3.1 CUSTOMER CONSENT Publishers should obtain the customer's consent prior to making a shipment or initiating a transaction, unless such shipment is part of a standing order or subscription to which the customer has previously consented. Publishers should seek customer consent prior to shipping materials that fundamentally alter, enhance, or augment a product or subscription. Unsolicited merchandise may be disposed of without permission, without an attempt to return, and without payment, pursuant to federal statute (39 U.S.C. § 3009). In all cases, publishers should offer a simple procedure for returning products and canceling subscriptions.

3.1 PRACTICE TO AVOID 1: Without consent, a publisher mass mails a new product to customers who have previously purchased an existing product.

3.1 PRACTICE TO AVOID 2: Without consent, a publisher ships or makes available to a customer unsolicited print or digital material and then later sends an invoice for the title.

3.1 PRACTICE TO AVOID 3: A publisher requires that a customer pay postage when returning an unsolicited product.

3.1 PRACTICE TO FOLLOW: Publisher provides annual notice of all existing standing orders and subscriptions; alternatively, publisher provides online account management platform that lists and allows for management and cancellation of all active standing orders and subscriptions.

3.1(a) Where the content of a new product or supplement that is published as part of an existing subscription or standing order bears no direct relationship to the content of the standing order or represents a substantial expansion of the topic or purpose of the original subscription or product, the publisher should seek customer consent prior to shipment.

3.1(a) PRACTICE TO AVOID: Without prior customer consent, the publisher of a subscription service ships to subscribers of the service a pamphlet that includes content that has not previously been supplied as part of the subscription, where that content is not specifically or closely related to the topic of the service, and charges customers for the pamphlet.

3.1(b) Where a new product or supplement is published as an addition to more than one existing title or subscription, the publisher should seek customer consent prior to shipment.

3.1(b) PRACTICE TO FOLLOW: When planning to ship identical pamphlets as part of several different subscription services, the publisher gives customers prior notice and the option to receive more or fewer copies of the pamphlet according to the needs of the customer.

3.1(c) Where a new product or supplement published as part of an existing title is substantially redundant of material already contained in that title, the publisher should seek customer consent prior to shipment.

3.1(c) PRACTICE TO AVOID: Without prior customer consent, a publisher ships a recompilation of session laws to customers who have already received the material in the same publisher's advance legislative service to which they subscribe, where recom compilations have not previously occurred or been shipped as part of that subscription.

3.1(d) Where a substantial change in the nature, format, or scope of a product results in a significant cost increase, publishers should give customers advance notice before shipping the product, whether or not the customer has a standing order.

PRINCIPLE 3: FAIR DEALING

3.1(d) PRACTICE TO FOLLOW: A publisher provides adequate advance notice of a new edition or recompilation that will incur a significant price increase.

3.2 FAIR NEGOTIATIONS Publishers should engage in open and fair negotiations with customers regarding licensing agreements and other contracts.

3.2(a) Publishers should make every effort to limit the scope of confidentiality restrictions.

3.2(b) Publishers should not bind their customers to a nondisclosure clause as a non-negotiable requirement of doing business.

3.2(c) Publishers should always provide an opportunity for their customers to negotiate contract terms.

3.2(c) PRACTICE TO AVOID: A publisher uses “click-through” or any other passive means to create an agreement that does not provide customers a fair opportunity to negotiate.

3.2(d) Publishers should adhere to the *AALL Principles & Practices for Licensing Electronic Resources*.

3.2(d) PRACTICE TO FOLLOW: Review the *AALL Principles & Practices for Licensing Electronic Resources*.

3.3 BILLING AND INVOICES Publishers should provide clear, correct, and timely invoices to customers.

3.3 PRACTICE TO AVOID 1: A publisher’s invoice uses such an abbreviated title for the item being billed that it is difficult for customers to identify the item. [See 2.1]

3.3 PRACTICE TO AVOID 2: Publisher applies a credit to an outstanding invoice but will not provide an updated invoice showing the applied credit.

3.3 PRACTICE TO FOLLOW: Publisher provides corrected invoices promptly upon request.

3.3(a) Publishers issue credit memos promptly and request instruction from customers about how to process (e.g., whether to apply to outstanding charges or issue a refund).

3.3(a) PRACTICE TO AVOID 1: Publisher fails to notify the customer when a credit is issued.

3.3(a) PRACTICE TO AVOID 2: Publisher sends notices of existing credits but will not issue a credit memo.

3.3(b) Publishers should apply payments to the charges referenced in the payment.

3.3(b) PRACTICE TO AVOID: Publisher applies a payment to a newer invoice when the customer had referenced an earlier invoice on the payment instrument; the earlier invoice becomes overdue, and the publisher sends overdue notices.

3.3(c) Publisher should send invoices and all related communications to the contact person(s) designated by the customer.

3.4 SUBSTANTIVE SUPPLEMENTATION Product supplementation should be issued only when a significant change in the law has taken place, or when substantial additional content is provided.

3.4(a) Customers should be provided with a complete and detailed description of the supplement’s contents.

3.4(b) Customers should be fully advised, at the time of purchase, of the term of a subscription and what is included. This information should describe the expected supplementation, including whether at the publisher’s discretion no supplementation may be provided over the term of the subscription.

PRINCIPLE 3: FAIR DEALING

3.4(b) PRACTICE TO AVOID: A publisher provides a subscription invoice that does not clearly indicate to the customer what is included in the subscription.

3.4(c) Customers should be provided with filing/replacement instructions that are sufficiently detailed to ensure accurate updating.

3.4(d) Publishers should clearly and conspicuously display information on scope and coverage of each print and electronic product.

3.4(d) PRACTICE TO FOLLOW: The electronic version of a state statute indicates the last legislative session for which changes are included.

3.5 UNSOLICITED COMMUNICATION Publishers should respect reasonable requests by the customer regarding methods of contact such as telemarketing or email advertisements.

3.5 PRACTICE TO FOLLOW: A publisher honors the request of a customer to be removed from a telemarketing list, even if the publisher contracts with a third party for telemarketing services.

3.6 TIMING Publishers should mail out renewal notices at periods related to the date of subscription, and the notice should provide the expiration date of the current subscription.

3.6 PRACTICE TO AVOID: A publisher sends a renewal notice for a publication more than six months prior to the expiration of the subscription.

3.6(a) Publishers should bill in a timely manner and send periodic overdue notices when payment is not received.

3.6(a) PRACTICE TO AVOID: A publisher sends the first notice of an overdue invoice

more than a year after the due date of the original invoice.

3.7 FORTHCOMING EDITION OR SUBSTANTIAL REVISION Publishers should advise customers about a forthcoming edition or substantial revision of a publication when they place an order for the publication or make an inquiry that may lead to its purchase if: (1) it is known that the new edition or revision is scheduled for publication within the next six months, and (2) the pricing structure is such that the customer will need to make a comparable investment during the year to maintain a current subscription or title.

3.7 PRACTICE TO FOLLOW: Invoices for purchase of a new title should clearly indicate the period for which supplementation will be provided at no additional charge.

3.8 CHANGE IN PUBLICATION STATUS When a product is sold to another publisher or assigned to a different division as part of a reorganization, and that change will affect the customer, customers should be informed of the changes related to publications to which they subscribe.

3.8 PRACTICE TO AVOID: Publishers selling or divesting of a publication or series of publications do not notify customers, or make readily available, information on the status of their accounts and the names and contact information of their current account representative.

3.8 PRACTICE TO FOLLOW: Publishers selling or divesting a publication or series of publications should provide subscribers with a list of titles affected.

3.8(a) Customers should be notified of any changes that impact billing, subscription terms, content, access, and contact information.

3.8(b) Customers should be provided information on the new account representative or customer contact.

PRINCIPLE 4: CUSTOMER SATISFACTION

Publishers should seek to ensure customer satisfaction by training customer service employees, honoring representations, answering questions, and resolving complaints and disputes in a timely and responsive manner.

4.1 PROBLEM RESOLUTION Publishers should work collaboratively with customers to resolve problems, provide technical support, and improve products and services.

4.1 PRACTICE TO AVOID: A publisher turns an outstanding invoice over to a collection agency prior to contacting the customer in question.

4.1 PRACTICE TO FOLLOW: Customers should carefully document contacts with publishers identifying the date and time the contact took place, name of the person in customer service, description of the problem, and potential resolution.

4.2 CONTACT INFORMATION Publishers should provide customers with easy access to information, including but not limited to billing, access and usability, and technical support, offering a variety of communication methods.

4.2(a) Customer service provided by telephone:

i. Customer service should be provided on a schedule that meets the needs of the majority of the customer base.

4.2(a)(i) PRACTICE TO AVOID: Providing customer service by telephone only between the hours of 8:00 a.m. and 5:00 p.m. Eastern, Monday through Friday.

ii. Automated menus should provide clear options, not have more than two levels, and provide direct access to an employee for problems that do not fit into the options provided.

iii. Publishers should strive to provide sufficient staff to handle the expected level of calls without leaving callers on hold for extended periods of time, and consider offering a call back option to customers who are waiting longer than a reasonable period of time.

iv. Customer service telephone numbers, including direct extensions, should be provided on all correspondence, including invoices, and should be displayed prominently on the website.

4.2(b) Publishers should provide as many alternative electronic options for asking questions as is possible with current available technology, such as email, live chat, and via the website. All contact information disseminated in electronic format should be kept current.

4.2(b) PRACTICE TO FOLLOW: Publisher provides a list of customer service FAQs on its website to address common questions.

4.2(c) Technical Support should be provided in a timely manner on a schedule that meets the needs of the majority of the customer base.

4.3 CUSTOMER SERVICE EMPLOYEES Publishers should ensure that all employees who have contact with customers are trained, knowledgeable, and adequately prepared to resolve problems.

4.3(a) Customer service employees should have good oral and written communication skills.

4.3(b) Customer service employees should have a complete understanding of the basic products and services.

i. Customer service employees should receive comprehensive training before beginning communications with customers.

4.3(b)(i) PRACTICE TO AVOID: A publisher's customer service representatives are not familiar with the company's billing system and how payments are applied, and are unable to quickly and accurately identify and price any of the publisher's titles.

PRINCIPLE 4: CUSTOMER SATISFACTION

4.3(b)(i) PRACTICE TO FOLLOW: The customer service representative should be able to provide a direct contact with the publishing company's billing system to assist the customer.

ii. Customer service employees should be provided timely information about all new products and special promotions.

iii. Customer service employees should have ready access to basic product and promotional reference materials.

4.3(c) Customer service employees dealing directly with customer questions should have access to basic information regarding customer accounts.

4.3(c) PRACTICE TO FOLLOW: Every effort should be made to see that customers are able to get assistance at first contact and do not have to be transferred multiple times or have to repeat their questions more than once.

4.3(d) Customers should be provided with a direct channel for making complaints or commendations, not just a generic address, email address, or phone number.

4.4 TIMELINESS Customer service employees should respond to all inquiries and follow up on unresolved issues in a timely manner, except for circumstances under 4.4(c).

4.4(a) Customer service employees should promptly acknowledge the receipt of all inquiries.

4.4(b) Customer service employees should ensure that their promises to resolve problems are fulfilled in a timely manner.

4.4(c) In situations where a request requires time or research, customers should be regularly updated on the progress and given an expected response time.

PRINCIPLE 5: PRODUCT QUALITY

Publishers should create products that are capable of withstanding reasonable use by customers.

5.1 PRINT FORMAT All print material should have wide enough margins and a binding that makes it easy to reproduce by photocopying or scanning.

5.2 HARDCOVER MATERIALS Since it can be reasonably concluded that hardcover books are purchased for long-term use and may eventually be archived, publishers should meet the following standards in the production of hardcover materials:

5.2(a) ANSI/NISO Z39.48-1992 (R2009) regarding Permanence of Paper for Publications and Documents in Libraries and Archives.

5.2(b) ANSI/NISO/LBI Z39.78-2000 (R2010) regarding Library Binding.

5.3 SOFTCOVER MATERIALS

5.3(a) For softcover materials that are anticipated to remain on library shelves longer than two years, or which may logically be retained by a library for archival purposes (e.g., state codes), publishers should meet the following standards:

i. ANSI/NISO Z39.48-1992 (R2009) regarding Permanence of Paper for Publications and Documents in Libraries and Archives.

ii. Binding that will withstand reasonable use and which has sufficient margins to permit hardcover binding.

5.3(b) Softcover materials and supplements that are replaced annually should have paper and binding strong enough to withstand reasonable use.

5.4 LOOSELEAF MATERIALS

5.4(a) Binders should be heavy-duty and easy to operate.

5.4(a) PRACTICE TO AVOID: A binder provided for a looseleaf service loses its alignment within a few months of reasonable use by a customer.

5.4(b) When the number of pages exceeds binder capacity, the publisher should take the necessary steps to relieve the overcrowding in a timely manner.

5.4(c) Paper in publications where changes are made to individual pages on an irregular basis should meet the ANSI/NISO Z39.48-1992 (R2009) standard regarding Permanence of Paper for Publications and Documents in Libraries and Archives.

5.5 ELECTRONIC PUBLICATIONS

5.5 PRACTICE TO FOLLOW 1: Publishers should adhere to the *AALL Principles & Practices for Licensing Electronic Resources*.

5.5 PRACTICE TO FOLLOW 2: Electronic publications should comply with the Americans with Disabilities Act by supporting assistive software in a manner consistent with best practice guidelines and industry standards.

5.5 PRACTICE TO FOLLOW 3: Electronic publications should be compatible with all major browsers and operating systems.

5.5(a) Electronic products should not be placed into the market until tested by a group of users that are representative of their actual anticipated customers, including those users with assistive software and devices.

5.5(b) Instructions and documentation should be easy to understand and easily accessible.

5.5(c) Statements describing the scope of information provided by electronic products should be included in the documentation for the products and updated on a regular basis.

PRINCIPLE 5: PRODUCT QUALITY

5.5(c) PRACTICE TO FOLLOW: Product maintenance and upgrades should be implemented in a manner that does not compromise product accessibility.

5.5(d) Products should clearly indicate their expiration date so that the publisher can be contacted if an update has not been received to try to ensure the ongoing availability of the resource.

5.5(e) Information as to the date and/or the number of the release should be included within the electronic text.

5.5(f) Implementation of products should include installation support, appropriate training, and continued support in the use of the electronic materials.

5.6 MICROFORMS Microform producers should follow the standards established by the National Archives and Records Administration (“NARA”) in 36 CFR Part 1238.10 and 36 CFR Part 1238.14.

5.6 PRACTICE TO FOLLOW: Promotional literature and advertisements for microform products should indicate that the product meets NARA standards.

5.7 NON-PRINT MATERIALS Audio, video, and digital materials should be playable on equipment that meets industry standards.

5.7 PRACTICE TO FOLLOW: Promotional literature and advertisements for non-print materials should indicate any non-industry standard equipment needed.

5.8 MARC RECORDS MARC records included with products should include basic requirements for discoverability, a stable distribution method, and a notification schedule of updates.

5.8 PRACTICE TO FOLLOW: FTP should be the preferred method for delivering MARC records.

5.9 REPLACEMENTS Customers should be able to obtain replacements for missing or damaged parts of a product for a low or reasonable cost. Defective parts should be promptly replaced at no cost.

5.9(a) The policies and process for requesting replacements should be widely publicized to customers.

5.9(a) PRACTICE TO FOLLOW: Replacement policies and instructions are clearly posted on publisher websites.



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