Preservation Concerns for Law Libraries: Results from the Condition Survey of the University of Kansas Law Library*

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A random survey of the condition of the University of Kansas Law Library collection was conducted. The results were compared with the condition of the other University of Kansas libraries to determine whether law libraries have similar preservation needs regarding the brittleness and acidity of paper, mutilation, and binding deterioration as general academic libraries.

¶1 For the last two decades, efforts have been made to evaluate the preservation needs of research library collections in academic and special libraries.[1] Several important studies have examined preservation needs in academic law libraries.[2] However, to date, conservation and preservation professionals at academic institutions have published few articles analyzing the law libraries on their campuses. This presumably is because law libraries are generally part of the law school rather than the general library. Unfortunately the consequence has been a lack of comparison data between the preservation needs of legal collections and those of general academic collections.

¶2 Comparison data between law and general academic collections is important at several levels. First, very little work has been done looking at American law books as physical objects. Julius Marke contends that:

> Books and our printed and written records are significant cultural properties and are considered as much a part of our culture as works of art and other humanly created artifacts. Actually they provide the information that will be needed to interpret and understand our cultural heritage by future generations. The way in which the cultural heritage will be

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1. *See* Robin Gay Walker et al., *The Yale Survey: A Large-Scale Study of the Book Deterioration in the Yale University Library*, 46 COLL. & RES. LIBR. 111 (1985); Randall Bond et al., *Preservation Study at the Syracuse University Libraries*, 48 COLL. & RES. LIBR. 132 (1987); Tina Chrzastowski et al., *Library Collection Deterioration: A Study at the University of Illinois at Urbana-Champaign*, 50 COLL. & RES. LIBR. 577 (1989).
2. AALL Special Committee on Preservation Needs of Law Librarians, *Preservation Treatment Options for Law Libraries*, 84 LAW LIBR. J. 259 (1992); AM. ASS'N OF LAW LIBRARIES, REPORT AND RECOMMENDATIONS OF THE AALL SPECIAL COMMITTEE ON PRESERVATION NEEDS OF LAW LIBRARIANS (1991) [hereinafter SPECIAL COMMITTEE REPORT AND RECOMMENDATIONS]; Linda Nainis & Laura A. Bedard, *Preservation Book Survey in an Academic Law Library,* 78 LAW LIBR. J. 243 (1986).

> transmitted will depend profoundly on the decisions we make today in preserving them in their original form.[3]

With the current academic interest in the history of the book, law books and the history of legal printing should be examined in comparison to books from other fields and professions. Such a comparison can offer valuable insight into the economic history of the legal profession and the development of services, such as legal publishing, to lawyers.[4]

¶3 More important, an analysis of the comparative preservation needs of legal and general academic collections would give conservation and preservation professionals insight into any differences between legal and other types of books. As most academic law libraries do not have a trained preservation librarian on their staff, it is useful to seek advice from preservation librarians in general academic libraries. Lacking experience working with legal collections, however, the preservation librarians will be in a much better position to provide good advice if they have sources from which to learn the details of specific differences between legal books and nonlegal books, such as the use of law calf in bindings. Additionally, drawing comparisons between academic legal collections and the other libraries on campus draws attention to the commonalities between the libraries and makes coordinated projects on preservation issues more likely.

¶4 This article reports the findings of a preservation condition survey at the University of Kansas Law Library (KU Law) in comparison to the same survey conducted on the holdings of the other University of Kansas libraries (KU Libraries).[5] Additionally, the findings are compared with a condition survey of the Georgetown University Law Library collection published in 1986. The findings of the KU Law condition survey will be used to develop a long-range preservation program integrated with the library's collection development policy. It is hoped that the comparison of data between locations will give other academic law libraries a starting point for analyzing their collections. Although differences in climate and the historic treatment of particular collections can lead to enormous differences between the state of similar collections in different localities, there are particular problem areas, such as late-nineteenth-century reporters, that will likely be identified in any survey. It is important for each library to conduct its own preservation survey, but comparison data between law libraries and other academic libraries is also quite valuable.

¶5 An understanding of the current physical degradation of the collection at KU Law will allow for the implementation of a preservation policy at the library.

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3. Julius J. Marke et al., *Preservation of Law Library Materials and Disaster Planning*, 73 LAW LIBR. J. 831, 831 (1992).
4. *See* M.H. Hoeflich, *Legal History and the History of the Book: Variations on a Theme*, 46 U. KAN. L. REV. 415, 426 (1998).
5. Brian J. Baird, Jana Krentz, & Brad Schaffner, *Findings from the Condition Surveys Conducted by the University of Kansas Libraries*, 58 COLL. & RES. LIBR. 115 (1997).

In her recent article in *Law Library Journal*, Patricia Turpening identifies conducting preservation surveys as "the most pressing need."[6] The preservation survey is indeed a pressing need for a number of reasons. First, it establishes a baseline for assessing the present state of the collection. We can determine over time whether our collection is further deteriorating. Second, it provides justification for making preservation a priority. Turpening notes that preservation programs face obstacles including "apathy, multiple commitments from many directions, inadequate budgets, and disinterest in preservation by decision-makers who think that digitization is the wave of the future."[7] The findings of a detailed preservation survey identify particular problem areas and highlight critical needs, while simultaneously making targeted projects manageable. For example, if the survey shows that monographs from the nineteenth century are the most degraded segment of the collection, a strong argument can be made that these volumes should be quickly identified and preserved in order to save the information contained in them. The systematic quantification of preservation problems should move preservation higher on the library's agenda of needs to be addressed.

Method

Procedures for Conducting the Survey

¶6 The method of the collection condition survey described in this article matches the survey conducted by the KU Libraries Preservation Task Force in 1995–1996. In this previous survey, the Preservation Task Force analyzed 3679 combined volumes from the stacks of the general, science, government documents, engineering, art, music, and East Asian collections on campus.[8] Only law, medicine, and rare books and archives were excluded. In addition, the Preservation Task Force sampled 495 items returning from circulation in order to compare the condition of circulating items with those on the shelf.[9] A stratified sampling technique was used to ensure that data from the larger libraries held the same weight and ability to predict the condition of those collections as did data from the smaller libraries. A minimum sample size of 350 volumes was required to predict, with reliability, collection conditions in each individual library.[10] In both the original stack survey conducted by the Preservation Task Force and the survey conducted at KU Law, sample items were randomly selected from the stacks. The formula for identifying sample items was:

n = Number of shelves in a location ÷ number of sample items needed

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6. Patricia K. Turpening, *Survey of Preservation Efforts in Law Libraries*, 94 Law Libr. J. 363, 368, 2002 Law Libr. J. 25, ¶ 17.
7. *Id*. at 374, ¶ 43.
8. Baird, Krentz, & Schaffner, *supra* note 5, at 115–16.
9. *Id*.
10. *Id*.

Counting from the left side of the shelf, the surveyor sampled the fourth volume from every *nth* shelf. If there was not a fourth volume on the shelf, the first available volume to the left was selected. If the shelf had no volumes, the next shelf holding volumes was sampled. To guarantee that all volumes had an equal chance of being selected, the sampling technique involved counting shelves rather than ranges because many of the stacks have differing numbers of shelves per range. The surveyors found that the most efficient way to conduct the survey was to pull the volumes from the stacks and move them to a work area for evaluation rather than inputting the survey data in the stacks. A uniform paper note recorded the shelving condition for each item.

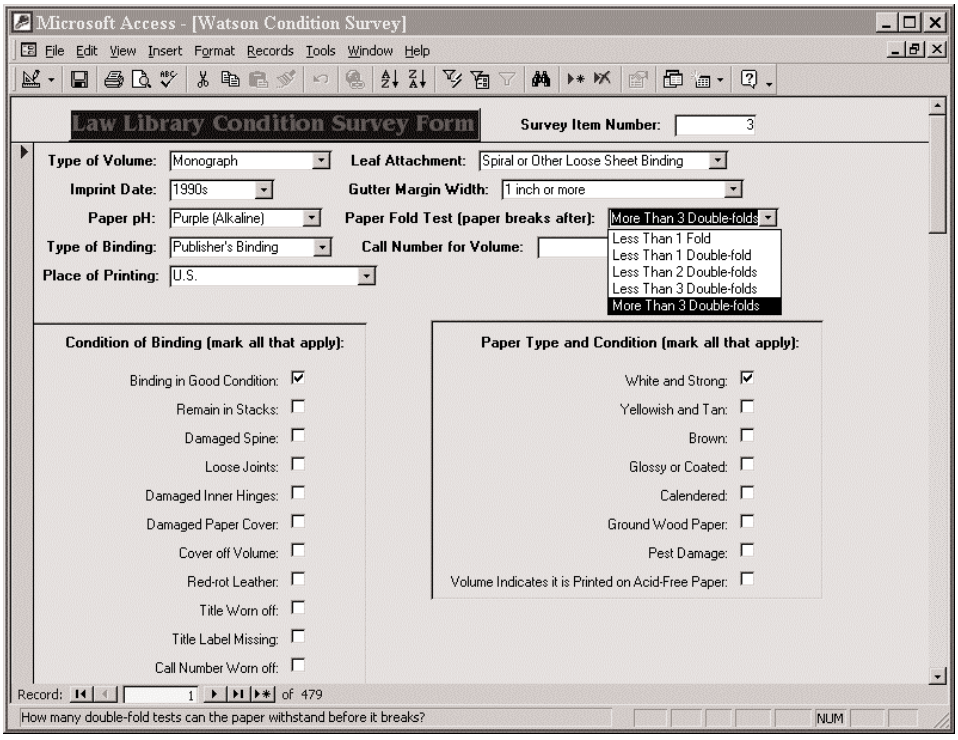
Survey Instrument

¶7 The Preservation Task Force developed the original survey instrument after reviewing other preservation surveys published in the library literature. Using a Microsoft Access database, the task force designed a form requiring primarily scripted answers, forcing surveyors to choose the most appropriate answer. Each question had scripted responses in pull-down menus. The form consisted of twenty questions with eighteen required responses and two optional responses. Scripted answers made the data easy to analyze. For the eighteen required questions, there were 145 scripted answers from which to choose. This complex questionnaire yielded a great deal of information about each evaluated volume. The two optional questions in the survey were free text fields that allowed the surveyor to enter call numbers into the database for volumes needing immediate preservation treatment, and a note field into which additional information could be entered.

¶8 The survey instrument was altered somewhat to meet the analytical needs of law libraries. The primary modifications were to remove references to circulation, as much of KU Law's collection does not circulate, and to significantly alter the volume type field. The survey instrument originally categorized volumes as monographs, part of a set, a serial, or a score. The survey instrument used in KU Law categorized volumes as monographs (including sets and books and looseleafs with supplements), journals/newsletters, government documents, reporters (including reference tools such as digests and *Shepard's Citations* used with reporters), statutes, and session laws. The authors wanted to determine if particular types of volumes in KU Law represented a more pressing need for preservation than other types. Finally, the existence of pocket parts or missing pocket parts was added to the original survey instrument.

¶9 Uniformity between surveyors in survey responses is essential to achieving meaningful results. To encourage such uniformity, the survey instrument included a small dialog box that appeared at the bottom of the computer screen that gave specific, brief, explanatory text for each question and answer. This explanatory text allowed members of the survey team to answer questions in a consistent manner. Additionally, the preservation librarian worked alongside

Figure 1. *Law Library Condition Survey Form*



each surveyor and taught proper understanding of the scripted choices used as answers.

¶10 Much of the information about the KU Libraries collections could *only* be gathered because of the database technology available. Microsoft Access made it possible to design a data entry form that was easy to use and instructive to the surveyor (e.g., dialog box that linked terms to definitions), that ensured clean, accurate data, and that saved the task force significant inputting time. Recording the information about each volume as an individual record allowed a great deal of freedom in how the data could be manipulated. Because the data is volume-specific and highly detailed, it is useful to librarians at the University of Kansas in ways that were not anticipated prior to the survey.

Survey Results

¶11 This section contains tables and text that report the results of the stack surveys of the KU Libraries and KU Law. Four primary areas of concern are analyzed: paper condition, text block condition, binding condition, and mutilation. In addition, the appendix contains a table showing the results for all questions from the survey instrument from both surveys. This table gives an overall view of the condition of KU Law's collection in comparison to the collections of the rest of the libraries on campus.

Paper Condition

¶12 Paper condition is critical for determining what type of preservation treatment can be performed on a volume. If the paper is strong enough to withstand treatment, most bound volumes can be successfully, and often economically, rebound. Unfortunately, if the paper in the volume is brittle, it will not have the strength to withstand rebinding or very much future use. Consequently, brittle books must be reformatted to preserve the information—an expensive and labor-intensive process. Brittleness is caused by residual acid left in the paper during the manufacturing process. Acids in the paper react with oxygen and water vapor to break down paper fiber, causing weak and brittle paper. High temperature and relative humidity greatly accelerate this process, as do rapidly fluctuating temperature and humidity. Thus, a collection's percentage of embrittled paper is dependent on a number of factors including climate, environmental controls in the library building, and the nature of the collection (for example, large collections of publications from less-developed regions of the world).

¶13 Table 1 compares the acidity and brittleness of the paper in the KU Libraries. It shows that the libraries on campus, including KU Law, have collections comprised of about 65% acidic paper. Additionally, about 67% of KU Law's collection has paper identified as white and strong by the surveyors. Unfortunately, the percentage of brittle books in KU Law's collection is twice as high, at 12.53%, as the average for the other libraries on campus, 5.99%. Brittleness is defined as a book's inability to undergo two double-fold tests.[11] Only the Art and Architecture Library has a larger brittle book problem than KU Law with nearly 14.5% of its collection being brittle.

Table 1

Paper Condition

	General Libraries (%)	Law Library (%)
Paper pH (Abbey Pen)		
Yellow or clear (acidic)	65.78	65.14
Tan (slightly acidic)	10.66	6.47
Purple (alkaline)	23.57	28.39

(cont.)

11. The double-fold test is a test for paper brittleness made by folding a corner of a page over on top of itself, and the crease of the fold is pressed between the finger and thumb. The corner is then folded back the other direction along the same crease and pressed again. This is one double-fold. NICHOLSON BAKER, DOUBLE FOLD: LIBRARIES AND THE ASSAULT ON PAPER (2001) maligns the use of this test to determine the strength of paper. The authors recognize that the test does not directly reflect how paper in a bound volume functions, but it is a quick, consistent test that does provide data that correlates highly to the functionality of paper in bound volumes.

	General Libraries (%)	Law Library (%)
Paper Fold Test (Paper breaks after)		
Less than 1 fold	1.85	4.59
Less than 1 double-fold	2.56	3.76
Less than 2 double-folds	1.58	4.18
Percentage of Collection with Brittle Paper	*5.99*	*12.53*
Less than 3 double-folds	3.72	3.76
More than 3 double-folds	90.30	83.72
Paper Condition (Mark all that apply)		
White and strong	62.11	67.01
Yellowish or tan	32.70	24.84
Brown	5.05	7.31

¶14 One explanation for the brittleness of KU Law's collection may be the environmental conditions under which they were stored. For much of the library's past, the collections were housed in a building with terrible environmental conditions. There was no cooling so the stacks often reached temperatures in the high 80s or 90s during the summer months. Also, the stacks were often overheated in the winter, exacerbating the problem. It was not until the collections moved to the current library in 1977 that they began to enjoy the benefits of better environmental conditions—though they are still far from ideal. Heat, high humidity, and fluctuations in both can cause rapid deterioration of acidic paper.

¶15 Alternatively, such brittleness may simply be a characteristic of legal collections. The condition survey at Georgetown University Law Library in 1986 showed that 12% of its collection was brittle to the point that the materials could not withstand more than one double-fold.[12] The survey also found that 20% of the collection was "highly acidic" and that another 40% was moderately acidic, with pH ranges between 3 and 4.[13] The Abbey Pen method[14] used in the surveys at the University of Kansas measures acidity using Chlorophenol Red. If the marking on the page from the pH pen turns purple, then the paper is alkaline. If it turns yellow or tan, the pH of the paper is acidic. Both the University of Kansas stack surveys showed acidity ranges similar to those in the Georgetown survey, suggesting that brittleness is endemic to academic libraries and will increase with time. The only hopeful note is that legal materials are now largely printed on acid-free paper. In KU Law only 5.37% of holdings printed in the 1970s are on acid-free paper, while more than 88.33% of volumes from the 1990s are printed on acid-free paper.

12. Nainis & Bedard, *supra* note 2, at 250.
13. *Id*. at 252.
14. For additional information on this pen, see ELLEN MCCRADY, PH PENS AND CHLOROPHENOL RED, *at* http://palimpsest.stanford.edu/byorg/abbey/phpens.html (July 7, 1995).

Text Block Condition

¶16 A bound volume is made up of two parts, the text block and the cover. These two components were considered separately because the physical integrity of a volume can be compromised for different reasons depending upon the construction of the text block and cover. Paper is the primary component of a text block, but a condition survey should also examine "leaf attachment," that is, how the pages of a text block are held together. Table 2 analyzes the various types of leaf attachment with the condition of the text block. It shows that KU Law's collection is surprisingly strong in terms of the condition of text blocks given the deterioration of the acidic paper in the collection. The percentage of text blocks in "good condition" was 94% as compared to the 91% of volumes in the general libraries. The fact that the books in KU Law have somewhat stronger text blocks than the books in the general libraries may be attributable to the circulation policies of KU Law which do not generally allow the circulation of reporters, statutes, loose-leafs, or books with pocket parts. Consequently, there are not as many opportunities for text blocks to be damaged outside the normal wear and tear inside the library. The only area of concern is that 22.73% of spiral or other loose-sheet volumes have pages damaged or curled from lack of support. This suggests that KU Law should consider commercially binding spirals or other loose-sheet bound material that have a lasting importance to the collection.

Table 2

Leaf Attachment and Condition of Text Block

Condition	Adhesive Bound	Oversewn	Sewn through the Fold	Side-Sewn or Stapled	Spiral or Other Loose Sheet	Stapled through the Fold
Number of Vols.	88	23	316	7	22	23
In Good Condition	96.59%	100%	93.67%	100%	86.36%	95.65%
Remain in Stacks	1%	0%	1.90%	0%	4.55%	0%
Broken/Loose Sewing	0%	0%	0.63%	0%	0%	0%
Broken Text Block	0%	0%	0%	0%	0%	0%
Loose Pages	1.14%	0%	0.95%	0%	9.09%	0%
Damaged Pages	0%	0%	0.32%	0%	0%	4.35%
Missing Pages	0%	0%	0.32%	0%	0%	0%
Pages Damaged/ Curled	0%	0%	0.32%	0%	22.73%	4.35%

Binding Condition

¶17 Survey results indicate that bindings in KU's library collections, like text blocks, are in good overall condition. A large amount of detail was recorded about the cover of each volume surveyed in an effort to gain as much specific information as possible. This information not only describes the condition of the collections, but also will help KU Law develop informed collection development decisions for the collections. Table 3 shows the comparative data between the surveys.

Table 3

Condition of Bindings

Condition of Binding (Mark all that apply)	**General Libraries (%)**	**Law Library (%)**
In Good Condition	85.70	82.88
Remain in Stacks	8.94	12.94
Damaged Spine	5.68	3.97
Loose Joints	4.48	6.26
Damaged Inner Joints	4.40	4.38
Damaged Paper Cover	1.28	1.67
Cover off Volume	0.76	0.21
Red-Rot Leather	**1.11**	**5.85**
Title Worn off	0.90	0.00
Title Label Missing	0.33	0.21
Call Number Worn off	0.16	0.00
Call Number Missing	0.08	0.00
Volume Damaged from Lack of Support	0.54	0.63
Insect Damage	0.19	0.21

¶18 One key difference between KU Law and the other collections on campus is the prevalence of red rot on the leather-bound volumes. Red rot occurs when the leather on a book binding begins to deteriorate due to the acids in the leather. This causes the leather to break down and dry out. Red-rotted leather has little strength or flexibility, and the binding will soon fall apart. Also, red-rot leather will shed a red or brownish dust onto anything it touches. The higher percentage of volumes with red rot is partially attributable to the fact that KU Law has a higher percentage of leather-bound volumes. Nevertheless, the survey shows that red rot is a much more serious problem in KU Law than in other collections.

¶19 Table 4 analyzes red rot in comparison to imprint date and volume type so as to identify which parts of the collection are most at risk from deteriorating leather bindings. No red rot was identified in volumes printed from 1950 to the present, partially because leather binding was much less prevalent in the second half of the twentieth century.

Table 4

Percentage of Law Library Volumes Exhibiting Red Rot

Date of Publication	Govt. Doc.	Journal	Monograph	Reporter	Session Law	Statute
1800–29	0	0	0	100	0	0
1830–49	0	0	0	0	0	0
1850–69	0	0	0	20	0	0
1870–89	0	0	0	50	100	0
1890–1909	0	0	50	58.3	0	0
1910–29	0	0	0	13.33	0	25
1930–49	0	0	0	5.55	0	0
Total % with red rot	0	0	7.41	32.43	11.11	14.29

¶20 The lack of red rot in the volumes analyzed in table 4 can be attributed to either leather bindings that still are in good condition or the use of buckram or other materials in the bindings instead of leather. The most significant red-rot problem in KU Law appears to be in reporters printed between 1850 and 1929. These volumes are also at high risk for having brittle paper. Turpening summarizes these problems insightfully, noting:

> I asked which materials in their own libraries were the most in need of preservation attention. While nearly everyone had different answers, there were similarities among them. The most frequent titles or categories were from the nineteenth century, as well as heavily used volumes of more recent vintage. In both cases, the volumes need attention because of the materials with which they were manufactured. It has been known for many years that the acids in groundwood paper make it yellow and brittle over time. Since paper of that type became popular in the mid-nineteenth century with the advent of paper made from trees instead of rags, libraries the world over have had to deal with hundreds of millions of books that contain the seeds of destruction in their own makeup. The bindings in the books from that time were also inadequate, being too thin to protect the pages, and the glues holding the parts of the book together were not strong enough to do their job. The leaf attachment method, or the way the pages are attached to the material inside the spine lining, was the worst possible method, since the pages, now brittle, easily break off on the inner margin. Such books could not have been manufactured in a way any more detrimental to their longevity or to the ability of libraries to keep them available for use.[15]

Overall Condition

¶21 The results of KU Law's survey indicate that the condition of the collection is quite similar to that of other library collections on the KU campus. The two exceptions to this general statement are that the percentage of brittle books in the KU Law collection is roughly twice that of other collections on campus and that red

15. Turpening, *supra* note 6, at 369, ¶ 20.

rot is roughly four times as prevalent in KU Law as compared to the other collections. Table 5 analyzes the correlation between acidic, brittle paper and red rot in reporters and monographs in the KU Law collection that were printed from 1800 to 1949. Of the reporters and monographs from this period that were surveyed, 21.51% are brittle and have red-rot problems. An additional 32.25% are brittle without red rot. Finally, 4.30% have red rot but are not yet brittle. Combined, 58.06% of the reporters and monographs from 1800 to 1949 surveyed are significantly compromised with brittleness, red rot, or both. (These materials comprise 11.27% of the total KU Law collection.) The remaining 41.94% have acidic paper that is not yet brittle and bindings that are free from red rot, probably buckram rather than leather.

Table 5

Brittleness and Red Rot in Reporters and Monographs Printed between 1800 and 1949

	% Books with Red Rot	% Books without Red Rot
Brittle Books	21.51	32.25
Nonbrittle Books	4.30	41.94

¶22 The total percentage of brittle volumes in the collection is 12.53%, roughly the same percentage of brittle volumes found in the Georgetown survey in 1986. The authors of that survey note that:

> One who asserts that a book's usefulness is over when brittleness becomes irreversible—that is, breaks before one fold—will focus on the percentage of brittle books in the collection—about 12 percent. One who claims that even irreversibly brittle books are still serviceable, with restrictions on use, until the text is obliterated through disintegration will judge the number of poor books to be the most significant findings of this survey—about 39 percent of the collection. Regardless of viewpoint, the survey results indicated that library researchers have lost the full use of a portion of the Georgetown collection. Taking the middle view, an estimated 30,000 books altogether, or 12 percent of the collection, are unserviceable, representing an estimated loss of library resources of over $1.2 million.[16]

The significance of the problem of brittleness and red rot at the University of Kansas Law Library is compounded by the fact that another 49.27% of the entire collection printed between 1800 and the present is not yet brittle but eventually will become so. The flood has not yet reached the high-water mark.

16. Nainis & Bedard, *supra* note 2, at 253. It is important to note that the Georgetown definition of brittleness, a page breaking in the act of one double-fold, is slightly more stringent than the University of Kansas definition of brittleness, a page breaking before or during the second double-fold. Using the Georgetown definition, 8.45% of KU Law's collection is brittle beyond the point that deacidification treatment would be useful.

Mutilation

¶23 Mutilation is defined as the intentional—although not necessarily malicious—destruction of library materials. Many library users who mutilate materials do not consider the ramifications of their actions. Unfortunately, ignorance does not lessen the effects of their actions. One result of the survey was the surprising discovery that the KU Law collection exhibits a much lower rate of mutilation than that of the other libraries on campus. Despite the conventional wisdom among law librarians regarding the razoring of books by law students and the removal of chapters in loose-leaf volumes by attorneys (i.e., "five finger photocopying"), the survey did not support the perception of a significant problem with mutilation. Less than 1% of the volumes surveyed showed signs of pages having been cut or torn out. Nearly 6% (5.85%) of the KU Law collection showed signs of mutilation, including pencil marks, bookmarks left in the book, dog-eared corners, and torn-out pages. By comparison, 19.76% of the volumes in the stacks of the KU Libraries showed signs of mutilations. One likely explanation for the higher rate of mutilation in the general libraries is the much higher percentage of the collection that circulates. The Preservation Task Force found that nearly a third of volumes returning from circulation in the general libraries were mutilated, primarily with pencil marking, dog-eared corners, and food or drink stains. The more restrictive circulation policies of KU Law seem to prevent much of the mutilation experienced by other libraries on campus. Another possible explanation is that law school students are older and more mature than the largely undergraduate student population on the main campus. This probably has some impact on the lower levels of mutilation, but it is impossible to fully determine this effect based on the data from these condition surveys.

Implications for Preservation Decision Making

¶24 The University of Kansas libraries were pleased with data they obtained from their condition surveys. The information gained has proven extremely useful in helping the libraries and the Preservation Department develop a preservation strategy for the collections. Similarly, KU Law is quite pleased with the data gathered and intends to use it to draft and implement a long-term preservation strategy. The *Report and Recommendations* of the AALL Special Committee on Preservation Needs of Law Libraries noted that:

> In many libraries, the first step is to conduct a condition survey, to determine the extent of the work ahead to preserve the collection and to continue to make it available for use. This may be followed by a needs assessment, which combines the information gained from the condition survey with vulnerability of material and with the value of each item to the collection. From this information, a library can develop a long-range program for those materials it has decided to focus on.[17]

17. Special Committee Report and Recommendations, *supra* note 2, at 58.

In addition to providing valuable comparison data between the preservation needs of law books and other academic texts, the condition survey serves as a baseline for measuring deterioration of the collection over time. If the survey is conducted every five or ten years, we will be able to predict the rate of decay and plan correspondingly. Given the reality of limited funding for preservation, the advice to focus the long-range preservation program on particular areas is wise. Since KU Law's collection development policy is largely centered on meeting the needs of the law school's faculty and students, it is anticipated that the needs assessment will include both faculty input and librarian analysis of the recent scholarship of the faculty to determine which materials to focus on in the long-range preservation program. Additionally, it is anticipated that KU Law also will focus on preserving unique material, especially material from Kansas, and any rare books. Most important, the needs assessment will focus on the material that is currently deteriorating most quickly, monographs and reporters printed between 1800 and 1949.

¶25 In planning for future preservation activities at KU Law, we must first and foremost address our brittle book problem. This will involve identifying titles that are of high research value to the university and reformatting them into the appropriate format, be that electronic, paper, or microfilm. West Group, LexisNexis, and other companies are committed to providing electronic versions of many legal publications. However, for some of the older materials there is still a need for reformatting efforts. Microfilm works well for many materials, such as journals and other serial publications, but not for monographs or long treatises. Most researchers prefer to have these publications in traditional book format. There are many titles, especially those specific to Kansas, that should be kept in a print format, given the historical value of the book as an object. For example, we have many volumes of the *Kansas Reports* that are signed by early territorial judges and attorneys. The books themselves are valuable and worth preserving as historical objects independent of the value of the text. Therefore, identifying which items need to be reformatted and what format to use will be the first order of business.

¶26 The condition survey also indicated that more than 10% of the collection needs immediate preservation treatment ranging from book repair to commercial binding to conservation treatment to reformatting. Currently, KU Law has a good binding contract with a vendor who can meet many of its preservation needs. However, it will be important in the future to work more closely with the KU Libraries Preservation Department to receive training in book repair. Also, we will need to take advantage of the department's offer to provide KU Law with conservation treatment for damaged items on a cost recovery basis in its laboratory.

Conclusion

¶27 The results of the KU Law condition survey demonstrated several areas of preservation concern that will need to be addressed in the coming years. This information, combined with other assessment activities, will prove very useful to

the long-term preservation and collection development activities at KU Law.

¶28 Furthermore, comparing the data gathered in this survey with the findings from the KU Libraries general condition survey provides important context that will be very useful to us in our planning efforts. This comparison also provides validation for the KU Law survey since most of the data is similar to what was found in the general libraries survey. This means that the differences in the data are significant for KU Law and should not be ignored.

¶29 Finally, it is important to use this data to help in our planning efforts and not to allow this information to go underutilized. Too often the valuable information gained from library assessments of all kinds is not put to proper use to help improve the collections and services we offer. It will be important not to let that happen in this case.

Appendix

Results of Law Library and University Libraries Surveys

	KU Libraries	KU Law Library
Sample Size	3679	479
Type of Volume (%)[18]		
Government document	N/A	12.73
Journal or newsletter	N/A	15.87
Monograph or part of set	N/A	29.23
Reporter[19]	N/A	33.19
Session law	N/A	2.71
Statute	N/A	6.26
Leaf Attachment (%)		
Sewn through the fold	47.21	65.97
Oversewn	16.06	4.80
Adhesive-bound	29.71	18.37
Stapled through the fold	3.70	4.80
Side-sewn or stapled	2.39	1.46
Spiral or other loose-sheet binding	0.92	4.59
Condition of Text Block (Mark all that apply) (%)		
In good condition	90.84	94.36
Remain in stacks[20]	3.59	1.67
Broken or loose sewing or adhesive	3.40	0.42
Broken text block	1.55	0.00
Loose pages	1.90	1.67
Damaged pages (not mutilation)	2.88	0.42
Missing pages (not mutilation)	0.08	0.21
Pages damaged or curled from lack of support	0.73	0.63
Has pocket part[21]	N/A	6.47
Missing pocket part	N/A	0.21

(cont.)

18. The volume type field was altered significantly in the KU Law survey to allow focus on specific types of materials to determine whether heavily used items suffered greater wear than items that received little use. Additionally, the division of serials as a category into Journals/Newsletters and Monographs/Sets better reflects the unique nature of KU Law serial cataloguing and management. The KU Libraries' survey categorized volumes as monographs (45.58%), part of multivolume set (18.78%), serials (33.16%), and scores (2.47%).
19. The reporter field also includes reference sets created for use with reporters, such as digests and *Shepard's Citations*.
20. This field indicates that the text block shows significant wear but is not otherwise damaged.
21. The presence of pocket parts was included in the KU law survey to address the issue of missing or stolen pocket parts, an issue not relevant to general academic collections.

Appendix *(cont.)*

	KU Libraries	KU Law Library
Place of Printing (%)		
U.S.	45.47	88.73
Canada	1.11	3.13
Great Britain	N/A	4.80
Northern Europe	28.35	N/A
Other	24.93	3.34
Previous Preservation Treatments (Mark all that apply) (%)		
Total volumes treated	9.08	4.80
Damaged or missing pages replaced	0.38	1.04
Been repaired in-house	5.87	2.09
In acidic box	0.27	0.63
In acidic pamphlet binder	3.70	0.42
In acidic paper envelope	0.00	0.00
Volume tied together with string	0.00	0.00
In acid-free box	0.22	0.21
In acid-free pamphlet binder	0.82	0.42
In acid-free envelope	0.08	0.00
Been reformatted	0.00	0.00
Treatment Decision for Volume (Mark all that apply) (%)		
In good condition	83.28	84.13
Send to stacks as is	10.06	12.32
Needs commercial binding	2.06	1.46
Needs in-house repair	0.71	2.09
Needs conservation treatment	0.60	5.01
Send to brittle book processing	0.62	1.88
Place in enclosure	0.35	0.00
Gutter Margin Width (%)		
Less than 1/2 inch	37.84	13.99
More than 1/2 inch, but less than 3/4 inch	39.28	39.46
More than 3/4 inch, but less than 1 inch	14.46	35.49
1 inch or more	8.43	11.06
Shelving Condition (Mark all that apply) (%)		
Shelved correctly	86.27	96.87
Shelved too tightly	5.22	1.04
Not shelved straight	3.56	1.88
Shelved on fore edge	1.49	0.21
Shelved on spine	0.19	0.00
Shelved in wrong location	3.51	0.00

	KU Libraries	KU Law Library
Paper pH (Abbey Pen) (%)		
Yellow or clear (acidic)	65.78	65.14
Tan (slightly acidic)	10.66	6.47
Purple (alkaline)	23.57	28.39
Paper Fold Test (Paper breaks after) (%)		
Less than 1 fold	1.85	4.59
Less than 1 double-fold	2.56	3.76
Less than 2 double-folds	1.58	4.18
Less than 3 double-folds	3.72	3.76
More than 3 double-folds	90.30	83.72
Paper Condition (Mark all that apply) (%)		
White and strong	62.11	67.01
Yellowish or tan	32.70	24.84
Brown	5.05	7.31
Glossy or coated	13.92	0.42
Calendered	2.77	0.00
Groundwood paper	4.27	2.51
Pest damaged	0.00	0.63
Volume indicates it is printed on acid-free paper	2.53	3.97
Mutilation and Patron Damage (Mark all that apply) (%)		
Total volumes mutilated	19.76	5.85
Pencil	9.98	1.67
Ink	4.92	0.85
Highlighter	0.79	0.00
Paper clips	0.16	0.00
Dog-ears	4.29	0.63
Post-it Notes	0.24	0.21
Bookmarks left in the volume	2.72	0.84
Pages torn or cut out	0.57	0.84
Animal damage	0.02	0.00
Pages or cover stained with food, drink, or water	5.71	0.84
Type of Binding (%)		
Publisher binding	46.67	63.05
Publisher paper binding	12.69	7.10
Pamphlet	4.54	6.05
Commercial case binding	32.26	20.25
Commercial mylar binding	3.83	3.55

(cont.)

Appendix *(cont.)*

	KU Libraries	KU Law Library
Condition of Binding (Mark all that apply) (%)		
In good condition	85.70	82.88
Remain in stacks	8.94	12.94
Damaged spine	5.68	3.97
Loose joints	4.48	6.26
Damaged inner joints	4.40	4.38
Damaged paper cover	1.28	1.67
Cover off volume	0.76	0.2
Red-rot leather	1.11	5.85
Title worn off	0.90	0.00
Title label missing	0.33	0.21
Call number worn off	0.16	0.00
Call number missing	0.08	0.00
Volume damaged from lack of support	0.54	0.63
Insect damage	0.19	0.21
Imprint Date (%)		
2000s	N/A	2.30
1990s	11.66	22.55
1980s	26.09	18.37
1970s	23.46	17.12
1960s	14.27	10.65
1950s	8.07	3.97
1930–49	6.17	7.72
1910–29	4.92	6.68
1890–1909	2.96	6.26
1870–89	0.82	2.51
1850–69	0.73	1.25
1830–49	0.60	0.42
1800–29	0.24	0.21