

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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MEMORANDUM

December 4, 2013

SUBJECT: Westlaw Contract Approval

TO: Representative Mike Hawker
Chairman of Legislative Council
Attn: Juli Lucky

FROM: Doug Gardner
Director

Introduction

This memorandum is a request that Legislative Council approve a three-year contract in the amount of \$135,583.47 (average annual cost of \$45,194.49) with West, a Thomson Reuters Business ("West"), to provide legislators and legislative staff, Legislative Legal Services, the Legislative Research Division, and other legislative agencies with a total of 40 online research passwords for Westlaw® access. The proposed contract period would be from December 23, 2013, through December 23, 2016.

The Bottom Line

The proposed contract for online services with West, when combined with the cost for printed library materials, represents an overall savings over the next three years to the Legislative Affairs Agency of at least 11.8 percent over the prior three-year period. In addition to a substantial cost savings, this contract will, in my judgment, improve access to substantial additional legal resources and improve research effectiveness and efficiency for legislative offices and legislative agencies. Please read the "Background and Support for Request" section if you would like more detail and discussion of my recommendation that Legislative Council approve this contract.

Proposed Motion

I move and ask unanimous consent, that Legislative Council approve a contract between the Legislative Affairs Agency and West, a Thomson Reuters Business, for \$135,583.47, for a three-year contract to provide the legislative branch 40 passwords for online legal research services through Westlaw®.

Background and Support for Request

As computer databases and online access to legal resources have improved, the Legislative Reference Library has seen a significant decrease in the use of "paper" resources. Instead, there has been a steady and growing demand for assistance requested by library users in researching legal and legislative issues online. This trend has been ongoing for some time. After consultation and agreement with Legislative Reference Librarian Mary Pagenkopf, we are refocusing the Legislative Reference Library to better serve legislators, staff, and the public, as discussed below.

Instead of buying state statutes and other reference materials which are a duplication of materials available online, the library will focus on providing better access and more shelf space to emphasize collections of legislative committee records and other records unique to and generated by the Alaska State Legislature. The library will no longer purchase, and use staff time to stock the library shelves with, state statutes and other materials accessible through LEXIS® or Westlaw®.

This refocus will shift valuable staff time away from stocking shelves with materials that are not being used, and allow more time for the library staff to assist legislative offices and the public with questions regarding online research for legislative materials. The library will continue to maintain important library reference materials including the Alaska Statutes, Sutherland Statutory Construction, Uniform Laws Annotated, the United States Code Annotated, and other reference materials that are not as easy to use or not readily available online. The library will add additional reference materials on selected topics moving forward, based on user demands and needs.

The printed library materials that were being duplicated by access through LEXIS® and Westlaw® were expensive, and in most cases not being used. The previous three-year "Library Management Agreement" with West for printed state statutes, etc., was in the amount of \$80,400; an amount that was likely to be much higher for the next three years if the agreement had been renewed. This agreement with West was cancelled, and has been replaced with a three-year, much smaller, "West Complete" contract for \$2,382 a year. The savings to the Legislative Affairs Agency is at least \$73,254 over the next three years.

With the increasing demand for online resources, and the change in focus of the Legislative Reference Library, the Westlaw contract proposed for Legislative Council's approval has been augmented to include more online materials available to all legislative Westlaw® users. In addition to the existing case law databases, administrative regulations, and statutory resources available for all 50 states, we have added additional databases. These new databases include the 50 State Surveys and Survey Builder databases requested by the Legislative Research Division, Corpus Juris Secundum, Internal Revenue research materials, the Business Law Practitioner Core database, Wright and Miller Federal Practice and Procedure, and a comprehensive treatise database.

Representative Mike Hawker

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The previous cost for the last three-year contract with West for 40 passwords was \$81,599. The cost proposed in the new contract presented to Legislative Council for approval, is \$135,583.47. This increase in cost is the result of simply higher pricing by West, and the additional databases negotiated with West.

When the library and online contracts with West are viewed together, the total cost for both the Library Management Agreement and Westlaw® online access from 2011 through 2013, was \$161,999, compared to the cost for the next three years, from 2013 through 2016, of \$142,729.47; a savings of \$19,269.53, or 11.8 percent.

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cc: Pam Varni
Mary Pagenkopf