

# **Interim Report to Atlantic Philanthropic Service Co., Inc.**

## ***Executive Summary***

This interim report from Cornell Law School's Legal Information Institute (LII) covers the second year of a five year period during which the LII's hardware and software needs are being supported by a gift of \$107,500 from donors represented by the Atlantic Philanthropic Service Company Inc. It accounts for expenditures from last June's second payment of \$10,000, reports on the Institute's activities of the past year, and summarizes its plans.

### **1) Expenditures Made Possible by the Second Payment**

This past year the LII spent \$13,142.97 of the first two gift payments -- all of last June's distribution plus over \$3,000 of the balance remaining from the initial payment. Notable items in this total include a laptop computer permitting off-site demonstrations of LII projects and an NT server which now provides a reliable platform capable of handling the traffic drawn by our collection of historic Supreme Court decisions and the growing American Legal Ethics Library. In addition, we acquired a license for new search engine software for installation across all major LII collections (Muscat) and did a modest amount of incremental upgrades and replacements of existing hardware and software.

We continue to re-deploy older machines to new tasks when their initial function has been taken over by one of our new machines. In this year's round of server reassignments we have been able to establish a single point for accumulating data on use across all machines at the LII site and install software that should dramatically ease maintenance of the numerous law related e-mail lists hosted on our listserv machine.

### **2) Key Developments During 1998-99**

The growth in use of LII services continued to climb at an extraordinary rate. It is fair to say that without the program of hardware and software funding from donors represented by the Atlantic Philanthropic Service Company Inc. keeping up with the volume of this demand would have been impossible. This March weekly data requests of the LII's servers climbed past 5 million (more than double the volume of the comparable period in 1998 which was, in turn, more than twice the volume of the year before).

Having adequate server capacity to meet this demand we were able to add greater functionality to the most heavily used collections at our site (Supreme Court decisions and U.S. Code), add a new resource that has, as predicted, created strong demand (the Code of Federal Regulations), and implement a consistent and unifying set of navigation tools across all major collections.

Through favorable reviews and countless new links from other sites that in effect build and depend on LII materials, the year brought fresh external recognition of the quality and importance of the LII's services.

Dean Russell Osgood whose support for the Institute permitted its launch and early growth left office to assume the presidency of Grinnell College in June. In theory his departure might have exposed the LII to a period of serious uncertainty about institutional support. In fact, the speed at which the school's interim dean, Charles Wolfram, came to understand the impact and importance of the Institute and the unanimity with which dean candidates identified it as a key asset of the school had the opposite effect. In January, Interim Dean Charles Wolfram implemented a plan worked out under Dean Osgood for an LII advisory council and under his direction the school's development office undertook several initiatives on behalf of the LII.

### **3) Immediate Future Plans**

The initiatives involving the creation of new and more effective tools to assist non-professional users to navigate through legal data in pursuit of relevant material, described in last year's report, continue. With the addition of Federal regulations to our site we have begun to implement connections between statutes and regulations on the same topic. LII backgrounder pages have become a regular feature of the site. Our relationship with the New York Court of Claims is moving from the prototype to tool-building stage. Discussions with the World Intellectual Property Organization (WIPO) about the LII creation of a distance learning module under contract with that organization are in their final stage. Our mirror site in China, offering a core collection of U.S. legal materials, is just about to go public at: <http://www.law.edu.cn/>

While the grant proposals noted in last year's report did not bear fruit, LII project proposals (with the New York Court of Claims, WIPO, Ames Foundation and others) have met with encouraging success.

### **Organization and Project Information**

- Legal Information Institute of Cornell Law School (LII)  
Myron Taylor Hall  
Ithaca, NY 14853
- Prof. Peter W. Martin
- Report on the second year of a five-year period

### **Assessment of Work to Date**

The attached report, prepared in February for the initial members of the Institute's new advisory counsel and the final candidates in the law school dean search, provides a more detailed account of the accomplishments of the past year. (See pp. 3-12.)

The following sections highlight and summarize a few of them.

#### **1) Audience**

In every category of use the services of the Legal Information Institute (LII) continue to reach larger numbers. Without the program of server expansion, replacement, and upgrade outlined in our 1996 proposal to APS the level of demand borne by the LII WWW servers and the maintenance needs of our e-mail current awareness services would some time ago have led to system (and system administrator) collapse.

During the first week of February 1999 our four primary servers logged 4,962,639 "hits" from users all over the world, an average of little more than 8 data files transmitted every second. On an average day, users held 39,425 "sessions" with our machines, each of which lasted an average of 13 minutes and 24 seconds, a total of 275,921 sessions for the week.

Our traffic has more than doubled since we submitted last year's report, as it has each year for the last three years. It continues to grow at a rate even faster than the Net as a whole. Necessarily, the hardware and software systems we have now got in place are three orders of magnitude more capable and complex than those with which we started.

#### **2) Recognition**

As use continues to grow so does recognition. The recent law site ratings by the *legal.online* newsletter ranked the LII "Best Law School Site" for the second straight year, but more significantly placed it on its short list of top sites in the "best legal information starting point" category, otherwise dominated by commercial sites.

More users come to us following links than come on the basis of favorable reviews. According to the index of the AltaVista portal site, over 53,000 sites link to one or more LII resources. Those making such

electronic referrals include libraries, media organizations, educational institutions of all levels, government agencies, bar associations, law firms, and diverse special interest, industry, and advocacy groups.

The LII name has appeared in over 500 newspaper and magazine stories since its founding. The count for this past year easily exceeded thirty, ranging from professional publications like the National Law Journal and the Chicago Lawyer to such general audience publications as the Houston Chronicle, the Albany Times Union, and Fortune.

### **3) Impact of grant on the quality and reliability of LII services**

The hardware and software systems that distribute the range of LII on-line services are at least three orders of magnitude more capable and complex than those with which we started seven years ago. Since the technology continues to evolve at an incredible rate, we must "run fast to stay in place." A year ago we had deployed new machines in blind confidence of their positive impact on performance. Today, we have a logging and statistical analysis system in place that allows us to monitor that performance, and make future decisions allocating collections and services to servers on a sounder basis. We now know much that we previously could only suspect. For example, we understand more clearly that there is no good time for downtime. Forty-nine percent of the traffic on our main server occurs outside normal business hours, and even the most lightly trafficked hour (between 4 and 5 a.m.) sees nearly 2000 user sessions of roughly 15 minutes each on one or another of the LII machines.

Our current operation has a very small cushion of machine capacity and little if any redundancy as a hedge against equipment failures. When there is a disk failure, the response is makeshift. We are fortunate in our current system administrator, who is adaptive and very good at emergency response and doing much with little. We operate with far less hardware and a staff roughly one-third the size that a corporate operation of our scale and scope would use.

### **4) Law School's commitment to LII**

Last year's report noted that Dean Russell Osgood had made a firm commitment to secure stable funding for the LII. Unfortunately, he left before he was able to carry through on the development effort that promised. The school has spent the year under the leadership of an interim dean, with an understaffed development office. Development initiatives on behalf of the LII begun under Osgood have only recently being resumed, without, as yet, any tangible return.

On the other hand speed at which the school's interim dean, Charles Wolfram, came to understand the impact and importance of the Institute and the unanimity with which dean candidates identified it as a key asset of the school have implicitly affirmed Osgood's commitment. In January, Dean Wolfram implemented a plan worked out under Dean Osgood for an LII advisory council and under his direction the school's development office undertook several initiatives on behalf of the LII. One of them produced an immediate gift of \$10,000 with long-term potential for much, much more.

## ***Future Work***

### **1) Continuing progress along the three lines laid out last year**

We shall continue to pursue our multi-year plan described in last year's report. We shall continue to: prepare and feature "deep background" on law topics in the public eye, add to and improve the navigation tools and editorial content that assist those who are not expert at legal research, and learn from our users. Both the new statistical systems noted above and a new user feedback system implemented in March will make our efforts to understand how our site's information and services are used by different groups far more effect.

### **2) Joint ventures with the bar and public bodies**

The formal relationships with the New York State Bar Association, the New York Court of Claims, and in connection with the American Legal Ethics Library project, the American Bar Association and the ALAS malpractice insurance group are all carrying forward, in at least two cases with increased commitment.

### **3) Overseas projects and partnerships**

The support of a Zambia Legal Information Institute through a Cornell-Peace Corps Lawyers in Africa program, which dates from 1996, was reaffirmed in 1998. The Peace Corps provides staffing support to the University of Zambia Law School and the LII provides training and backup for what has become an explicit technology component of the program. In May 1998, with Peace Corps assistance I visited law schools in Uganda, Zimbabwe, Namibia, Lesotho, and South Africa. Based on the very positive response to that trip and enthusiasm for the program at Peace Corps headquarters in Washington, it seems likely the program will expand into one or more of the countries on that list.

The Zambia project also led to discussions with the Commonwealth Legal Education Association (CLEA) about a pilot project exploring the use of digital technology to meet the need for appropriate teaching materials, especially in developing countries where financial and library resources are meager. The Bridge to Asia Foundation approached the LII over a year ago with the suggestion that we cooperate in placing an LII mirror site with core U.S. legal materials at Tsinghua University in China. That site, now very close to being turned on, has the potential for future growth in numerous directions.

Finally, the LII's experience in conduct legal instruction via the Internet has drawn an invitation from the Distance Learning office of the World Intellectual Property Organization (WIPO). WIPO has proposed an agreement under which the LII would create multi-media course materials covering topics where instruction to date has involved bringing the students (typically government officials) to Europe for several weeks.

### ***Other Funders***

For the current year LII funding has continued essentially in the pattern described in our November 1996 proposal. External sources of funding remain: sales of disk-based course materials and our Supreme Court decision collection on CD-ROM, contributions solicited from users once a year, corporate sponsorship and joint studies. Our work on the American Legal Ethics Library, first released last year, has been funded by a grant from the W.M. Keck Foundation. It has now begun, however, to draw sustaining revenue in the form of CD-ROM sales and licensing fees. Our Supreme Court server and related costs have been funded by a grant from the National Center for Automated Information Research. The New York Bar Association has funded LII topical law pages of interest to sections of the bar. Our successful completion of a New York Court of Claims project under contract in 1998 has led to a follow-on agreement.

While this past year's efforts to secure foundation funding, other than the support from the Bridge to Asia Foundation for our China initiative failed to bear fruit, numerous project focused relationships have provided important financial support this year. They and several prospective new ones with the World Intellectual Property Organization and the Commonwealth Legal Education Association provide important operating funds and development opportunities for the LII.

### ***Accounting of Recommended Funds and Financial Information***

Attached is an accounting of expenditures to date from last June's \$10,000 payment and the unspent portion of the initial payment of \$87,500.

This past year the LII spent \$13,142.97 of the first two gift payments -- all of last June's distribution plus over \$3,000 of the balance remaining from the initial payment. Notable items in this total include a laptop computer permitting off-site demonstrations of LII projects and an NT server which now provides a reliable platform capable of handling the traffic drawn by our collection of historic Supreme Court decisions and

the growing American Legal Ethics Library. In addition, we acquired a license for new search engine software for installation across all major LII collections (Muscat) and did a modest amount of incremental upgrades and replacements of existing hardware and software.

Fortunately, we had no major equipment failures this year. As pointed out above, we operate with little or no redundancy and consequently need to be able to replace equipment swiftly when it becomes unreliable. The hard disk acquired in January was the only purchase falling in this category.