



LibraryCo Inc.

**B U S I N E S S   P L A N   2 0 0 9 - 2 0 1 1**

Osgoode Hall • 130 Queen Street West • Toronto, Ontario, M5H 2N6

Tel: 416-947-3952 • Fax: 416-869-0331 • Toll-free: 866-340-7578

[www.libraryco.ca](http://www.libraryco.ca)



# BUSINESS PLAN 2009-2011

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## I. EXECUTIVE SUMMARY

2007/08 was a time of transition for LibraryCo. The new Unanimous Shareholder Agreement and Administrative Services Agreement came into force in 2007, a new Board of Directors was struck and a new Board General Manager was hired. During the past year, LibraryCo has been defining its new role and mapping its way for the future. The Board of Directors is committed to building on LibraryCo's past successes while moving forward with new initiatives to enhance the delivery of legal information services in Ontario.

In keeping with this commitment, the Board has identified three areas of strategic focus to guide LibraryCo through the next three years. These areas are:

- Effective and timely communication with shareholders, associations, library staff and library users
- Creating efficiencies and providing better access to legal information
- Maintaining and strengthening core collections

Five major initiatives are planned for the next two to three years and the action plans are outlined in Section VII:

- Rationalizing print and electronic collections
- Strengthening the collection of statistics from the associations and vendors
- Strengthening the personnel framework by reviewing and revising job descriptions, job classifications, performance process and salary bands
- Exploring the feasibility of creating a knowledge management system of state-of-the-art precedents and other practice tools
- Facilitating a better understanding of LibraryCo through an electronic LibraryCo Handbook

The actions discussed in this business plan will help to facilitate the delivery of legal information services to all practitioners and strengthen the courthouse library system in Ontario.

## II. ABOUT LIBRARYCO

### Mandate

LibraryCo Inc. is a share capital corporation mandated to undertake the central management of the Ontario county courthouse law library system in accordance with the objectives, policies and principles established and approved by the Law Society of Upper Canada (the Law Society) from time to time, in consultation with the County and District Law Presidents' Association (CDLPA) and the Toronto Lawyers Association (TLA).<sup>1</sup>

Lawyers require access to current and historical legal information in order to properly practice law. Local libraries play a fundamental role in developing and enhancing the skills required of competent lawyers in Ontario. Under LibraryCo's central management, the county and district law libraries provide high-quality legal information services in a cost-effective and efficient manner to all lawyers in the province, regardless of geographic location or type of practice.<sup>2</sup>

As part of its mandate, LibraryCo establishes policies and priorities for the provision of law library services and programs by the county law libraries, provides funding to the associations to pay for the operation of the county law libraries, establishes guidelines and standards for the organization and operation of the county law libraries, and advises Convocation on all aspects of law library services and programs in the county law libraries.<sup>3</sup>

### Background

Prior to the creation of LibraryCo there was no real system of management for the county and district law libraries. They existed more or less on an "ad hoc" basis with some support from the Director of Libraries at the Law Society of Upper Canada. Many libraries had inadequate staffing and resources. Beginning in 1997 the Law Society began to re-evaluate and redesign the delivery of library services to the county and district law libraries.

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1 Unanimous Shareholder Agreement for LibraryCo Inc., June 1, 2007, preamble.

2 Unanimous Shareholder Agreement for LibraryCo Inc., June 1, 2007, s. 4.1.

3 Law Society of Upper Canada, By-Law 13 (made May 1, 2007 and amended June 28, 2007), s. 6.

A working group, chaired by E. Susan Elliott, was established and produced *Beyond 2000: the Future Delivery of County Library Services to Ontario Lawyers*. This report established the "blended system", a new structure for the delivery of library services. The new system was designed to create central management of library services while allowing for local input and management of libraries. Libraries were categorized as regional, area or local.

Convocation of the Law Society of Upper Canada approved the new structure and By-Law 30 (County Law Libraries) on June 23, 2000. In April 2001 the Law Society and CDLPA signed a Unanimous Shareholder Agreement establishing a Board structure and LibraryCo's framework for operation.

In 2004 the LibraryCo Board approved the establishment of the Integration Task Force. The members included representatives from LibraryCo, the Law Society of Upper Canada, the Canadian Legal Information Institute (CanLII), CDLPA and TLA. The members were responsible for exploring options for the effective delivery of information services to the lawyers of Ontario. The Task Force concluded that many of the issues for discussion related to a governance and operational model for LibraryCo.

Structural and governance discussions undertaken by representatives of the Law Society, CDLPA and TLA agreed that the framework and shareholder agreement for the delivery of library services in Ontario needed to be revisited. This resulted in changes to the Unanimous Shareholder Agreement, an amendment to By-Law 30 and the adoption of an Administrative Services Agreement.

On February 28, 2007 the CDLPA presidents voted in favour of moving forward with the execution of the Unanimous Shareholder Agreement (USA) and Administrative Services Agreement (ASA). On March 29, 2007, Convocation approved the USA, the amendment to By-Law 30 and the ASA. The new USA was signed on June 1, 2007 by the Law Society, CDLPA and TLA. At the same time, By-Law 30 was repealed and replaced by By-Law 13 (Legal Information), which took effect on May 1, 2007. It deals with the county law libraries and the establishment, share classes, directors and funding of LibraryCo.

## Current Status

### The New Model

The decision to refocus LibraryCo coincided with the winding-up of its first business plan, *Out of the Box . . . and Beyond the Walls!*, which outlined strategies to the end of 2005. As a result of the work of the Integration Task Force, significant changes were made between LibraryCo and the Great Library of the Law Society of Upper Canada with a view to reducing duplication and streamlining the delivery of library and information services. LibraryCo's offices were relocated from Burlington to Osgoode Hall in Toronto. The Board of Directors was reduced in size from 15 to 8 to make it more manageable. In making this change, some of the organizations which formerly had representatives on the previous Board were no longer represented. A new position of Board General Manager was created to replace the former post of Executive Director. LibraryCo is developing a closer working relationship with the Great Library of the Law Society of Upper Canada.

Under the terms of the USA, the Law Society holds 100 common shares of LibraryCo while CDLPA and TLA hold 75 and 25 special shares respectively. Each shareholder is entitled to appoint directors to the Board of Directors of LibraryCo. The Law Society may appoint up to four directors, CDLPA may appoint up to three directors and TLA may appoint one director. The Board is required to meet at least once every quarter.

Other organizations and associations with whom LibraryCo must work closely are the Law Foundation of Ontario (LFO) and the Ontario Courthouse Librarians' Association (OCLA). The LFO has provided generous financial support to LibraryCo since its inception. OCLA's membership comprises the professional librarians and library staff in the county law libraries.

## Administrative Services Agreement

LibraryCo and the Law Society of Upper Canada entered into an Administrative Services Agreement on March 1, 2007 under which the Law Society provides specified administrative services to LibraryCo in order for LibraryCo to meet its obligations and responsibilities to shareholders. LibraryCo reimburses the Law Society for these services by a fee that is negotiated annually. Services provided to LibraryCo under the ASA include:

- Administering the annual budget preparation and processes
- Maintaining accounts and providing quarterly and annual reports to the Board of LibraryCo and Law Society Convocation
- Monitoring LibraryCo's finances, paying transfer funds to the counties and paying vendors and suppliers
- Administering banking, funds investments, grant payments and allocations
- Technical support
- Support for acquisitions, cataloguing, information technology infrastructure decisions and implementation
- Provision of a Roving Law Librarian to provide hands-on assistance to the staff in the county law libraries
- Implementation of strategic plans and activities as directed and approved by the Board
- Reporting to the Board on the status of administration and other activities
- Assisting the Board to develop and bring plans for library and information services forward to the membership

## Communication Protocols

The Board of Directors reports annually to Convocation. Representatives of LibraryCo have always been invited to the CDLPA plenaries and have discussed the affairs of LibraryCo in that context. As well, the CDLPA Library Committee meets twice yearly by conference call and twice yearly in person. The CDLPA presidents meet monthly by conference call.

- CDLPA presidents should direct their questions and concerns to the CDLPA Library Committee. This committee is composed of regional representatives and meets regularly either by conference call or in person. The list of committee members and their region of responsibility can be found at Appendix D.

- Library staff are expected to direct inquiries to their association president or library chair. Should these individuals not be available then the staff can contact one of the three OCLA representatives on the CDLPA Library Committee.
- The Board General Manager is the contact person for matters pertaining to the Administrative Services Agreement and in turn will contact the appropriate individuals at the Law Society as necessary.
- Association members should direct questions and/or concerns to their association presidents.

The communication process is set out in detail in Appendix E.

## Board Committees

The Board of Directors creates committees as required to facilitate the management of LibraryCo. These committees allow for closer examination of issues and more detailed policy development than would be possible at the regular meetings of the Board. Committee members are also members of the Board, and all committees report directly to the Board. At present there are two committees:

### • Audit and Finance Committee

The Audit and Finance Committee is responsible for the overall fiscal policies and operations of the Board.

### • Human Resources Committee

The Human Resources Committee is responsible for developing human resources policies and procedures for recommendation to the county and district law associations and administering the LibraryCo severance policy.

## III. FINANCIAL INFORMATION

Most of LibraryCo's funding comes from the Law Society of Upper Canada fees, paid by lawyers. A portion of these fees, known as the library levy, is transferred by the Law Society to LibraryCo. In 2009 the library levy will amount to \$220 per lawyer. This money is then distributed to the 48 county and district law associations in the form of annual grants. These grants are to be used only to support the association libraries. The Law Society fees also fund LibraryCo's operating expenses.

LibraryCo also receives funding from the Law Foundation of Ontario. The LFO has been generous in its support of the association law libraries for many years. LFO funding is generally provided for a specific project rather than as a general supplement for the fees collected by the Law Society. Since LibraryCo's inception, the LFO has supported projects that include the initial set-up of LibraryCo's offices in 2001, hardware and software upgrades, a chat reference service pilot project, and the acquisition and maintenance of electronic research products for LibraryCo's Toolkit of Electronic Legal Resources. Most recently, the LFO provided \$189,709 for the purchase of new computers in all the association libraries in 2007 and 2008.

Some expenses have been centralized to realize cost savings and ensure an equal distribution of resources throughout the system. Contracts with major electronic vendors are negotiated on behalf of all 48 associations, Law Society Continuing Legal Education materials are purchased centrally, and bulk purchases of important books are negotiated by LibraryCo from time to time as required.

LibraryCo must prepare and approve a budget for the upcoming year at least 90 days prior to the start of the new fiscal year. This budget must also be approved by the Law Society. The budget process starts in May when the associations are informed of the budget submission deadline and provided with the necessary templates and background information. In preparing budget submissions for 2009 associations were requested to limit overall increases to two per cent (2%).

LibraryCo maintains a reserve fund to assist with cash flows and act as a contingency fund. Board Resolution 2007/20, made August 20, 2007, states that LibraryCo should maintain a reserve of \$500,000 comprising a general component of \$200,000, a capital and special needs component of \$150,000 and a staffing and severance component of \$150,000. Any expenditure from this reserve should be replenished in the following year. The reserve was used in 2007 to fund unbudgeted expenses resulting from the implementation of the Administrative Services Agreement with the Law Society. As of September 30, 2008 the reserve stood at \$886,889.

Specific details of LibraryCo's revenue and expenses can be found in Appendix A, "Financial Statements".

## IV. MANAGEMENT STRUCTURE AND PERSONNEL

### Governance – Board of Directors

LibraryCo is managed by a Board of Directors that is made up of eight lawyers from across the province. Four are appointed by the Law Society of Upper Canada, three by the County and District Law Presidents' Association and one by the Toronto Lawyers Association. The Board members are representative of different geographic regions, types of practice and size of firm.

**David Thompson, Chair.** Mr. Thompson practises litigation with Siskinds LLP in London. He is a past president of the Middlesex Law Association and the immediate past chair of the CDLPA Library Committee. Mr. Thompson is a CDLPA representative to the Board of LibraryCo.

**Bruce Hutchison, Vice-Chair.** Mr. Hutchison practises litigation at Genest Murray LLP in Toronto. He is a past president of the Toronto Lawyers Association and is that association's representative to the Board of LibraryCo.

**Thomas Conway** is a partner at McCarthy Tétrault LLP in Ottawa where he practises civil and commercial litigation. He is a bencher of the Law Society of Upper Canada and a past president of the County of Carleton Law Association. Mr. Conway is a Law Society of Upper Canada representative to the Board of LibraryCo.

**Carol Hartman** practises family law at Miller Maki LLP in Sudbury. She is a Regional Bencher (Northeast Region) of the Law Society of Upper Canada. Ms. Hartman is a past president of the Sudbury Law Association and a former Northeast Regional Representative of the County and District Law Presidents' Association. Ms. Hartman is a Law Society of Upper Canada representative to the Board of LibraryCo.

**Paul Henderson** is a sole practitioner in Oakville where he specializes in family law. He is a bencher of the Law Society of Upper Canada and the immediate past president of the Halton Law Association. Mr. Henderson is a Law Society of Upper Canada representative to the Board of LibraryCo.

**Michael Johnston** practises with the firm of Stewart, Corbett in Brockville. He is a past president of the Leeds & Grenville Law Association and is a member of the CDLPA executive. Mr. Johnston is a CDLPA representative to the Board of LibraryCo.

**Susan McGrath** is a sole practitioner in Iroquois Falls. She is a bencher of the Law Society of Upper Canada, a past president of the Canadian Bar Association and the Canadian Bar Association - Ontario. Ms. McGrath is a Law Society representative to the Board of LibraryCo.

**Lise Parent** is a partner in the firm of Parent, Carr in Ottawa where she specializes in family law. She is a past president of the County of Carleton Law Association. Ms. Parent is a CDLPA representative to the Board of LibraryCo.

Under the terms of the Unanimous Shareholder Agreement, the Board of Directors must meet at least quarterly. The chair rotates between the Law Society of Upper Canada, the County and District Law Presidents' Association and the Toronto Lawyers Association.

### Reporting Structure

LibraryCo is required to deliver an Annual Report to its shareholders within 90 days of the end of each fiscal year. This report must include audited financial statements and details of expenditures and investments during the past fiscal year; a description of the major activities undertaken during the past fiscal year; and a summary of those initiatives that the Board intends to undertake in the current fiscal year as well as the status of long-range planning activities. In addition, the Board of LibraryCo must present quarterly financial reports to the Audit Committee of the Law Society, CDLPA and TLA.

### Board General Manager

**Martha Foote** was appointed by the Board of Directors as Board General Manager in October 2007. Ms. Foote is a professional librarian with over 20 years experience in the law and financial services sectors. She holds a Masters degree in Library and Information Science from the University of Western Ontario and a Bachelors degree from Trinity College, University of Toronto.

The Board General Manager performs the duties of corporate secretary to the Board and provides assistance and support to the Board for its obligations under the Unanimous Shareholder Agreement and the obligations and rights under the Administrative Services Agreement. The Board General Manager's role includes research and policy development, facilitation of discussion of library and legal information issues, assisting the Board in monitoring the ASA, and consultation with shareholders and other parties as required by the Board.<sup>4</sup>

### Other Personnel

Services are provided to LibraryCo by the Law Society of Upper Canada under the terms of the Administrative Services Agreement. Key personnel delivering these services are:

- **Wendy Tysall**, Chief Financial Officer, LibraryCo, and Chief Financial Officer, Law Society of Upper Canada
- **Nardeo Sham**, Senior Financial Analyst, Law Society of Upper Canada
- **Diana Miles**, Director, Professional Development and Competence, Law Society of Upper Canada
- **Laura Cohen**, Human Resources Director, and members of the Human Resources Department, Law Society of Upper Canada
- **Marilyn Elkin**, Roving Law Librarian, Law Society of Upper Canada

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<sup>4</sup> Unanimous Shareholder Agreement for LibraryCo Inc., June 1, 2007, s. 4.2.

## **V. KEY ACCOMPLISHMENTS 2001-2008**

### ***Uniform Access to Information for all Lawyers in Ontario***

- established toll-free telephone numbers for county law libraries in order to facilitate access to library staff for reference and research assistance
- negotiated with legal information vendors to establish the Toolkit of Legal Resources, to which all lawyers in Ontario have access. The Toolkit contains high-quality legal research resources from leading legal information providers in Canada and abroad.
- created the Desktop Delivery Initiative to provide access at their desks to the Toolkit for lawyers whose library is designated as a local library
- worked with the Great Library to facilitate document delivery without cost to the county law libraries
- initiated access to selected LexisNexis Quicklaw content for desktop users
- enhanced and streamlined the Toolkit of Legal Resources by discontinuing low-use, high cost services and adding high-quality free content

### ***Communication***

- established personal visits by LibraryCo personnel to all 48 county law associations and libraries
- created monthly e-newsletter to facilitate timely communication with shareholders and interested parties. The e-newsletter replaced the quarterly print newsletter *Focus*.
- created and continuously update the LibraryCo web page ([www.libraryco.ca](http://www.libraryco.ca)). This page provides easy access to information about LibraryCo, the Board of Directors, policies, procedures and standards, and the association law libraries.
- wrote LibraryCo's first business plan: *Out of the Box . . . and beyond the walls: Business strategies for LibraryCo Inc. 2002-2005*
- Chair of LibraryCo Inc. reports formally to Convocation once a year
- attend semi-annually at CDLPA plenaries
- attend meetings of the CDLPA Library Committee
- communicate regularly with TLA
- prepare and publish the LibraryCo *Annual Review* which is distributed to shareholders, association presidents, treasurers, library chairs, library staff and other interested parties

- created mandatory system of statistical reporting by county law libraries in order to measure usage of facilities and resources

### ***Collection Development, Rationalization and Cost Control***

- created *Core Titles for an Ontario Courthouse Law Library*, a core collections list for area libraries and *The Essential Law Library*, a core collections list for local libraries to ensure competency among lawyers in Ontario
- facilitated the creation of standards between the regional libraries and the Great Library for the retention of Canadian and U.K. law reports
- negotiated centralized purchasing for all law libraries of the Law Society of Upper Canada Special Lectures and Law Society of Upper Canada Continuing Legal Education materials
- co-operated in a nation-wide *Canadian Law Society and Courthouse Library Directors' National Resource Sharing Agreement* with all law society and courthouse libraries across the country

### ***Financial***

- implemented mandatory quarterly financial reporting by all county law libraries
- prepare annual budget for the 48 county and district law libraries for approval by the Law Society of Upper Canada
- report quarterly to shareholders about the financial affairs of LibraryCo and the 48 county law libraries
- undertake annual audit of LibraryCo and report results to shareholders

### ***Staff Development and Continuing Education***

- created staffing standards, including position descriptions and salary bands, for all association libraries
- created performance evaluation process for all association libraries
- assist associations with recruitment of new staff including resume review, interviewing candidates, selection decisions and orientation of new hires

- provision of opportunities for continuing education for association library staff through the *Canadian Association of Law Libraries Conference Bursary*, the *Library Technician and Law Librarians' Continuing Education Bursary* and the *Library Assistants Continuing Education Bursary*
- assumed responsibility for organizing, sponsoring and hosting the annual Conference for Ontario Law Associations' Libraries (COLAL) for county law library staff

### • **Technical and Operational Support**

- use the LibraryCo Capital and Special Needs Grants funds to provide financial assistance to libraries for moves, renovations, equipment and shelving
- obtained a grant from the Law Foundation of Ontario for the purchase of new computer equipment for each of the 48 county law libraries
- negotiated the centralized purchase of accounting (*Simply Accounting*) and word processing (*Microsoft Office* suite) software for all county law libraries
- created the position of Roving Law Librarian to provide consultation to all county libraries about collections, training and other matters as appropriate

## VI. STRENGTHS AND RISKS

### Key Strengths

LibraryCo has developed key strengths that have been critical to its success in the past and will be integral to its future development. These key strengths are:

- established corporation with a strong, committed Board of Directors of manageable size
- recognizable brand
- blended system of regional, area and local libraries has proved successful
- strong financial practices
- positive relationships with shareholders
- embraced appropriate technology
- positive relationship with the Great Library
- successful Strategic Planning Session in the spring of 2008 allowed the Board to define strategic direction for the next three years

### Key Risks

At its Strategic Planning Session in May 2008, the Board of Directors identified four key risk factors that must be addressed as LibraryCo moves forward. These risk factors are:

### • **Key Risk: Financial Sustainability**

The risk that revenues will not meet the needs of the associations. Member fees do not generate sufficient revenue to fund the county law libraries, and lawyers are unlikely to be amenable to increases in their annual levy.

### • **Key Risk: Maintaining Strong Print and Electronic Collections**

The risk that LibraryCo will not be able to maintain adequate print and electronic collections. Financial constraints, competing resources and the provision of appropriate selection tools for collection development are factors in this risk. LibraryCo must ensure that it can maintain appropriate resources and find the appropriate balance between print and electronic materials.

### • **Key Risk: Decision-Making**

The risk that LibraryCo will not have the data required to make good decisions. Inconsistencies in statistical reporting by the associations and vendors make it difficult to evaluate the usage of resources.

### • **Key Risk: Performance Process**

The risk that LibraryCo will not have an up-to-date performance process in place. A lack of current human resources practices surrounding hiring, salaries, performance evaluations and terminations will leave LibraryCo and the associations vulnerable to paying expensive severance packages.

## VII. STRATEGIC FOCUS

Based on its review of LibraryCo's key strengths and key risks, the Board of Directors has identified three major areas of strategic focus to guide its activities over the next two to three years. These areas are:

- **Communication.** The Board is committed to facilitating communication with its shareholders in order to promote understanding of LibraryCo, its mission and values, and the services that it offers to the Ontario bar. Improved communication will also increase awareness of the resources available from the county law libraries, which include strong collections and the expertise of qualified law librarians. It will also ensure that the Board is made aware of the needs and views of its shareholders. The Board appreciates that communication is fluid and will always be a work in progress.

- **Cost management.** Costs of electronic resources continue to increase and available funding does not always keep pace with escalating prices. The Board will address this issue by continuously evaluating the electronic resources that it offers to the bar, by evaluating other available resources, through consultations with shareholders and other interested parties, and by seeking appropriate funding from the Law Society of Upper Canada and other sources.
- **Core collections.** The Board recognizes the importance of core print collections to the association law libraries. It is committed to maintaining core collections and ensuring that there is sufficient funding for the associations to purchase and maintain these materials. Access to print collections will remain part of LibraryCo's mandate for the foreseeable future since many print materials, in particular textbooks, are not available electronically.

## A. Collection Rationalization

The goal of collection rationalization is to provide cost-effective access to the best quality legal information, both paper and electronic.

### i) Electronic Resources

Electronic collection rationalization aims to provide all lawyers in Ontario with access to the best electronic legal information resources while maintaining cost control. It draws heavily on the research and instructional expertise of professional law librarians.

LibraryCo provides access to major legal electronic services to all practising lawyers in Ontario through its Toolkit of Legal Resources. The Toolkit is available in association libraries. Those lawyers whose associations are designated as "local" can access certain electronic products from their desktops. LibraryCo negotiates contracts with vendors on behalf of all 48 associations in order to realize cost savings and ensure uniform access to legal resources for all lawyers in Ontario.

Until the end of 2008 LibraryCo provided access to four major fee-based electronic services. However, the cost of these resources was high and annual increases significantly outpaced inflation. There was considerable duplication in addition to increasing costs. Grants from the Law Foundation of Ontario have historically covered a large part of the cost, but there is no guarantee that this financial support will continue.

In 2008 LibraryCo initiated an examination of the services in the Toolkit. The Board of Directors approached the CDLPA Library Committee and TLA for their views about the content of the resources and their value to the bar. Based on the results of its discussions with shareholders, library staff and vendors, and an examination of usage statistics, the Board decided to discontinue two fee-based services from the Toolkit, retain two others and add a selection of high quality free services.

LibraryCo implemented the changes to the Toolkit on January 1, 2009. The content now consists of the following resources:

- Fee-Based: LexisNexis Quicklaw  
Criminal Spectrum (Canada Law Book)
- Free: CanLII (Canadian Legal Information Institute)  
Parliament of Canada  
Ontario Courts  
E-Laws  
BAIIII (British and Irish Legal Information Institute)  
Legal Information Institute (LII)  
WorldLII (World Legal Information Institute)

These changes should be seen as the first step in the evolution of the Toolkit of Legal Resources. In 2010 and 2011 the Board will continue to evaluate and refine the content through ongoing consultations with shareholders, keeping apprised of new electronic legal resources (both fee-based and free) and working with vendors to obtain the best prices for fee-based content. An examination of funding sources will also be part of this initiative. By the end of 2011 the Board will have crafted a long-term policy for the continued delivery of electronic legal resources.

Consultation and communication with shareholders is essential to the success of this project. The Board has already begun this process by approaching the CDLPA Library Committee and TLA for their views on the content of the Toolkit. Further consultations will likely be necessary and may include surveys and/or focus groups.

In 2009 LibraryCo expects to realize cost savings of approximately \$1.1 million due to eliminating the two fee-based services mentioned above.

## ii) Paper

The goal of rationalizing the print collections is to identify and build strong collections within budgetary constraints. The main issues surrounding the rationalization of paper collections are cost, whether these collections are being used and if so how, user preferences, and the provision of resources for print collection development.

A significant portion of each association's budget goes to purchase print materials for the library collections. Annual budget increases do not keep pace with the cost of print items and so library staff buy less than in the past. Lawyers tend to prefer primary sources, which are readily available in electronic format, while librarians often use secondary sources, particularly textbooks, which are still in print format. At present there are no indications that the major legal publishers intend to migrate key texts to electronic format. The Board of Directors recognizes that electronic and paper resources must co-exist for the foreseeable future.

Rationalizing print collections will begin in 2009 with an update of the Core Collections lists which LibraryCo originally created in 2001 and revised in 2005. The core lists are a cost-effective guide for collection development which point library staff to the key texts in different subject areas and eliminate the need for smaller libraries to maintain large, expensive collections. CDLPA presidents and library staff have said that the lists are valuable as selection tools. However, they have not been updated in several years. Revision of the lists will be completed by the end of Q2 2009 and will be done annually from this point. Input from shareholders and library staff, as well as statistical data, will be used to gauge whether print materials are being used, and how. Any costs will be met by LibraryCo's budget.

At the same time, the Board of Directors will examine the Regional Collection Agreement between the five regional libraries and the Great Library. This agreement, which was created in 2004, commits these libraries to maintaining current sets of selected Canadian law reports. The cost of maintaining the print resources under this Agreement is significant. LibraryCo is considering whether two sets of all Canadian law reports are required, particularly since the Great Library does not plan to cancel or discard any report subscriptions.

There is much high value content in the print collections, but some of it is used infrequently. The Board of Directors will explore the idea of digitizing this content to make older materials available to a wide audience. The project will begin with a feasibility study that will create a "short list" of the most desired titles and investigate whether any have already been digitized. Input will be sought from shareholders and library staff about the level of interest in this project. Once the feasibility study has concluded the Board will decide whether to proceed with the project. Should it proceed, funding would be required from an external source and work would begin in 2010.

### Action Plan for Collection Rationalization

#### 2009

- Implement initial changes to LibraryCo Toolkit as first step in rationalization of electronic resources
- Continue evaluation of Toolkit resources and alternative electronic products
- Communicate policy and decisions to shareholders
- Revise Core Collections lists
- Review Regional Collection Agreement with regional libraries and Great Library
- Conduct feasibility study to digitize seldom-used but valuable print collections

#### 2010

- Further refinements to Toolkit content based on discussions with shareholders and ongoing research
- Begin digitization project, subject to results of feasibility study
- Annual review of Core Collections lists

#### 2011

- Develop long-range plan for electronic and print resources
- Wrap up digitization project
- Annual review of Core Collections lists

## B. Statistical Collection and Standards of Measurement

### i) Statistics from Associations

Those libraries designated as either regional or area are required to provide monthly usage statistics to LibraryCo. This data is used to assess the usage of these libraries and their resources, to evaluate requests for additional funding and/or increased staff hours and to make decisions about resources. The Board identified problems with the data that was being collected and the methods of collection. Some of the data elements were no longer useful, other elements needed to be revised, and there were concerns about the accuracy of data being submitted by some associations. The Board began to evaluate this data and the collection methods in Q2 2008 and implemented changes in January 2009. LibraryCo communicated to the library staff and association presidents the importance of collecting accurate statistics, clear definitions of the data elements required and why the data is required. No costs were associated with this initiative.

### ii) Bar Coding Collections

The statistics being gathered about the print collections are not indicative of the actual usage of these materials. A more accurate reading could be obtained by bar coding the collections. Bar coding would also be useful for purposes of inventory.

In 2009 the Board of Directors will initiate a feasibility study to determine the costs associated with this project, the extent of bar coding in the libraries, the degree of buy-in from shareholders and library staff and related factors. Potential costs include acquiring appropriate technology and the possible need for additional personnel. There will also be an assessment of likely sources of funding since the costs of bar coding the collections would be outside LibraryCo's annual budget.

Following the conclusion of the feasibility study, the Board will decide whether to proceed with the project. Assuming that the decision is affirmative, it would start in 2010 with a likely wind-up date of late 2011.

### iii) Statistics from Vendors

LibraryCo has contracts with selected Canadian legal information vendors to provide services via the Toolkit of Electronic Resources. These vendors provide raw data about the use of the resources. LibraryCo uses this data to evaluate usage, identify training opportunities, make decisions about the content of the Toolkit and ultimately ensure that lawyers have access to the information that they require to practise law.

Although the vendors have been providing statistics since the Toolkit was launched, this data was not consistent and did not allow for a comparison between vendors. When negotiating contract renewals for 2008, LibraryCo informed the electronic providers that uniform statistics would be required.

There are still challenges with statistical reporting. Each vendor tracks usage in a different way, and although there are more consistencies than in the past, the data is still not being presented in a form that allows for meaningful comparison and analysis. LibraryCo will continue its discussions with the publishers in 2009 and 2010 in order to receive better data. There will be no costs associated with this project.

#### Action Plan for Statistical Collection

##### 2009

- Implement new statistics collection form for regional and area libraries
- Leverage vendor relationships to define the data elements required to provide a comparative picture of electronic resource usage
- Feasibility study of bar coding regional and area library collections

##### 2010

- Evaluate accuracy of data elements being received from the associations and make changes where necessary
- Depending on outcome of feasibility study, begin bar coding regional and area collections
- Evaluate vendor data to ensure that it meets ongoing needs for evaluation of Toolkit resources

##### 2011

- Complete bar coding of regional and area collections

## **C. Strengthening the Personnel Framework**

In 2003/04 LibraryCo developed job descriptions and job classifications, salary bands and a performance evaluation process for all staff in the association law libraries. None has been updated since that time. A Human Resources Committee was struck in November 2007 to examine these and other issues affecting personnel in the county and district law libraries. The Committee's proposed work is outlined in this section. Participation by CDLPA and TLA will be an important component of this initiative.

### **i) Position Descriptions and Classifications**

The existing job descriptions and job classifications were launched in 2004 and are used by associations when recruiting new staff and/or as part of personnel development. Beginning in 2009, LibraryCo's Human Resources Committee will review all position descriptions to ensure that they are accurate, that they reflect current market and job realities, and to identify any gaps. As part of this exercise, the Committee will seek input from shareholders and review precedents from other organizations with particular emphasis on law libraries. Implementation is expected in 2010.

### **ii) Salary Bands**

Salary bands were launched in 2004 and cover all library positions. Since they are now several years old, these bands may no longer be accurate. Some staff, particularly those who have been in their jobs for many years, have or will soon hit a salary ceiling. This has a negative effect on employee morale. In 2009 the Human Resources Committee will review all salary bands in connection with the review of position descriptions outlined above. This will be a research-intensive process that will involve seeking information from other organizations that employ professional librarians and library staff. LibraryCo is a unique organization and exact comparisons may not be possible. Implementation is expected in 2010.

The outcome of these two projects will be up-to-date salary bands and position descriptions that reflect and support present and future realities in the county and district law libraries. It will result in a better understanding of each position by the associations and library staff, fairer compensation and higher job satisfaction, and provide guidance when drawing up budgets.

### **iii) Performance Evaluation Process**

A process for associations to evaluate job performances of library staff was instituted at the same time as the job descriptions and salary bands described above. However, the logistics of getting these evaluations done and having LibraryCo deal with them in a manner that is fair to all has proved more challenging than originally anticipated. It must be remembered that library staff are the employees of the associations and LibraryCo has to deal with all associations in an even handed way.

However, participation by the associations in the performance process is low. Some associations feel that LibraryCo does not act on their recommendations in the performance evaluations for staff compensation.

Beginning in 2009, the Human Resources Committee will work with shareholders to learn how they view the process and why some associations do not participate, and to realign the system so that it meets the needs of employers and employees. The Committee may review performance systems in place in other organizations. Input may be sought from the Human Resources Department of the Law Society, which provides personnel services to LibraryCo under the Administrative Services Agreement.

The outcome will be a better process for employers and employees that will ensure there is appropriate documentation in the case of employment issues. This project will start in 2009 with implementation expected in 2010.

No additional financial resources will be required for these three projects.

### **iv) Employment Contracts**

At present, many of the associations do not have written employment contracts with their staff. The Board of Directors believes that written employment contracts are necessary to protect both the association and its employees. In circumstances where an association needs to put together a severance or retirement package for law library staff, LibraryCo may be called upon to help fund the package, and it is therefore imperative that appropriate documentation be in place so that these situations can be handled appropriately. A written employment contract should set out job requirements and mutual expectations.

It is likely that there will be a number of retirements in the law libraries within the next five years and new staff will be hired. The Board of Directors hopes to have written employment contracts in place by 2010, in advance of most of these retirements. Costs will be met by LibraryCo's budget.

### Action Plan for Strengthening the Personnel Framework

#### 2009

- Work with CDLPA and TLA to review job descriptions, classifications and salary bands and the performance evaluation process
- Draft employment contracts for new hires
- Communicate planned changes to shareholders

#### 2010

- Implement revised job descriptions, classifications and salary bands
- Implement new performance evaluation process
- Implement new employment contracts for all new hires
- Communicate changes to shareholders and stress the importance of adhering to new standards

## D. Knowledge Management System of Precedents

The Board of Directors will explore the feasibility of creating a knowledge management system of state-of-the-art precedents and other practice tools for all lawyers in Ontario. Under this proposed system, all practitioners would have access to a databank of precedents that would be continuously updated.

Knowledge management aims to collect and make readily available precedents and other documents that exist within an organization but are not widely available. These systems avoid the need to "reinvent the wheel". However, they are very dependent on lawyers' willingness to share their precedents.

The Board acknowledges that creating a knowledge management system would be a large undertaking. It would require strong support from CDLPA and TLA, whose members would be the contributors. Quality control

would be essential to ensure that the documents contributed are of the highest standard. This would be an ongoing project and not one that is static or fixed in time.

This project is expected to begin in 2009 with research into the feasibility of creating this system. Among the issues to be dealt with are support from shareholders, quality control, whether to buy an existing system or develop a proprietary one, and staffing matters. The feasibility study will conclude with a written proposal that will include an investigation of possible funding sources since the cost of this system would be outside LibraryCo's annual operating budget.

Should the proposal be accepted and appropriate funding secured, the next step would be a pilot project, likely involving one or two associations only. Communication with and input from shareholders would be essential, and the success of the project would depend upon their willingness and ability to participate.

Based on the outcome of the pilot project, work on the new knowledge management system would begin in either late 2010 or early 2011.

### Action Plan for Knowledge Management System

#### 2009

- Phase I: Research begins into feasibility of knowledge management system of precedents
- Consultations with shareholders to learn their views and willingness to support the project
- Write proposal for knowledge management system, including possible funding sources

#### 2010

- Phase II: Begin pilot project
- Ongoing consultations with shareholders
- Based on results of pilot project, decide whether to continue with knowledge management system

#### 2011

- Phase III: Begin knowledge management project

## E. Facilitating a Better Understanding of LibraryCo

In order to promote a better understanding of LibraryCo by its shareholders and to facilitate communication, the Board of Directors has decided to develop a LibraryCo handbook. Content will include but not necessarily be limited to an overview of LibraryCo and its mandate, board structure and roles, reporting requirements, communication protocols, financial and human resources matters, electronic resources and statistical reporting.

In 2008 the Board General Manager created an outline for the Board's approval as the first stage in this project. The handbook will be written in 2009 and maintained on the LibraryCo web site for ease of access and updating. In this way it will also be available to all parties who may have need to use it.

The cost of writing and maintaining this handbook will be met by LibraryCo's existing budget.

### Action Plan for Facilitating a Better Understanding of LibraryCo

#### 2009

- Write first draft of LibraryCo handbook and solicit input from CDLPA, TLA and OCLA
- Launch handbook on LibraryCo web site

#### 2010

- Ongoing revision based on need and shareholder input

## VIII. OUTCOMES

As part of the planning process, LibraryCo will develop performance targets and expected outcomes for each of the projects outlined above. These results will be reported to shareholders in LibraryCo's Annual Review and at the semi-annual CDLPA plenaries.

## IX. CONCLUSION

The development of this business plan is seen as the beginning of the planning process for LibraryCo for the next three years. Consultations with the Law Society of Upper Canada, the County and District Law Presidents' Association and the Toronto Lawyers Association, as well as with the Ontario Courthouse Librarians' Association, will be ongoing throughout the life span of this plan. Financial requirements for the projects outlined above, and cost savings to be realized from these initiatives, will be an essential part of its management.

LibraryCo's Board of Directors sees this business plan as fluid. Changes may occur due to unanticipated changes in the legal community, funding sources and/or LibraryCo's mandate. The Board is confident that this business plan will result in a stronger system of courthouse libraries, improved communication and better legal information resources for practitioners.

## X. APPENDICES

### Appendix A – Financial Statements

LibraryCo's most recent audited financial statements can be found at <http://www.lsuc.on.ca/news/b/annualreports/>. Select "Download the complete Financial Statements".

### Appendix B – List of County and District Law Libraries

LOCAL - 28	AREA - 15	REGIONAL - 5
Brant	Algoma	Carleton
Bruce	Durham	Essex
Cochrane	Frontenac	Hamilton
Dufferin	Halton	Toronto
Elgin	Kenora	Middlesex
Grey	Lincoln	
Haldimand	Nipissing	
Hastings	Peel	
Huron	Peterborough	
Kent	Renfrew	
Lambton	Simcoe	
Lanark	Sudbury	
Leeds and Grenville	Thunder Bay	
Lennox and Addington	Waterloo	
Manitoulin	York	
Muskoka		
Norfolk		
Northumberland		
Oxford		
Parry Sound		
Perth		
Prescott & Russell		
Rainy River		
Stormont, Dundas & Glengarry		
Temiskaming		
Victoria Haliburton		
Welland		
Wellington		

## Appendix C – LibraryCo Board of Directors

**David Thompson, Chair**  
CDLPA appointment  
[david.thompson@siskinds.com](mailto:david.thompson@siskinds.com)

**Carol Hartman**  
LSUC appointment  
[hartmanc@millermaki.com](mailto:hartmanc@millermaki.com)

**Lise Parent**  
CDLPA appointment  
[lparent@travel-net.com](mailto:lparent@travel-net.com)

**Bruce Hutchison, Vice-Chair**  
TLA appointment  
[bhutchison@genestmurray.ca](mailto:bhutchison@genestmurray.ca)

**Paul Henderson**  
LSUC appointment  
[pjhlaw@allstream.net](mailto:pjhlaw@allstream.net)

**Susan McGrath**  
LSUC appointment  
[mcgrath@nt.net](mailto:mcgrath@nt.net)

**Thomas Conway**  
LSUC appointment  
[tconway@mccarthy.ca](mailto:tconway@mccarthy.ca)

**Michael Johnston**  
CDLPA appointment  
[mike@stewartcorbett.com](mailto:mike@stewartcorbett.com)

## Appendix D – CDLPA Library Committee Members

### CDLPA Library Chair

**Robert Zochodne**  
106 Stevenson Road South  
Oshawa, ON, L1H 5M1  
Email: [rzo](mailto:rzo)  
[chodne@zochodnelaw.com](mailto:chodne@zochodnelaw.com)  
Tel: 905-575-5153  
Fax: 905-571-4376

### Central South Region

**Rebecca Bentham** (Regional Library)  
45 Main Street East, Suite 500  
Hamilton, ON L8N 2B7  
Email: [rbentham@hamiltonlaw.on.ca](mailto:rbentham@hamiltonlaw.on.ca)  
Tel: 905-522-5430  
Fax: 905-572-1188

ALTERNATE:

**Elaine Rosewell**  
2 Caithness Street West  
Caledonia, ON N3W 1C1  
Email: [erosewell@arrellplacelaw.com](mailto:erosewell@arrellplacelaw.com)  
Phone: 905-765-5144  
Fax: 905-765-5144

### East Region

Jane Murray  
70 Gloucester Street  
Ottawa, ON K2P 0A2  
Email: [jmurray@burkeroberston.com](mailto:jmurray@burkeroberston.com)  
Tel: 613-566-2067  
Fax: 613-233-4195

ALTERNATE:

Bill Moore  
260 Barrie Street  
Kingston, ON K7L 3K7  
Email: [caldwell-moore@cogeco.ca](mailto:caldwell-moore@cogeco.ca)  
Tel: 613-545-1860  
Fax: 613-545-1862

### Central East Region

**Mauro DiCarlo**  
359 Aylmer Street North, Box 2323  
Peterborough, ON K9J 7Y8  
Email: [maurolaw@bellnet.ca](mailto:maurolaw@bellnet.ca)  
Tel: 705-749-1297  
Fax: 705-749-1240

ALTERNATE:

**Alfred Schorr**  
7030 Woodbine Avenue, Suite 202  
Markham, ON L3R 6G2  
Email: [aschorr@on.aibn.com](mailto:aschorr@on.aibn.com)  
Phone: 905-940-9252  
Fax: 905-940-5583

### Central West Region

**Frances Wood**  
6660 Kennedy Road, Ste. 201  
Mississauga, ON, L5T 2M9  
Email: [Frankie@woodwhitegold.ca](mailto:Frankie@woodwhitegold.ca)  
Tel: 905-362-2384  
Fax: 905-362-2389

### Toronto Lawyers Association

**Anne Matthewman**  
(Regional Library)  
Courthouse Library  
361 University Avenue  
Toronto, ON M5G 1T3  
Email: [amatthewman@tlaonline.ca](mailto:amatthewman@tlaonline.ca)  
Tel: 416-327-6012  
Fax: 416-947-9148

### Northeast Region

**Jackie McGaughey-Ward**  
176 Elm Street  
Sudbury, ON P3C 1T7  
Email: [wardj@millermaki.com](mailto:wardj@millermaki.com)  
Tel: 705-675-7503  
Fax: 705-675-8669

ALTERNATE:

**Don Wallace**  
225 McIntyre Street, Box 37  
North Bay, ON P1B 8G8  
Email: [dwallace@partnersinlaw.net](mailto:dwallace@partnersinlaw.net)  
Tel: 705-474-2920  
Fax: 705-474-1758

## Appendix D – CDLPA Library Committee Members continued

### Southwest Region

**Kevin Bunt** (Regional Library)  
 201 – 1922 Wyandotte Street East  
 Windsor, ON N8Y 1E4  
 Email: [kevinbunt@mitchell77.com](mailto:kevinbunt@mitchell77.com)  
 Tel: 519-253-3456  
 Fax: 519-253-6941

ALTERNATE:

**Ian Wright** (Regional Library)  
 200 - 252 Pall Mall Street  
 London, ON N6A 5P6  
 Email: [iwright@scottpetrie.com](mailto:iwright@scottpetrie.com)  
 Tel: 519-433-5310  
 Fax: 519-433-7909

### Northwest Region

**Mandy Fricot** (Area Library)  
 700 – 1265 Arthur Street East  
 Thunder Bay, ON P7E 6E7  
 Email: [mf@mfricotlaw.com](mailto:mf@mfricotlaw.com)  
 Tel: 807-628-0700  
 Fax: 807-628-0705

ALTERNATE:

**Robert Morgan**  
 436 Scott Street  
 Fort Frances, ON P9A 1H2  
 Email: [legalsolutions@morganlaw.ca](mailto:legalsolutions@morganlaw.ca)  
 Tel: 807-274-2412  
 Fax: 807-274-0414

### Ontario Courthouse Librarians' Association

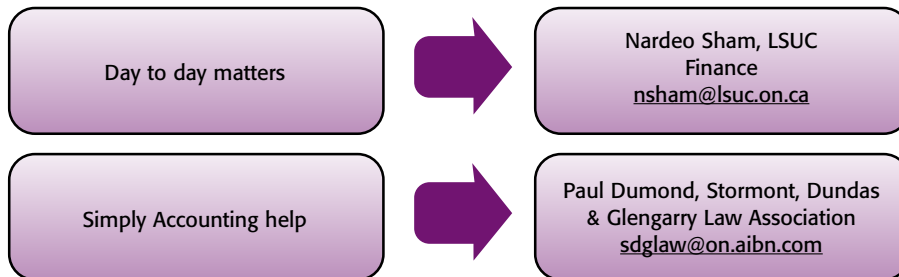
**Catherine Walsh**  
 (Regional/Area Library)  
 277 Camelot Street  
 Thunder Bay, ON P7A 4B3  
 Email: [tbla@tbaytel.net](mailto:tbla@tbaytel.net)  
 Tel: 807-344-3481  
 Fax: 807-345-9091

**Brenda Carbone**  
 444 Queen Street East  
 Sault Ste Marie, ON P6A 1Z7  
 Email: [algomalaw@shaw.ca](mailto:algomalaw@shaw.ca)  
 Tel: 705-946-5691  
 Fax: 705-946-5630

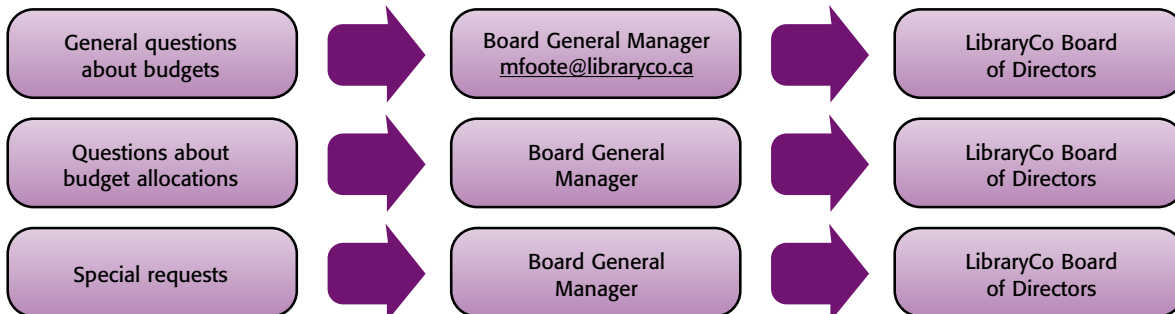
**Mary-Jo Mustoe** (Local Library)  
 102 East Main Street  
 Welland, ON L3B 3W6  
 Email: [wellaw@iaw.on.ca](mailto:wellaw@iaw.on.ca)  
 Tel: 905-734-3174  
 Fax: 905-734-1883

## Appendix E – Communication Protocols

### ACCOUNTING



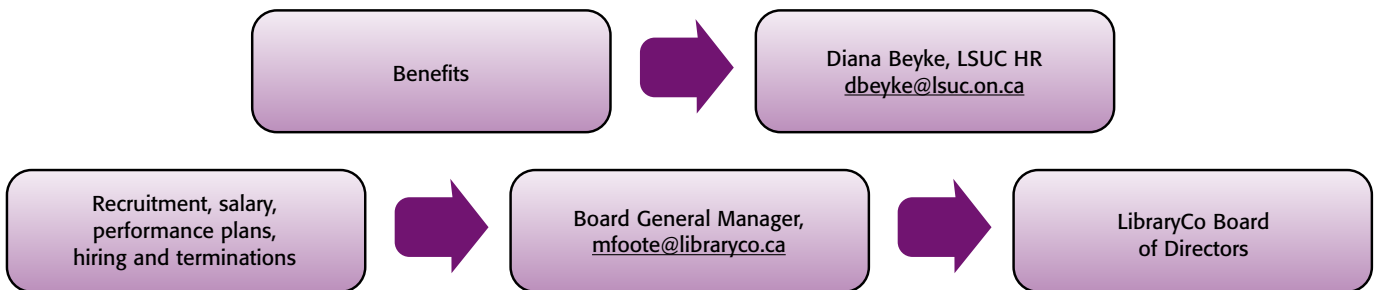
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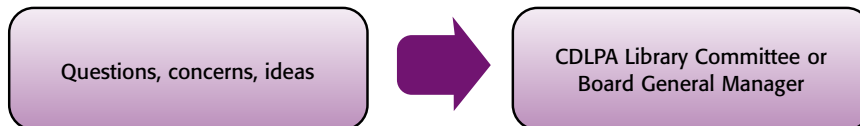
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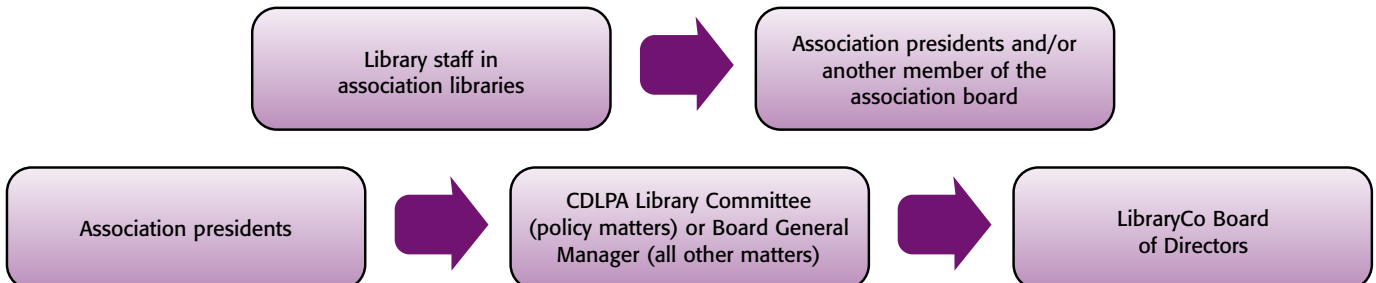
### HUMAN RESOURCES



### POLICY



### DAY TO DAY ADMINISTRATION/MISCELLANEOUS





## BUSINESS PLAN 2009-2011

### **LibraryCo Inc.**

Osgoode Hall

130 Queen Street West

Toronto, Ontario, M5H 2N6

Tel: 416-947-3952

Fax: 416-869-0331

Toll-free: 866-340-7578

[www.libraryco.ca](http://www.libraryco.ca)