

Outsourcing Publications

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Outsourcing Publications: The Basics

by

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Introduction

This is a very basic overview of what to expect in outsourcing the production of publications within an existing legal publishing program. The focus is on how such organizations can get help producing current titles or producing more titles to expand the catalog. Organizations that currently have no publishing program but are looking to start one may also benefit from this information. (For an excellent, practical discussion of how to start and run a legal publishing program, see “An Overview of Legal Publishing,” by Gregory J. Smith, presented at the CLE Boot Camp at ACLEA’s 45th Annual Meeting, July 25, 2009, Salt Lake City, Utah.)

This discussion pertains mainly to standard printed publications, but the basic concepts apply to e-books as well. We’ll take a look at real-world cases of outsourcing that TexasBarBooks has engaged in and see how the process worked—what went well and not so well—and lessons learned.

What Is Outsourcing, and Why Do It?

In a sense, all books are outsourced—unless the author also happens to be his or her own legal editor, copy editor, fact and cite checker, production manager, typesetter, proofreader, indexer, book designer, press and bindery operator, marketing and sales manager, and fulfillment coordinator. Of course, that’s an extreme scenario (although modern technology makes it easy for plenty of solo publishers to do just that), but it does give some idea of what’s involved in producing a book. Although most of the preceding publishing functions are usually kept in house, any and all can be outsourced.

There are no limitations on shop size for outsourcing, but the typical situation of a publishing program that can benefit from doing so is one that already employs enough staff to handle acquisitions, legal editing, and basic production. Outsourcing additional functions can be a good

way to fulfill the mission and conserve staff resources. The bottom-line reason to outsource publications is just that: the bottom line. To be worth doing, it has to be cheaper to pay somebody else to do the job. Otherwise, it's probably better to keep production in house.

How Does Outsourcing Differ from Hiring Freelancers?

Most publishing programs make use of freelance help from time to time, perhaps even on a regular basis. Most often this means hiring freelance copy editors and indexers, or maybe attorneys, paralegals, or law students for cite checking. The quality of the work delivered by freelancers can vary widely, depending on their overall qualifications and technical experience, but especially on their experience with the peculiarities of legal publishing. A copy editor who specializes in scientific and technical matter may have the skill set needed to follow and apply the arcana of Bluebook style rules but have little experience with “Englishing” legal material.

Other Ways to Outsource

Lexis/Nexis has a Publishing Solutions program that offers a variety of publishing services to state bar and bar association legal publishers, from editing to printing to order fulfillment. There may be other companies with similar programs, and going with such a partnership program may be the best choice for your shop, rather than dealing with commercial publishing service bureaus on an individual basis.

Finding a Vendor

There are many ways to find a service bureau to work with for outsourcing publications, beginning with a basic Google search or—gasp—a walk through the Yellow Pages. Among the surest methods to locate an appropriate vendor is simple word of mouth: ask your colleagues in ACLEA and other CLE publishing organizations for recommendations.

The TexasBarBooks Example

Background

TexasBarBooks is the book publishing department of the TexasBarCLE division of the State Bar of Texas. While TBCLE itself publishes a wide range of course materials, both print and electronic, TBB publishes an established line of practice manuals, pattern jury charge books, and treatise books. The main difference between TBCLE and TBB publications is that ours are fully

edited and produced in long-lasting, quality bindings. Our practice manuals are supplemented regularly, most on an annual basis, and almost all our books have electronic versions—digital products consisting of hyperlinked, searchable PDF files with links to forms, or in some cases e-books available through Amazon or the iTunes store.

At present TBB has a line of more than thirty publications. Our books are usually authored by committees—some presidentially appointed, others ad hoc—with a few having solo authors. Our core line of practice manuals covers the major areas of civil practice, including family, guardianship, probate, real estate, collections, foreclosure, and business entities formation. We have civil pattern jury charges books covering general negligence, malpractice, business and consumer, and family law, along with criminal PJs covering intoxication, defenses, crimes against persons, and property crimes. Most of our publications are legacy books carrying forward the work of decades of authorship, updated and expanded as legislative and case law changes require.

TBB's staff of eighteen includes a director and five publications attorneys, four editors (one of whom serves as production supervisor), three production assistants, a budget/office manager, a web content/e-book specialist, and marketing and meeting coordinators.

We keep practice manuals and pattern jury charges books in house for close editing and exacting production standards. Books we outsource are treatise books or one-off, specialty items. We use local printers to take advantage of competitive bidding for state agency contracts.

Why We Outsource

In the past, depending on scheduling and budgetary considerations, TBB has outsourced indexing and fact-checking to freelancers and specialty services, with varying results. In 2008 we had the opportunity to publish a book on the history of Texas women lawyers (*Rough Road to Justice: The Journey of Women Lawyers in Texas*) that was sponsored by a State Bar section. The section's budget for the book was strong enough to hire a solo author to research and write it and to allow us to produce the book as a quality casebound item but not strong enough to devote full staff resources to production. When it came time to compile the subject index, which was not particularly complicated, we approached a company in Pennsylvania (Progressive Information Technologies) and decided to try them for the job. The index had to be keyed to page number locators, which meant that final pagination had to be in place before PIT could start. Their work was fast and satisfactory, requiring only minimal attention before formatting it for the book.

Later that year we had to produce a big book on Texas water law (*Essentials of Texas Water Resources*) on a limited budget, and we decided to contract again with PIT to handle copy editing, typesetting, and indexing—essentially the entire production process through delivery of a printer-ready PDF file.

PIT offers full-service publication service, from design and editing to typesetting and printing. Because we prefer to use local printers rather than broker such work, we elected to use PIT for editing and typesetting only, and we provided our own design templates for the book.

Following our successful experience with that project, we outsourced several more books to them for production over the next two years, including books on bankruptcy and wills, as well as a second edition of *Essentials of Texas Water Resources*. Our last project with the company was a treatise book, *Raising the Bar: The Crucial Role of the Lawyer in Society*. (More about that project below.)

Workflow with Vendor

Production work with our vendor began with a conference call to establish procedural matters. Early on in the process we agreed that the most efficient way to conduct business would be to handle all file transfers via the vendor's FTP site, and they assigned us a username and password for that purpose. The basic workflow proceeded as follows:

- TBB publications attorneys organize mss (Word files) from authors and perform legal edit.
- Word files are transmitted to PIT for copy editing.
- PIT copy editors submit edited, redlined files for review, with queries.
- Queries are answered by publications attorneys, and files are returned to PIT for corrections; this process might take two or three rounds until all changes are accepted and files considered final.
- PIT moves files to their typesetting division for paging, based on TBB-supplied page design templates in Adobe FrameMaker.
- Paged chapters in PDF format are transmitted to TBB project manager for first-pass review.
- TBB project manager reviews pages and marks corrections using the Comments feature in Acrobat; up to three passes in some cases before pages are considered final.
- Indexing proceeds—statutes & rules, cases, subject—with more review passes; indexes are keyed to page numbers.
- When all text is considered final, the compiled book is transmitted to TBB as both FrameMaker and printer-ready PDF files prepared to the specifications of the local printer we've selected.

- The compiled PDF file is then turned into the book’s digital product with hyperlinks to both primary law and to internal sections, including all index locators. TBB technical staff review the digital product for links, structure, and performance.

Problems

No matter how simple the project, from basic editing or indexing to full-scale book production, there will always be bumps in the road. With careful planning, attention to details, and, most importantly, open communications between you and the vendor, it should be possible to avoid turning a bump in the road into a plunge off the cliff. We inevitably had a few problems with some of our projects with PIT, among them the following:

- PIT’s copy editors are not really legal editors, although they are (mostly) capable of following Bluebook style rules; also, with a project the size of *Essentials of Texas Water Resources* (more than 1,000 pages), there was more than one editor assigned on PIT’s end, which resulted in some inconsistency in the copy editing.
- PIT’s typesetting division is more experienced with Adobe InDesign than with FrameMaker; this resulted in some technical issues in their FrameMaker work, such as excess style definitions and occasional inconsistency in styles application.
- With the production of *Raising the Bar*—produced in InDesign rather than FrameMaker—there were issues with fonts; although we supplied the page design templates in InDesign with all fonts to be used in the job, the final files returned to us reflected the use of some alternative fonts, resulting in page reflow and much back and forth for redo work.

Lessons Learned

Working with outside vendors is an ongoing learning experience. Some things we’ve learned seem to be very basic and to go without saying, but they bear repeating.

- **Always have a primary project manager on both sides.** PIT assigned a project manager to coordinate editing, typesetting, proofreading, and transfer of files. We did the same thing on our end. It’s critical to have one person (and at least one backup person) in your organization who will keep close watch on the back-and-forth of file exchange, follow up on queries and problems, and make sure the project stays on track and on schedule.

- **Maintain clear paths of communication at all times.** Depending on the nature of the project and the urgency of the deadline, project managers must be in regular communication with each other—at least weekly, if not daily. This is probably the single most important lesson to be learned in outsourcing.
- **Specify the level of editing required—light, medium, heavy.** Outside editors who will be working with your material need to know how to edit that text: a light hand for spelling, grammar, punctuation, and basic sense, a heavier hand to turn a lump of coal into a rough diamond, or something in between? If you don't specify exactly what you need, chances are you won't be happy with what you get back.
- **Have specific, realistic deadlines that can be met, and make allowance for the unexpected.** You know your book's projected publication date; make sure your vendor also knows it, but build in enough time in the production schedule for the vendor's work to be completed without rushing (or invoking rush charges), and make allowance for unforeseen problems. If no problems arise, then you've gained some breathing space to allow for delays on your end, after the vendor's work is done. Allow time after vendor delivery to complete all the steps that have to happen in house before you deliver to your local printer or e-book service bureau.
- **Assume there will be extra charges for AA's and EA's.** Author's alterations and editor's alterations are a fact of publishing life. Everyone in the business has had the unhappy experience of seeing text in a new, clunky, and unacceptable light after it has been typeset and presented itself for that final read-through. Expect that you will make alterations to text after the vendor has edited it, and allow for extra editing and typesetting costs in your budget. (Depending on the vendor, a certain percentage of AA's and EA's may be allowed in the bid, so try not to exceed that allowed percentage.)
- **Examine the final invoice for any surprises.** Again, this is basic, but assuming the job has gone according to plan and on schedule and that you've kept a close watch on the work as it goes back and forth, there should be no surprises in the final invoice, and the invoice should reflect all bid categories that were agreed on at the beginning of the project. If you see something you don't understand, ask about it. If necessary, negotiate for adjustments to the bill if things didn't go quite as planned or as promised during the production process.

Outsourcing Publications: An ebook Case Study

by

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Why We Outsource

Internet For Lawyers is a small company. The principals Carole Levitt and Mark Rosch are the only full-time employees. Still, we have produced 12 print editions of “The Cybersleuth’s Guide to the Internet” since 1999.

The first edition was a 72 page spiral-bound booklet used primarily as the materials at our live CLE seminars. It was short enough that, with the exception of the actual printing, we were able to handle the entire process internally.

As the information available on the Internet has grown so has this book. The 12th edition has grown to more than 500 pages in print. It is now perfect bound with hundreds of illustrations, a full index, and a four-color cover. Now, it’s not only the materials for our seminars, but also a stand-alone product available from major online bookstores and many bar associations’ catalogs. As the physical size of the book has grown larger and the deadlines for a retail product have grown tighter, so too have the size and deadlines of the project to produce it. Eventually, it became clear that the best way to manage the project was to outsource many of the functions we had handled for the first seven editions.

Our first foray into outsourcing with a major vendor was working with LexisNexis Publishing Solutions to print the 8th edition. However, we used them only for the physical printing of the book. That was also the first edition we worked with a graphic designer to develop a four-color cover. On subsequent editions, we have worked with other printers and sought other professionals to handle many of the functions we used to handle ourselves, such as proofreading, warehousing, and fulfillment. One of these days we hope to get the final manuscript of a future edition ready in time to bring in an indexer and a page layout designer.

Over the years, we have been reluctant to offer an electronic version of our book because of rights management concerns. However, with the proliferation of tablet computers and e-readers (coupled with the technology-related content of the book), we finally decided, with the 12th edition, to offer versions of “The Cybersleuth’s Guide to the Internet” for the iPad, Kindle,

Nook, and other popular e-readers. Based on our experience publishing the print editions, we knew from the start that this was not a conversion we wanted to try to handle ourselves.

Finding a Vendor

The best source for a vendor would be a recommendation from a colleague you trust. Someone who's had a good experience using that vendor on a project in the past. We got a number of recommendations...but for one reason or another they just did not pan out.

One vendor recommended to us would not work with a single-title (or any low-volume) publisher. Another vendor could not convert our (numerous) illustrations to display properly in the ebook files; while another would only consider taking our project if we worked through a third-party broker which led to quoted fees twice what the colleague who referred us had told us they had paid. A fourth quoted a price for the conversion nearly equal to the amount of the last print run of the physical book. And a fifth only worked with non-profits.

In the end, we found the vendor we settled on exactly as suggested in the first half of this paper – via a Google search. After about a half-dozen phone calls to vet some of the vendors we found there, asking many of the questions found in the next section, we settled on a Salt Lake City-based vendor – ConvertABook.

Questions for the Vendor

Most of the usual questions you might ask any vendor on a print project would apply; such as price, turn-around time, file delivery requirements, etc. However, there are a few questions specific to ebook conversion that you should also consider.

- **Is the conversion automated or manual?**
- **What sort of quality control do they provide?**
- **What formats do they produce?**
- **Will they perform/do they allow touch-ups/error correction (separate from text edits)?**
- **If required, can they produce “fixed layout” ePub files?**
- **Can they produce “enhanced” ebooks?**
- **Do the ebooks they produce include Digital Rights Management (DRM) protection?**

- **Will they supply a sample based on your actual content?**
- **What type of deposit do they require to begin work?**

Workflow with Vendor

The process with our ebook vendor picked up, essentially, where the workflow described for print books in the first half of this paper ended – with the printer-ready PDF file of the finished book. This was the same file we had provided to our printer for the print production so there was no additional work necessary to prep the file for ConvertABook.

ConvertABook handles all uploads through their private FTP site. Before work begins they required us to create an account (free) with a username and password. Converted files were returned via e-mail. Because of the large file size of the converted files, they were sent using the third-party upload/download service YouSendIt.com.

During the vetting/quoting process we had indicated to them that we wanted to create versions primarily for the iPad, Kindle, and Nook, hoping to pick up whatever other readers we could with those formats. So, we settled on two conversions: .ePub (for iPad and other iOS devices) and .mobi (for Kindle, Nook).

As a reference book about Internet research for lawyers, “The Cybersleuth’s Guide to the Internet” describes hundreds of individual websites and nearly as many internal references to “see also” related content in other parts of the printed book. In the ebook we wanted all of those links and references to be clickable to take the reader directly to the resources that’s referenced in the text. In an effort to make updating the book each year a bit easier, we had used Microsoft Word’s Cross Reference function to insert those page number references as automatically updateable fields within the Word document. These essentially provide an electronic pointer within the document to the location referenced in those “see also” references.

While ConvertABook ordinarily works directly from the final printer-ready PDF file, because of the numerous internal links we also provided the Word document with its built-in pointers for those “see also” references...that’s where we ran into some problems

Problems

The majority of the process was hassle-free. At first glance, the ebooks looked great. We flipped through both the .epub and .mobi files on multiple devices, including iPad, Kindle (b/w and color), and the Kindle app on an iPad. The text looked right – there were no funky characters created in the conversion; the illustrations looked super-crisp; the links to all but one of the websites worked; even the cover looked great.

As we dug deeper, however, and checked every page, we found four problems – two of which were big ones – the Table of Contents, the internal links, odd page breaks, and text spacing.

Neither the .epub or .mobi files included a Table of Contents. This was an apparent oversight and remedied in a second conversion (at no additional charge).

The issue of the internal links was another matter, however. Going through the ebooks page by page, we discovered that somewhere between a quarter and a third of the internal links pointed to a page close to where the referenced content was mentioned...but not the exact location in the ebook. After two additional conversions, as of this writing, ConvertABook has not been able to remedy this issue. Hopefully by the time you're reading this I'll have a happier ending to report.

We found some odd page breaks in both file formats. Because of the way text reflows in ebooks though, a section that starts at the bottom of a page when holding the device in portrait mode might start in the middle or at the top of a page when the device is held in landscape mode. There may be no correction available for this issue.

We also found some odd spacing between words on some pages in both file formats. On some pages, there would be large spaces between words, sometimes resulting in just one or two words on a line. Some of these would appear normal when the device was rotated from portrait to landscape (or vice versa) and some would not. Because of the way text reflows, this may be another issue that is not resolvable.

Additionally, ConvertABook initially left off the last portion of the back matter – included in the PDF but not included in the Word document.

Lessons Learned

- **Ask, Ask, and Re-Ask.**
- **Check, Check, and Re-Check.**
- **Don't be afraid to ask for corrections – especially if they look like conversion errors.**