

OPEN-ACCESS PUBLICATION SEMINAR: REMARKS FROM THE *WESTERN JOURNAL OF
LEGAL STUDIES*

Presented by: Sean Lewis*

Introduction

I first want to express my thanks to Scholarship @ Western for inviting me to speak here today. The *Western Journal of Legal Studies* is relatively young for a Journal, founded in 2011, so to be involved in these sorts of panels and discussions is great for our Journal and I sincerely appreciate being here today.

My remarks today are going to centre on how open-access publishing has impact in *Western Journal of Legal Studies*, but in particular I'd like to touch on three key interrelated areas: the impact on building the Journal, the impact on authors, and the impact on students (i.e., our team).

Open-Access Publishing: Building a Journal

Prior to speaking with Melissa about this opportunity I hadn't considered how open-access publishing had impacted the Journal. When I began to consider it, it became apparent that it shaped the entire building of the Journal.

For some background, Western Law students founded the Western Journal of Legal Studies in 2011. At this time, we were the only law school in Canada without its own law review. When we started the Journal the decision was made to be digital and open-access. As I'll touch on below, this became a boon to our authors and student editors, but also allowed the Journal to grow quickly.

What I mean is, it's very difficult to be a new law Journal. In Canada, the law school community, and the legal community in general, is very small. People knew the big law journals but they did not know us. As a result, soliciting papers from established writers and thinkers was and remains a difficult process. Open-access, perhaps unknowingly, became one of our valuable selling points.

Working with Scholarship @ Western, we are able to see our download numbers every week. This means that whenever we send out a press release or call for papers, we can update readers and potential authors on our downloads. For example, as of yesterday morning, our downloads were at 56,771 from over 2,396 institutions. The download numbers are able to grow so quickly because, of course, everyone has access to the material we publish.

* Sean Lewis is the Editor-in-Chief of the *Western Journal of Legal Studies*. Founded in 2011, the Western Journal of Legal Studies is a student-run, open-access law review that specializes in papers that are novel, non-obvious, and useful. For more information, please visit the Journal's website at <http://ir.lib.uwo.ca/uwojls/>.



This would not be possible with a restricted access service. We would not have been able to get our name out there and our quality of papers would suffer. Looking back at it now, it was an excellent decision to be an open-access journal from a building standpoint.

Open-Access Publishing: A Service to Authors

On a related note, open-access publishing became a service to our authors. As a result of our open-access policy, anyone who is looking for information and stumbles upon our articles can download it and have it. The author's name is out there, his or her work is out there, and, of course, the reader reaps the benefit as well.

This is particularly important as the law is, like many other fields, hyper-competitive, and is only getting more competitive. Students compete for jobs with tremendously qualified candidates, and publication is one of the few areas where you can really differentiate yourself from other candidates in an employer's, or court's, eyes. Similarly, publication helps practitioners stay current and improve their CVs while in practice. To be able to offer publication to individuals is wonderful, but to do so in a manner so that one can simply put it on their Linked In or firm profile and have anyone view the material, is a fantastic tool for our authors.

This becomes doubly beneficial because of our copyright policy. After a year of exclusive publication, we allow our authors publish with other journals, provided they include a note that they were first published with us. This creates symbiotic relationship where any future publication benefits the Journal, but the author is able to re-write and advance their material in whatever way they see fit after a year.

Open-Access Publishing: A Service to Students

Lastly, open-access publishing, along with being digital, enables us as a journal to work with very little red tape. We are not beholden to strict timelines or article numbers; we do not need to focus on specific areas of law or topics. Instead, we are self-run and our own critics. Scholarship @ Western gives us the opportunity to be our own bosses and work within our own parameters. This means that we can hire our own editors, grow at our own pace, remain completely student-run, and generally operate in a creative and academic-first environment.

Our students benefit from this in two ways: first, we end up selecting a large number of student papers through our double-blind peer review process; and second, in large part because we do select a lot of student papers as opposed to legal scholars, the editing work tends to be very hands on and intensive. Our editors gain experience much more than simply copyediting or reviewing citations. They critical review theses, examine structure, rephrase passages, and generally help the author move the paper forward.

While this may seem only tangentially related to open-access publishing, it connects to our first topic about growing the Journal, and how open-access publishing has really shaped the Journal from the start.

Conclusion

With all this said, the *Western Journal of Legal Studies* would not be where it is today if it did not adopt an open-access publishing policy. It has been a service to the Journal itself in building the brand and quality, a service to authors to be more widely distributed and flexible, and a service to our students who have the flexibility to work on papers without many restrictions.

On a more general note, I would be remiss if I didn't mentioned the small part open-access publishing can play in the legal system generally. Our system works when people know the law. We are fortunate to publish excellent pieces on eclectic areas of the law. Whether it is a student, lawyer, or potentially a self-represented litigant, sharing legal information is important. We're happy to be a part of that process and open-access publishing enables us to be.

Thank you for having me.

Western Journal Day – Open Access Panel Discussion

Panelist – Kelly Hatch, Research & Instructional Librarian, Allyn & Betty Taylor Library

Why academic libraries support open access publishing:

Current library environment

- Increasing annual journal subscription costs (average increases range from 4 to 8%).
- Academic libraries are experiencing flat or shrinking library acquisition budgets.
- Fluctuation in the Canadian dollar. The majority of library resources are purchased in US funds. For example in 2015, the Canadian dollar dropped to 76 cents and for every 1-cent drop in the dollar, Western Libraries lost 100,000 in our purchasing power.
- A shift in the expectation that publicly funded researcher must be publically available. For example the [Tri-Agency Open Access Policy on Publications](#), which includes CIHR, NSERC, and SSHRC.
- Author's ability to retain control over copyright and dissemination of their research. Under the traditional publishing model, author's sign over their rights to the publishers.
- The need for others to be able access existing research in order to utilize the findings and build on it.

Wester Libraries Open Access Resources:

Scholarship@ Western

- Institutional repository that collects, showcases, archives, and preserves materials created by the Western University community.
- Includes hosting open access journals.
- Indexed in Google, Google Scholar, and SUMMON (Western Libraries' search engine)
- Monthly metrics available directly to you – measure impact/reach of your work.
- Depositing articles here meets the Tri-Agency Open Access Policy on Publications requirements.

WL Open Access Fund

- Provides financial assistance to authors to publish in peer reviewed open access publications (journals, monographs, book chapters) who charge an Article Processing Fee (APF).
- The fund has a fixed allocation that is renewed annually (*currently depleted*); applications are first come, first serve until fund is exhausted; must apply **before** paying the fee as publishers can only be paid directly.
- Does not cover **Hybrid Journals** – who have both subscription requirement to read and an open access option for an additional fee.
- Also includes memberships. For example, Western Libraries membership to [BioMed Central](#) includes a 15% discount on article processing fees for Western authors.

Predatory Publishers

- Open Access has created opportunities for predatory publishers whose numbers are increasing every year. Their intent is to deceive authors and readers and make a profit.
- They often look for new faculty who are on track for promotion and tenure but will also approach experienced researchers.
- Some use journal names similar to well established journals. For example *Preventative Medicine* (established in 1972) vs. *Journal of Preventative Medicine* (predatory publisher).
- Predatory publishers are also buying legitimate publishers. For example: OMNIC International recently purchased Pulsus Group, a legitimate publisher that managed the *Canadian Journal of Respiratory Therapy* and more than 30 other credible publications.

Some things you can do:

- Be wary of emails that are overly flattering of your work or too good to be true.
- Be wary of emails that offer quick turn around for peer review and publishing.
- Check out the publications by asking the following questions:
 - Check out their website, review the articles, in particular what do they say about Author Publishing Fees.
 - Who is on the editorial board (check in with them personally, in some cases they are not even aware they are listed on the editorial board).
 - Reach out to your colleagues to see if they have been contacted or have published in the journal.
 - Where is the journal indexed.
 - Is the journal listed in the Directory of Open Access Journals DOAJ (keeping in mind if it is not listed, it does not imply it's not a legitimate journal).
- Ask your subject librarian
 - Are knowledgeable about the field and can help evaluate publications.
 - Appreciate sharing your own experiences with us – helps us improve our resources and services.

Helpful Links

Open Access Explained Video

<https://www.youtube.com/watch?v=L5rVH1KGBCY>

Directory of Open Access Journals – list of approved OA journals

<https://doaj.org>

Directory of Open Access Repositories

<http://www.openoar.org>