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**Conference Session I: Mitigating Risk at the Front Lines:
The Copyright First Responders Program. Presented
by Kyle Courtney, Copyright Advisor, the Office for
Scholarly Communication, Harvard University**

Sara R. Benson
University of Illinois

Author note: Sara R. Benson, Sara R. Benson, LL.M., J.D., M.S.L.I.S., Assistant Professor, Copyright Librarian, University of Illinois at Urbana-Champaign Library.

Correspondence regarding this article should be sent to Sara R. Benson University of Illinois Library, 1408 W Gregory Drive, Urbana, Illinois 61801. Contact: srbenson@illinois.edu.

Mitigating Risk at the Front Lines

Kyle K. Courtney's presentation at the Kraemer Copyright Conference was about both the origins and the future goals of his unique Copyright First Responders Program. He described the program as a two-pronged approach to mitigating risk and sharing knowledge. First, it is a hub-and-spoke model, with many first responders emanating from the central "hub" at the Office for Scholarly Communication at Harvard University. Later, they become hubs themselves at their own libraries, departments, or units. The second prong is a three-tiered triangular approach, with the majority of questions, such as how to dispel copyright myths, being answered at the (1) front line, with some more complicated questions being referred to (2) more seasoned responders (perhaps with JDs) at the second level and to (3) the top of the tier to the copyright advisor (Kyle). Kyle's ultimate goal is to empower librarians with copyright knowledge across all types of libraries through creating working hub-and-spoke models full of these networked expert communities.

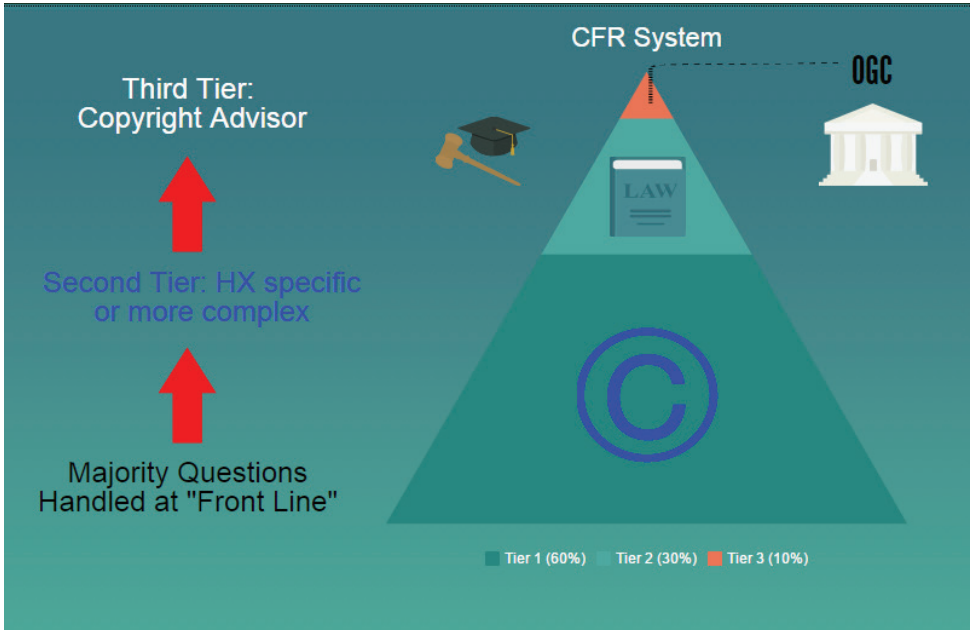


Figure 1: Copyright First Responders Three-Tiered Triangular Approach, Kyle K. Courtney, Copyright Advisor, Office for Scholarly Communication, Harvard Library.

This model originated by necessity. Kyle works at a large institution with 73 libraries. There is absolutely no way for Kyle to be ever present at every library location to answer all the copyright questions, but, as a recent survey revealed, copyright questions arrive at the library at an exponential rate. Thus, the decentralized model of copyright education and advocacy was born. Kyle explained that other library members have a primary source of library knowledge in which they, not he, are the experts—including art, music, business, archives, and other interdisciplinary fields. His idea was to layer copyright knowledge on top of that singular expertise to permit reference librarians all across the institution to be empowered to answer copyright reference questions, especially the “tier one” questions, which are low risk, yet of high value to the patrons and easily answered through sharing basic copyright information with the user.

Of course, copyright first responders are not shy to refer questions up the chain when they are complicated, but they are also empowered to consult with each other. Kyle’s unique training sessions, which are based on the immersion model utilized for learning foreign languages, last all summer long and convene weekly for approximately 1.5 hours at a time, with

assigned readings of cases, statutes, and hypothetical scenarios. Copyright first responders learn everything from copyright basics to licensing and contracts and to what Kyle affectionately calls our “librarian super powers,” which comprise vast knowledge of Section 108 and the limitations of liability in Section 504(c)(2) of the Copyright Act.

One benefit of going through the Copyright First Responders Program, besides earning a copyright first responder badge and certificate, is access to the network of other librarians who have graduated from the program on confidential list serves, in which colleagues can access a wealth of knowledge from each other. Other visible external benefits include the following: front line copyright questions are answered, more complex copyright questions are referred up the chain more efficiently, spokes become hubs through quick 15-minute presentations in other libraries across campus, and graduates list the program completion on their resume. The benefits that are internal to the university community include the idea that the spokes become new data points for Kyle to collect information about what kinds of copyright questions are being asked most frequently across campus, which, in turn, yields more accurate measures of copyright inquiries and provides enough data to justify new policies that could best address those copyright questions. Finally, selling the program to the general counsel on campus is made easier by noting that the copyright first responders are “mitigating risk at the front lines” by communicating accurate information about copyright rights and obligations to library users all across campus and dispelling copyright myths.

Kyle’s ultimate goal is to spread the wealth of copyright knowledge all across the United States. Therefore, if a library seeks to spread a layer of copyright knowledge over the other specialized abilities of librarians, library employees should consider contacting Kyle for a consultation about his Copyright First Responder Program.



Figure 2: Copyright First Responder Badge, Kyle K. Courtney, Copyright Advisor, Office for Scholarly Communication, Harvard Library.