Rights in the Digital Era. Trends in Archives Practice Series. Edited by Menzi L. Behrnd-Klodt and Christopher J. Prom with an introduction by Peter B. Hirtle. Chicago: Society of American Archivists, 2015. 248 pp. Appendices, glossaries. Softcover. $34.99. $29.99 for SAA members.

With so many different types of legislation and precedents governing rights and privacy, resources on these vexed questions are multiplying. Just as an example, Peter B. Hirtle, the senior policy advisor to the Cornell University Library who wrote the introduction to this book,[1] sent a link to the Archives and Archivists Listserv in December 2015. Maintained by the Harvard Library's Office for Scholarly Communication, the State Copyright Resource Center website[2] provides a map of the United States that allows the user to see the copyright status of state government publications in any state. According to the site, only 15 states have clear governing laws that outline copyright policy.

While copyright occupies only one module of *Rights in the Digital Era*, the fourth volume in the *Trends in Archives Practice Series*, we have just seen that copyright law is not only federal in scope, it is not simple even at the state level. Readers glimpse the same kind of complexity in module 7, "Managing Rights and Permissions," in which Aprille C. McKay discusses the issue of "Preservation vs. Distribution," along with a "Sample Takedown Notice." Modules 5 and 6 discuss the intricate balance between access and privacy in two different venues: organizational records and manuscript collections. All four modules in this work are supplied with appendices that include further readings and glossaries. However, none of the glossaries addresses the term "digital era."

This term explains what binds together all of these complex issues. In the abstract of Jill Shepherd's "What Is the Digital Era?," she writes that because the digital era "increases the speed and breadth of knowledge turnover within the economy and society," it "can be seen as the development of an evolutionary system in which knowledge turnover is not only very high, but also increasingly out of the control of humans, making it a time in which our lives become more difficult to manage."[3]

The modules in this book (individually available digitally for $9.99 each) are meant to help make the professional lives of archivists and librarians easier to manage by defining terms, explaining common problems, and pointing to case studies, resources, and solutions related to making items in collections accessible online. Many if not most archivists feel the pressure of what Charles L. Venable, the chief executive officer of the Indianapolis Museum of Art, calls "the increasing expectations of visitors and researchers to view more content in an on-demand fashion."[4] Venable was writing in the foreword to *Rights and Reproductions: The Handbook for Cultural Institutions*, another great resource for those grappling with these issues.

In module 4, "Understanding Copyright Law," Heather Briston states that sometimes there is clarity in copyright law and precedent, and sometimes there just is not. Her "module identifies areas where the law is clear and provides guidance through those areas where the legal interpretation may become confusing but where archival principles can help guide our actions" (p. 11). She briefly describes the legislative history, basic principles, and scope of copyright, annotated with exact quotations from the *United*

States Code and with case law citations. She suggests how "copyright analysis when developing a digital access plan" might proceed (p. 19); offers tools, definitions, and discussion of risk management; and recommends actions such as a copyright audit. Her module for "conscientious managers of others' intellectual property" (p. 56) features not only the further readings and glossary each module affords, but also a case study, a sample disclaimer notice, and a copyright audit template.

Although Briston discusses privacy issues some in module 4, the following module, "Balancing Access and Privacy in Manuscript Collections," by Menzi L. Behrnd-Klodt, takes the discussion into deeper waters. Starting with the "constitutional and legal origins of privacy" (p. 72) and continuing with cultural considerations and the "core concepts and values" of archivists, Behrnd-Klodt ends with risk assessment and practical approaches to providing access to digital records. She titles her section on legal liability "Facing Our Fears," which in many ways characterizes the attitude of this book. Along with a case study, her appendices include sample "addenda to deeds of gift—electronic records."

Behrnd-Klodt is also the author of module 6, "Balancing Access and Privacy in the Records of Organizations," which looks at the same issues as module 5 but emphasizes the special problems of access to public records, medical records, and the records of private organizations. She elucidates legal records and discovery, including attorney-client privilege, attorney work product privilege, civil litigation, and subpoenas. Her brief conclusion and recommendations suggest putting in place a reasonable and management-reviewed access policy in response to the challenges she has discussed. In addition to further readings, a case study, and a glossary, she includes an annotated list of access policies with URLs.

Aprille C. McKay's module 7, "Managing Rights and Permissions," concludes this book with practical information and suggestions about documenting ownership, consent, and related management of donor and case files, and facilitating the reuse of materials in collections. Her extensive sidebars and appendices include sample notices—including a takedown notice, copyright notice, and terms of use statement—and a model deed of gift, as well as forms and policies from some of the best-known libraries, such as the Beineke Library, Yale University, and the New York Public Library.

This is a well-thought-out and presented book with valuable advice, sample forms and notices, and many pointers to more resources on the complicated and intertwined issues of rights, permissions, privacy, and access in an era dominated by the Internet. Its authors are seasoned professionals who write tight prose that does not pull any punches. This work belongs on a shelf with other such resources to help form policy and document choices in the digital era.

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NOTES

1. Peter Hirtle has several useful publications on copyright, including an online table on "Copyright Term and the Public Domain in the United States," accessed February 20, 2016, copyright.cornell .edu/resources/publicdomain.cfm.

2. Harvard Library Office of Scholarly Communication, "Homepage," accessed February 20, 2016, copyright.lib.harvard.edu/states.

3. Jill Shepherd, "What Is the Digital Era?, Social and Economic Transformation in the Digital Era," accessed February 20, 2016, www.igi-global.com/chapter/digital-era/29024.

4. Megan P. Bryant, Cherie C. Chen, Kenneth D. Crews et al., *Rights and Reproductions: The Handbook for Cultural Institutions,* ed. Anne M. Young (Washington, DC: American Alliance of Museums, 2015).