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Press Release

Creative Commons and Science Commons Announce Open Access Law Program

San Francisco & Boston, USA – June 6, 2005

Creative Commons, a nonprofit organization that provides flexible copyright licenses for authors and artists, and Science Commons, a project of Creative Commons that works to encourage sharing of scientific and academic knowledge, today unveiled their Open Access Law Program. The Program is designed to make legal scholarship “open access,” that is freely available online to everyone, without undue copyright and licensing restrictions. The Open Access Law Program is an initiative of the Science Commons Publishing Project, which seeks to reduce the legal and logistical effort involved in managing copyrighted scholarly publications.

As part of their Open Access Law Program, Creative Commons and Science Commons are working with a large number of law journals to encourage the open access archiving of the articles that they publish. Science Commons has created a set of resources to promote open access in legal publishing, including its Open Access Law Journal Principles and an Open Access Law Model Publication Agreement. The Principles and the Agreement encourage open access to legal scholarship, by encouraging law journals to post their published articles to the Internet, or allowing authors to do so. They protect the basic interests of both journal and author by ensuring that the journal is given a license to use the work, and is always attributed as the place of first publication. Law journals can adopt the Open Access Principles or can develop their own policies consistent with the Principles. Journals can also adopt the Science Commons Open Access Law Model Publication Agreement as their standard agreement with all authors. Both documents are available at Science Commons’ Open Access Law webpage available at: <http://science.creativecommons.org/literature/oalaw>

Staff at Science Commons’ offices in Boston worked with program leads Professor Dan Hunter of the Wharton School, University of Pennsylvania and Professor Mike Carroll of Villanova Law School, who serves on the Board of Creative Commons, to produce the Principles and the Agreement.

Professor Hunter said “Open access to law articles is an idea whose time has come. All of the players in US scholarly legal journal publishing have an interest in the widest possible audience for their material. The authors benefit, the



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journals benefit, and law schools benefit. And more importantly, the public benefits. Everyone walks away a winner.”

Already 21 law reviews have adopted the Open Access Principles, or have policies that are consistent with them. Leading journals such as Animal Law, Harvard Journal of Law & Technology, Indiana Law Journal, Lewis & Clark Law Review, Michigan Law Review, Michigan State Law Review, New York Law School Law Review, Texas Law Review, Vanderbilt Law Review, and Wayne Law Review have signed on, as have all of the journals published by Duke Law School and Villanova Law School.

Heidi Bond, the Executive Articles Editor of the Michigan Law Review, one of the first journals to have policies consistent with the Principles, said “Law reviews do not need to demand ownership of their author’s manuscripts. We think our publication policies should contribute to the free exchange of ideas among legal academics. Open access policies make for happier authors and better scholarship. After all, law review articles are like software: they’re best when they’re free for others to learn from and build on.”

Creative Commons became involved in supporting open access to law scholarship through Professor Lawrence Lessig, Stanford Law professor and Chair of Creative Commons. In March this year he signed away his copyright in an article to a law review and vowed never to do it again. He has since thrown his weight behind efforts to make legal scholarship open to all. Professor Lessig said “When I drew my line in the sand, I knew of only one journal that was open access. Today there are at least 21. I’m not sure that more law review articles by me is a benefit to society, but at least there are journals where I can publish and know that everyone can read my work online, for free.”

Professor Lessig is the first signatory on the Open Access Law Author Pledge, where law professors can agree to support open access principles. This support includes encouraging journals to become open access and promising to publish only in journals that are open access.

Through its Open Access Law Program, Science Commons will work with law schools, authors, libraries and journals to encourage open access to legal journals and articles, and plans to expand the Program into other areas of law publishing. Although the program’s initial focus is on legal publishing in the United States, Science Commons is also supporting international efforts to make legal material freely available to all.



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About Creative Commons

A nonprofit corporation founded in 2001, Creative Commons promotes the creative re-use of intellectual and artistic works—whether owned or in the public domain—by empowering authors and audiences. It is sustained by the generous support of the Center for the Public Domain, the John D. and Catherine T. MacArthur Foundation, the Omidyar Network Fund, and the Hewlett Foundation.

For general information, visit <http://creativecommons.org>

About Science Commons

Science Commons is a project of the nonprofit corporation Creative Commons that works to ease unnecessary legal and logistical barriers to the flow of scientific and academic knowledge. It was launched in 2005 with the generous support of the HighQ Foundation and Creative Commons. Science Commons is housed at and receives generous support from the Massachusetts Institute of Technology, where Science Commons shares space, staff, and inspiration with the Computer Science and Artificial Intelligence Laboratory.

For general information, visit <http://science.creativecommons.org>

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Press Kit

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