advised to establish communications with their foreign counterparts and to cooperate with them in expediting the transnational flow of legal information. Toward that end, the Tarleton Law Library of the University of Texas School of Law recently hosted the first Conference on the Global Responsibility of Law Librarians, which brought together governmental officials, legal publishers, practicing attorneys, and law librarians from throughout the world. The need for such cooperation will intensify in the coming decades.

"EVERYTHING YOU ALWAYS WANTED TO KNOW ABOUT LAW LIBRARIES BUT WERE AFRAID TO ASK or The Care and Feeding of Law Librarians or Libraries Are Too Important to Leave to Librarians or Ubi libri ibi scientia (Where There Are Books, There is Knowledge)"

ROY M. MEDSKY

The power of books is centripetal. They nourish existing scholarship; they stimulate new scholarship. Collected and made accessible, they draw toward them scholars in search of research materials. The presence of these scholars in turn attracts others until a community of learning has been formed. In a law school, just as in a university, the library is the repository of this force. Thus the law library, its maintenance and development, is part of the price paid for the creation of intellectual vigor, for the cultivation of a center of gravity that will attract faculty, visiting scholars, and students. It will support intellectual activity for a variety of disciplines, bringing together varying viewpoints to control and collaborate, to synthesize and produce.

In this fashion is a great law school created.

In these days of spiralling costs and tightening budgets this vitally important part of the law school can maintain its role as the center of lively scholarship only if the law librarian can successfully accommodate two critical goals. First, he or she must determine a critical level of funding. The figure must be an honest, bare-bones assessment of the minimum amount needed to provide the quality of service which faculty and students alike deserve and expect from their law school libraries. In these days of "zero-based" budgeting there is no place for inflated requests. Second, the law library administrator must develop innovative techniques for extracting maximum benefit from a limited budget and utilizing the resources to the fullest. But the law librarian cannot operate alone. Deans must know about the operation of the law library, both the ideal and the real. Deans must know what to look for in selecting a law librarian and once a dean has found that rare person, a competent dedicated law librarian, the dean must give that person as much support and guidance as possible.

I intend to address myself to the following aspects of the crucial problem of law library budgets: how to determine the budget needed; how to obtain the budget needed; how to best utilize the funds once they are available. By inference, to the most effective utilization of the speech and more explicitly at the end, I will discuss the duties and responsibilities of a good law librarian.

14 The proceedings of the Conference, held October 18-21, 1982, were published in 1990 by Fred B. Rothman & Co. as Conference on the Global Responsibility of Law Librarians.

* Talk Presented at AALL Annual Meeting 1976 Houston, Texas. I wish to express appreciation to my administrative assistant, Jenni Parrish, for her invaluable help in researching this paper.
1. Determining and Justifying the Budget

There are two aspects to determining the budget, each of which is haunted by the specter of inflation: (1) the price of books, serials, periodicals, supplies, processing, and personnel have skyrocketed in recent years, and (2) all university departments are demanding larger slices of the Shrinking Fiscal Pie, keenly aware that with it comes to evaluating budget requests.

A few statistics are in order. In a speech delivered to the Southeastern Chapter of the AALS in August 1970, Peter Swords, Assistant Dean at Georgia State, noted that "Serials are the prime engine of inflation." The library collection is comprised of periodicals, serials, and books. The average price of these serials in 1965 was $99.90; in 1975, it was $199.10. It has been estimated that the price of serials is currently increasing at 14% per cent per year. The story is equally true for monographs and periodicals. The average price of monographs and periodicals in 1975 was $23.22. For legal serials, periodicals, and monographs, then, the prices have doubled in the last ten years.

The price of the volume is just the beginning. Once you have purchased it, you must make it available to the patron as quickly and easily as possible. This involves processing the incoming book, getting it to the patron, and alerting the user. In the past, the role of the librarian was that of a patron. In light of today's inflation, this measure of statistics on processing costs makes it hard to come by. The average cost of processing costs at eleven Texas colleges and universities showed a range from $9.30 to $29.79 per title. A better way to go into this is to pay the price of the tool until it has been placed on the shelf, and the cost of doing that is rising rapidly.

Besides the cost of books and the cost of handling them, one must keep in mind the cost of wages and salaries of personnel, the cost of supplies and postage rates, and the hit publishers who have passed on to us in the become outrageously expensive. In an attempt to cut costs, publishers have decreased the shelf life and far too often, have been replaced. The result is that the number of law librarians and support staff must increase to handle the greater demand put on the ever-growing volumes of information.

Mersky, Everything You Always Wanted to Know

In Peter Swords' study of 25 AALS Southeastern Chapter law schools, he estimated that the book budgets in those law schools "are now increasing at the astronomical rate of about 17% per cent a year." Considering the price of books and the cost of processing, this is not a terribly surprising figure of books and the cost of processing, this is not a terribly surprising figure. However, the responsible law librarian cannot simply send a budget request for more. What is needed is his dean saying, "Give me 17% more for this year." How can one once a figure has been established, does one justify it? How can one once a figure has been established, does one justify it? There are a number of ways to do so: find out is how one has budgeted it. There are a number of ways to do so: find out how one has budgeted it. The first step is to check the cost of books and the cost of processing, this is not a terribly surprising figure. 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spending. The total budget figure for acquisition expenditures and staff compensation for all the schools in Lewis' survey reporting a total budget (153 of the 158 schools) came to over $41,000,000.00. One hears about multi-million-dollar industries but you don't often think of law librarianship as being one. It is, however, and the expenditure of such a vast amount of money deserves your closest attention.

Such a compilation of statistics can also be used to determine just how your law school's library compares with others. At Texas, we have made extensive use of such figures in our annual reports. For example, in 1972-73, Texas was fifth in the country in terms of total library staff. In 1973-74 Texas had dropped to ninth. Another table (44) comparing Texas with selected law libraries showed that our acquisitions expenditures for books were almost $50,000 less than the mean for those schools. Other tables show that Texas ranked 19th in the country in 1972-73 in terms of volumes per student and had dropped to 61st in 1973-74 (Table 24). Likewise, we were 16th in the country in 1972-73 in terms of volume per figure, tell the dean something. They say that we are slipping in our rankings for this is inadequate funding. Law librarians must state their sense of things in black and white with the hard, cold statistics to back them up. And you, as dean, must demand such proof of need.

II. Supplementing Regular Funds

Once the law librarian has determined what amount is needed for the efficient operation of his or her law library, the job has only started. The search for the money must end there, however. There are other, seldom explored, avenues of raising money for the law library which should be exploited. Examples are in order. The first is forming an organization of Friends of the Law Library. A Friends group should be closely identified with the library itself in order to gain the support of the legal community. Alumni of the law school should be encouraged to join. The library is a living thing, constantly changing and being renewed. It must be supplied with nourishment if it is to be kept alive. Law schools are traditionally reluctant to go to the alumni seeking donations for the library funds. The acquisition of these funds need not compete with other law school drives. The library will seek alumni willing to give an annual amount to the library. In return, these alumni will receive certain services and publications. They may make annual, perhaps for a dinner at which a talk might be given by a distinguished speaker on a topic related to legal literature or law libraries. At Texas we have organized such a group of alumni and have limited it to 100 members. The exclusiveness of the group makes it attractive and if you can obtain a pledge of $500-$1,000 annually from each member, that is $50,000-$100,000 more revenue for the library.

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A second possibility of supplementing the library budget is through charging for reference work and research done for persons outside the university. Local lawyers are often quite fond of using law-trained legal librarians as expert witnesses for technical legal research questions. It is only fair that they pay for such service, and it has been my experience that they will pay for such service. Standard borrowing charge for lawyers and others outside the university is also a good practice to implement.

Another possible avenue of funding is the levying of a service charge for books requested on inter-library loan from other universities. The postage and Xerox and staff time required for the handling of such requests can be costly and should not be an additional burden on the already overburdened library budget. It is a service to those outside the university and libraries should be compensated for it. Even if it similar to the reference and research service referred to earlier. Even if it similar to the reference and research service referred to earlier. Even if it similar to the reference and research service referred to earlier.

Yet another method of funding is through the institution of a publication program. Librarians are often called upon to prepare bibliographies and reports of various kinds for faculty. We, at Texas, have turned this into a publication program and have made these publications known and available to other law schools. Such publications are valuable to other law schools. We have performed for those within the university community and services performed for those within the university community and services performed for those within the university community. And such a program is also a good public relations device.

The point I am trying to make here is that librarians must become cost-conscious about services rendered for people both inside and outside the university. And services performed for those within the university community and services performed for those within the university community and services performed for those within the university community. And services performed for those within the university community and services performed for those within the university community. And services performed for those within the university community. And services performed for those within the university community.

III. Utilizing Resources

One has to face certain unpleasant facts of life, one of them being that the law library is hard to support. There is no law library, it ever, needs as large a budget as it needs. There are six ways, however, to stretch the funds that are obtained. There are six.

The first has to do with microform and computer technology. For several years we have been bombardd by predictions that our traditional book-filled shelves will eventually be replaced with smaller volumes of microforms. This will be done by computers and microform readers and that all our legal research will be done by computer. While I do not wish to disparage this new technology, I must say that no miracles can be expected from them.

Micro reproduction of material in substitution for the material in its microform is still extremely expensive. For example, the pre-national original issue is still extremely expensive. For example, the pre-national original issue is still extremely expensive. For example, the pre-national original issue is still extremely expensive. For example, the pre-national original issue is still extremely expensive. For example, the pre-national original issue is still extremely expensive. For example, the pre-national original issue is still extremely expensive. For example, the pre-national original issue is still extremely expensive. For example, the pre-national original issue is still extremely expensive. For example, the pre-national original issue is still extremely expensive. For example, the pre-national original issue is still extremely expensive. For example, the pre-national original issue is still extremely expensive.
Morsky. Everything You Always Wanted to Know

a means of coping with the information explosion and the universal shortage of funds. Law librarians must employ these useful innovations which are being studied and utilized by the rest of the library world.

A national or regional network could be very usefully employed by law libraries. Instead of unilaterally stopping the development of a library's collections, growth in other areas, that library could continue to develop its areas of strength, in for example, international law, and make arrangements with other law libraries in its area to share through inter-library loan. For example, if one library's weakness is or the law of a specific foreign country, networks and regional developments could provide a strong law library collection on that country. Networks and regional developments must be fostered if law libraries are to maintain themselves as the viable information resource centers. No one law library can buy all the important legal materials being published—nor at today's prices and certainly not at tomorrow's prices.

The fourth area to consider is that of material aid to the library, the faculty and the law library. With limited funds available, selection is made on the basis of money. The law librarians must be made aware of the quality of the collection is far more important than the cost.

Law librarians should make energetic efforts to dispose of materials that are bulky, deteriorating, unused, and/or ephemeral when acquired on request. The Association of American Law Schools, the deans, and the librarians should cooperate in establishing a national system for storing materials which would in time lessen the burdens on law libraries. The law librarian must not only be willing but must be able to know how to weed intelligently. The belief that sheer quantity of volumes is a measure of greatness must be replaced by the knowledge that quality is far more important.

Law librarians should also make energetic efforts to dispose of categories that can be done with the proper assurance that the materials can be disposed of. The Association of American Law Schools, the deans, and the librarians should cooperate in establishing a national system for storing and distributing to the law schools which would in time lessen the burden on law libraries. The law librarian must be willing but must be able to know how to weed intelligently. The belief that sheer quantity of volumes is a measure of greatness must be replaced by the knowledge that quality is far more important.

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Nor should students be excluded from this process. The awareness tools, the acquisitions policy, all of these research aids should be available to them as well.

Of course, purchase of materials is not the optimum solution. Might it not be more cost-effective in some instances to send the scholar to the books rather than the books to the scholar? Modern technology, the airplane, and copying machines have brought many legal materials within much closer reach of the scholar. But in some instances it is much better to ship the man or woman to the collection rather than to duplicate another library's collection for the scholar.

Finally, one of the most important but often neglected areas of fund utilization involves manpower. Too often not enough time or attention is given to the selection and training of staff to maximize personnel resources. A major proportion of the total budget goes into salaries and wages. A director of libraries is shrinking his or her job if he or she does not carefully recruit staff, train them well, and then make them live up to the highest professional standards. More and more highly qualified young lawyers are moving into the field; but if they are not trained and supervised, they can be of little use to a law library.

SUMMARY AND CONCLUSION

The primary objective of a law library should be to provide a reasonably complete up-to-date collection of legal materials from all jurisdictions for the use of faculty and students. There should be a foundation of comprehensive holdings, the whole arranged in an orderly way with easy access. This objective will not be fully achieved if the library does not have adequate funds. On the other hand, if the library's goal is to be determined by the amount of money allocated to it, the definition of that goal must be clearly stated and planned in order to conform to budgetary limitations. Money and mission go together, and each must act upon the other.

The definition of a library's purpose is actually the sum of a number of objectives about acquisition policy, cataloging, housing, the size of the library, and the selection of staff. The librarians alone cannot make all these decisions; neither can the dean and the faculty alone. The faculty should be called upon to assume a larger responsibility for assisting the library by telling the librarian what it wants, by understanding the financial constraints under which the library must operate, by realizing that priorities must be established, and by accepting the proposition that the library does not serve the faculty alone. Once the dean and the faculty members have injected their ideas and an acquisition policy satisfactory to all has been established, in carrying out the general policy matters of acquisitions.

It has been said that the law school is nothing but a law library with offices and classrooms attached. It is the very heart of the law school, and it is the function of the law librarian to keep that heart pumping. It is appropriate here, I believe, to say something about the kind of person to whom you are entrusting your law library. The law librarian must be a fiscal manager, a statistician, a psychologist and personnel manager, an architect, a legal scholar, an expert on library technology and information retrieval, and finally, an administrator who must utilize library funds to the maximum, who must know about the value of books, the competition among book dealers, and the fine art of comparison shopping. The law librarian is often the person who is in closest contact with the faculty and must be the one who can convey to them all the possibilities that can prove to be of value to them.
Towards a Philosophy of Law Librarianship

Morris L. Cohen*

I have long felt that one of the great weaknesses of librarianship in general and of law librarianship in particular has been our failure to give adequate attention to the basic assumptions on which we function. I think we would deal better with our daily tasks if we thought a little more often and a little harder about the principles and purposes that underlie our work. We librarians are pragmatic people—we are creatures of routine, and victims of the fight for day-to-day survival. We work in a morass of administrative, technical, and bibliographic problems. Perhaps, because of this daily struggle to keep our heads above the mounting piles of books and papers, we tend to neglect planning, conceptualizing, and self-scrutiny. We live for the moment and frequently think only for the moment. We overlook the continuity implied in our traditions and fail to plan our steps for the future. We often do not even see ourselves as links in a chain of development that has a past and hopefully a future.

The literature of law librarianship has been relatively barren of serious attempts at formulating a philosophy of our art or science. Much of what we have produced along those lines has tended to be weak, frequently romantic, and often superficial. I don’t mean to imply that there have been no serious formulations of a philosophy of librarianship. Certainly the great Indian librarian, Dr. Ranganathan, made an important attempt with his reduction of librarianship to five basic laws: Books Are for Use; Every Book Its Reader; Every Reader His Book; Save the Time of the Reader; The Library Is a Growing Organism. One could spend many hours pondering the implications of these brief aphorisms. I know that some librarians consider them profound, but many others find them trite and vacuous.

Lacking the wisdom for such brevity, I would like to offer my more rambling thoughts on those principles which I consider fundamental to law librarianship—to call them a philosophy of law librarianship sounds much grander and more presumptuous than I intend. I should note that these assumptions are meant to apply to all law libraries, not just to large research libraries. Bear in mind, however, that they are still ideals or models of what law librarians should be and not yet, perhaps, accurate reflections of the present state of our profession.

The first of my principles, one which I derive from the great English librarian, D. J. Foskett, is that libraries must carry out the purpose for which they are established.

*President, AALL [1970-71].
and that that purpose is the implementation, through books and other materials, of the policy of the organization to which the library belongs. That assumption seems so basic as to obviate the necessity of discussion, but sometimes the most simple is the easiest to overlook. Frequently we formulate policy for our particular library on the basis of assumptions, interests, and pressures that have little to do with the purposes of the organizations we serve. The policy of any library, including a law library, must, however, be determined in the light of the needs and goals of the parent institution. A library's policies with regard to reference, acquisitions, cataloging, classification, and circulation must all serve to implement the purposes of the particular institution it serves. Thus, for instance, a law library serving a law school, the acquisitions policy would be formulated in the light of the curriculum and research program of that school—very differently than in a law firm library or a court library. Similarly, the classification problems of a law firm library would differ markedly, in the light of the purposes of that organization and the resultant needs of its users, from that of an academic library. We could go through every aspect of law librarianship and agree that our obligation to further the purposes and policies of our individual institutions should affect every aspect of our professional work.

I do not mean by this proposition to exaggerate our differences or to fragment our profession, but if we remember why our respective libraries were established and what purposes they were meant to serve, perhaps we can develop a librarianship truer to the needs of our users.

Secondly, I suggest that the fulfillment of a librarian's responsibility depends upon certain specialized knowledge, which it is his continuing obligation to obtain and enlarge. From my first proposition, it follows that law librarians must know the policies and purposes of their institution, but they must also know their readers and the nature and content of their work. He must know how the lawyer's crafts are performed, particularly those relating to legal research, and on what substantive problems and issues they are focused. In order to gain that knowledge, the librarian must live in the world of his readers. He must be one of them—talk with them, attend their meetings, and share their concerns. Only then can he implement the policies and purposes of his school, firm, court, or organizations involved. To serve the needs of our patrons, we must learn those needs, and that involves an intimacy which we haven't always sought and, when sought, have not always achieved.

The third assumption I make is that, by virtue of his special relationship to legal literature, the law librarian is the natural teacher of legal bibliography and of the methods of legal research. Every area of librarianship is directly shaped and influenced by the literature with which it is concerned. Because of the unique characteristics of legal literature, and the historical development of our profession, we have been more involved with the materials and methods of our bibliography than is true of most other fields of librarianship. We have devoted much time and effort to the scholarship and pedagogy of legal bibliography and have, I think, a duty to continue to do so. For a variety of reasons we have assumed the role of being the experts on the literature of the law and, having done so, it is now clear that no other group is so well equipped to handle that responsibility.
are not enough unless our readers have actual and effective access to the materials of law. That access may depend on our ability to devise or encourage new methods of retrieval and research in law. The real threat to freedom to read in law libraries comes not from some heavy-handed censor, but rather from the cumbersome weight of accumulated court decisions and statutes and from the grinding efforts of yesterday's search books and finding tools to meet the needs of today's legal research.

The first principle I would propose is that the librarian has the obligation (and the right) to decide what shall be in his library and how it is to be organized. That may seem obvious today, but in many law libraries these essential functions have been taken away from the librarian and are handled by others. Such a practice banalizes the librarian, fragments the administration of the library, and is inconsistent with the proper performance of the law librarian's professional responsibility.

The librarian, however, must make himself worthy of that trust. The responsibility for book selection and organization of the collection requires a responsiveness to readers. It involves attention, expertise, and the exercise of critical faculties, which the librarian must be prepared to offer. The development and maintenance of a law library today requires sophisticated judgments based on the conscientious exercise of informed choices. Law librarians must make those critical judgments in the light of the policies and purposes of their organizations and, within those policies and purposes, they must select materials to meet the needs of their users, both present and future. No library in the world and certainly no law library, can buy everything being published; not even the Harvard Law Library or the Library of Congress is a repository of all legal publications. We must each assume responsibility for the development and the arrangement of our library, but we must then exercise that responsibility consciously and with a critical intelligence.

Finally, the librarian has an obligation to advance his art. It is not enough to develop his library and serve his readers. He must also contribute to the development or improvement of law librarianship in whatever way he can. Such a duty can be exercised in professional thinking and discussion, in the literature of the field, or by the way in which the librarian administers his particular library. The great bibliographic scholarship produced by law librarians exemplifies that contribution, but important developments in law librarianship can also come about through improvements in the regular operation of a single law library. Librarians who innovate and raise the level of librarianship in that way can make a professional contribution as significant as those who talk or write or participate in other activities.

We all know that the structure of legal literature is changing both quantitatively and qualitatively. We know that the needs of our users are also changing both quantitatively and qualitatively. Unless there are commensurate changes in law librarianship to meet these developments, the field will stagnate and every law library will be adversely affected. The changes necessary to meet the challenge of the future can come about only through the energetic and imaginative efforts of law librarians. For that, we must educate ourselves and activate ourselves, and, most of all, we must accept responsibility for the future of our profession.

Thus, in summary, I offer these six principles for law librarianship today:

1. Law librarians must carry out the policies and purposes of the organizations they serve.
2. Law librarians must know those purposes and policies and must also know their readers and the work of their readers.
3. Law librarians must be teachers of legal bibliography and of the methods of legal research.
4. Law librarians must provide access to materials through whatever administrative or bibliographic techniques are necessary to meet their readers' needs.
5. Law librarians have the primary responsibility for developing and organizing their libraries' collections and must make conscientious and informed critical judgments in fulfilling that responsibility.
6. Law librarians have a duty to advance their art and their profession in whatever way they can be most effective.

These propositions may seem axiomatic or even mundane, but I think it is useful for us to restate our basic assumptions and then, what is perhaps more difficult, to test our performance by these standards. These six principles certainly lack the elegance of Dr. Ranganathan's five laws, but they represent only a first effort at formulating one law librarian's view of what we are about. Your comments and reactions can help improve them. Perhaps they will stimulate wiser heads than mine to focus their attention on this problem, for the benefit of all of us.

A prophet once warned his people to consider three things: to know from whence they came, whither they were going, and to whom they would have to render accounts. It seems to me that we law librarians could make those questions the foundation of our professional philosophy. That is, we must consider carefully from whence we have come; the directions in which we are going; and to whom it is that we must render our accounts. Perhaps we can thereby assure for ourselves a profession that will challenge and excite us, as well as satisfy and serve our readers.
Why A Law Firm Needs A Librarian

Mark J. Newman, BA, MA, MLS

Why should a law firm hire a librarian? What can a librarian do for a law firm? How can a law firm fully utilize a librarian? These questions, or variations of them, are commonly discussed prior to the decision by a law firm to hire a librarian and they may, in fact, resurface after the librarian has been hired. While the growth area of law librarianship clearly lies in the private law firms, the role of the librarian has been the subject of controversy in recent years. The infusion of computers and databases into the law office, the rapid expansion of many law firms, and the tremendous increase in published legal materials all have given rise to the need for a librarian. Yet the functions of the firm librarian have not always been easy to define. The following discussion will describe many of the important duties performed by the librarian; it should help to demonstrate why a modern "full service" law firm needs a librarian.

Law firm librarians provide a wide range of administrative and information services. Broadly speaking, the functions a librarian can perform for a law firm are the following: (1) library administration and maintenance; (2) the management of internal information; and (3) reference and research.

(1) LIBRARY ADMINISTRATION AND MAINTENANCE
(THE DAY TO DAY LIBRARY OPERATIONS)

(a) Records Management

The law library receives journals, books, looseleaf services, newspapers, and advance sheets on a daily basis. All of this mail should be date-stamped and "checked-in" on the library's "serials records binder" or recorded on the new book acquisitions list. (large law libraries use a kardex to record serials). This creates a

Mr. Newman is a law firm librarian in San Francisco, California with Lang & Levy.

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detailed, yet easily available, record of what was received in the library and when it was received.

(b) Routing System

Journals, looseleaf services summary sheets, and advance sheets should be circulated promptly and systematically to those attorneys who have indicated a desire to receive them on a continuing basis. The attorneys who have requested to have their name placed on the routing chain should be duly noted in the serials records binder. This circulation list also can be useful for locating an item that is not checked-out and not on the shelf by narrowing the likely offices that need to be checked to retrieve the "missing" item thus eliminating time-consuming office-wide searches.

(c) Acquisitions

The librarian helps to shape book acquisitions by suggesting purchases to fill gaps in the collection and to develop and augment the existing collection. The librarian also relieves attorneys of the numerous book announcements, many of them duplicates, that daily cross every attorney's desk, by selecting the ones of potential interest and forwarding them with his comments and recommendations to the appropriate partner. Additionally, by centralizing all orders for new titles with the librarian and requiring the approval of the purchase by the library partner (or another partner) expenditures are better monitored and duplication is avoided.

The librarian should make certain that invoices for library books are paid only once and that all invoiced items, when sent "on approval", are actually received and approved for purchase before payment is made.

Announcements of new acquisitions for the library should be sent every few weeks to all attorneys and paralegals.

(d) Contact with Publishers

The librarian deals directly with law book publisher's representatives, used law book dealers, and library suppliers in acquiring library materials, equipment and services. This contact that the librarian establishes with the book trade provides for prompter response, discounts and, at times, complimentary materials from the publisher or company to the law firm.

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(e) Filing

The more routine and noticeable tasks which the librarian performs in operating the library are the prompt filing of looseleaf services and the insertion of new pocket parts.

This task perhaps promotes the misconception that the librarian is simply a glorified clerk since the other skills of the librarian may not be readily apparent to the users of the library.

A further aspect of "filing" is the establishment of a clipping file which contains information "clipped" or xeroxed by the librarian from newspapers, journals and law reviews on topics that may be of interest to the firm's practice.

It should be noted that if the librarian has an assistant, then, this person generally performs the records management, routing and filing functions under the supervision of the librarian.

(2) THE MANAGEMENT OF INTERNAL INFORMATION

(a) Arrangement or Classification of the Books

Books in libraries are placed on the shelves in a logical sequence which creates an organized, efficient, and easy to use collection. They are not simply placed on the book shelves. They are arranged in a logical scheme to facilitate usage. Frequently, this ability the librarian possesses to logically arrange materials in a law firm library requires enormous ingenuity since many architects design law firm libraries to be visually interesting rather than to be functionally useful. Despite obstacles presented by poorly designed and organized libraries, a librarian can impose order on the book collection.

The organization of the books on the shelves also requires the librarian to pay particular attention to growth projections for various sets and subject matter collections over a period of time.

(b) Catalog Inventory of the Collection

A definitive inventory of the firm's library holdings is virtually a necessity. This can be accomplished by the creation of a card catalog, generally and relatively inexpensively through the purchase of Library of Congress catalog cards; by a list of titles in broad subject headings prepared and kept by the librarian and put into the com-
puter which can then easily generate this list for distribution to all library users.

But, whatever inventory is maintained, it is essential that the librarian be completely familiar with and knowledgeable about the collection and be able to direct users to the appropriate book(s) without having to consult the catalog. The librarian should be able to give advice as to what publications in the library are useful in connection with a particular legal problem. When the library user asks the librarian "What have we got on such and such?", the librarian should be able to say "We have the following . . . ."

(c) Check-Out System

The management and control of the library collection requires the establishment of a "check-out" system to monitor the borrowing of books. Although no system is totally effective, a useful system is to have the borrower of the book place a card indicating the item borrowed and by whom on the shelf in the space which will exist when the book has been removed. This requires having check-out cards and pencils stationed at various locations in the library. When the book is returned to the shelf the card is removed from the space and placed with the other check-out cards to be reused.

(d) The Legal Memoranda File

The results of past legal research should be readily available to attorneys in order to avoid future duplication of effort and consequent needless costs to clients. Therefore, the establishment of a research retrieval system for legal memoranda, briefs, opinion letters, jury instructions, and perhaps speeches and articles presented by attorneys in the firm is important and valuable to a law firm.

Since many memos simply go into the file for which they were written or become part of the attorney's personal file it is often difficult to gather in a centralized storage location legal memoranda. Therefore, successful implementation of this type of retrieval system requires cooperation between the authors of the research, the firm's management committee, the word processing department if the system is to be called up on the CRT screen for reference purposes, and the librarian. The management committee needs to formulate the criteria for the inclusion of a document and provide

vigorous encouragement and support in introducing and implementing the procedures necessary to operate the system.

Based on the librarian's familiarity with indexing, legal subject headings, classification, and the principles of document control he can make specific recommendations for the collection, analysis, storage and retrieval functions of the system as well as helping to provide a "master list of subject headings" index terms and forms to be used in indexing the document.

The responsibility for the actual index-digest of the document should be with its author. Very few, if any, law firms require the librarian to prepare the indexing and summarizing of the legal memorandum. It is far more effective and far less expensive to require the author to do the index-digesting and to do it promptly when the contents of the document are still fresh in his mind. The author is certainly more familiar with every page and conceivably every word in the document than is the librarian and therefore should be able to index and summarize it relatively quickly.

A copy of the document and a one paragraph index-digest should be sent to the library where it will be filed by the librarian who can also check and correct index headings prepared by the author for accuracy, consistency and repetitiveness.

(e) The Form File

The form file, maintained by the librarian or in some firms by a paralegal, contains current court authorized litigation forms as well as internally produced forms, income tax, real estate, probate and any other forms germane to the firm's practice for use by the attorneys and secretaries.

(f) The Expert Witness File

A file containing information about the numerous expert witnesses the firm has deposed or retained can be maintained by the librarian. A copy of depositions and trial testimony of "experts" can be sent to the library where it will be filed according to the individual's area of expertise. However, since this material might require a considerable amount of file space, an alternate method would be for each attorney to send to the library a one page memo whenever an expert's deposition has been taken stating the name of the expert, a brief description of his qualifications, the subject mat-
ter on which he testified, and the name and file number of the case in the event someone wants to consult the entire deposition.

(3) REFERENCE AND RESEARCH

(a) Legislative History and Intent

Legislative history and intent is the phrase used to designate the documents that contain information considered by the legislature prior to reaching its decision to enact a bill. If the bill is passed by a state legislature, legislative history also can include the information the governor consulted in determining whether to sign the bill into law.

The use of legislative histories is a very essential technique in contemporary litigation since courts look to legislative documents in determining the purpose of a statute when the act itself lacks a clear intent or explicit language. A legislative history consists basically of the following materials: (1) the various versions of the bill with amendments and changes. Sometimes it is useful in ascertaining intent to see what has been stricken or added to a bill as it proceeds to becoming a law, (2) committee hearings and reports. In all states, unlike with Congress, there is no requirement or obligation that hearings be published or even transcribed. Thus, it is very difficult to obtain any information regarding hearings and reports. (3) Letters from lobbyists and special interest groups sent to various departments and committees having interest in the bill.

Unfortunately, many attorneys have the erroneous impression that not much legislative history materials can be compiled, particularly in regard to state statutes, and feel content to only consult the legislative service pamphlets issued by the publisher of the statutes for the legislative counsel’s digest of the statute. Next time an attorney needs information regarding the intent of a statute, he should ask the librarian to provide the material. He will be astonished at how much can be acquired.

(b) On-line Information Retrieval

Computerized research is increasingly becoming an integral part of an attorney’s practice. Computerized legal and bibliographical research systems augment and complement traditional manual research techniques. There are numerous research requests that can only be performed by use of a computer database. For example, locating all cases in which a particular judge wrote the majority opinion cannot be done through manual research. Another example is requests for cases in which an abstract or ephemeral term is used, such as “corporate waste.” This research request cannot be readily completed through the traditional method of consulting the index of the appropriate book for citations to relevant cases. Also, requests for newspaper or journal articles on, for example, the hazardous effects of benzene can be performed quickly and comprehensively through a computer database. Additionally, computerized legal systems are more rapid in reporting judicial decisions than are the publishers of these decisions. The librarian, as a skilled information specialist, can assist attorneys in structuring and performing on-line information retrieval searches through legal databases such as WESTLAW or LEXIS or through bibliographic databases such as DIALOG, NEXIS, RLIN or OCLC by framing proper queries to elicit relevant and direct information efficiently or by actually performing the search. Such queries permit one to retrieve information from a vast library of materials based on a search request consisting of designated words, numbers, or phrases.

A recent law review article (“Legal Malpractice: Does the Lawyer Have a Duty to Use Computerized Research” 35 FICQ 77 (1984)) suggests that attorneys may be committing malpractice by not consulting computer databases.

(c) Subject Specified Bibliographies

The librarian can provide attorneys with bibliographies of articles and books on virtually any legal or nonlegal topic. For example, if an attorney wants a bibliography on the legal aspects of diving or the effect of traffic noise on children living near the highway the librarian can not only provide this information but can also provide the actual listed sources and deliver them to the attorney’s office.

(d) Cite-Checking and Sheparding

Librarians are trained to check cites for accuracy and can locate correct citations from incomplete or vague information. Additionally, the librarian can determine if any given case that is cited or relied on as authority has not been limited, modified or overruled by a subsequent opinion. Nothing can be more devastating to an attorney’s case than to have opposing counsel inform the court that the
case his adversary has relied upon has been overruled or adversely modified. In some law firms, the librarian is charged with the responsibility of cite-checking and shepardizing all briefs filed by the firm in the various courts.

(e) Investigative Research

Librarians can determine whether a prospective expert witness has the credentials and background he claims to possess. In performing these “pedigree” checks, the librarian can also locate and acquire any publications the expert has written. Librarians can also locate a potential expert witness in esoteric and highly specialized areas of expertise. For example, if your case hinges on locating a stone fruit expert or a flammable gas expert ask the librarian to locate one for you.

Additionally, the librarian can not only locate the current address and phone number of a company, an agent of process or a witness, but, he can also locate the whereabouts of a particular vessel or that obscure government report.

(f) The Extended Library (Interlibrary Loan)

Law librarians, like other librarians, establish contacts with librarians in both the public and private sector such as industry, banking, government, and other law libraries, which enables them to acquire information from sources in the extended library network. It is through these contacts that the librarian can often broaden an attorney’s research horizon by encouraging him to demand information previously considered either unavailable or not worth the effort to procure it. It is through the librarian and his contacts that the library can be turned from simply a collection of books within one room into an expanded information center which includes specialized materials from collections in many libraries.

CONCLUSION

In short, the librarian can organize, maintain and administer the law firm library, and provide a valuable resource for locating the elusive report, statistic, address or publication needed in litigation. These are special, unique and valuable skills that contemporary law firms require.

The Joys of Law Library Management Are Without Number

Jenni Parrish

INTRODUCTION

In summer 1985 the law librarians at the University of Pittsburgh enjoyed the wonderful opportunity of team-teaching a course in Law Librarianship for the University of Pittsburgh School of Library and Information Science. Having never taught the course, we all had ingenious ideas about its content. I was determined to contribute a segment entitled “Management Issues” in which would be revealed all the grim truths about managing that no one ever told me in school (not that I would have believed them if they had, but that’s another story . . .).

Four one-hour sessions were carved out for the management portion of the course. The starting point was an explanation and discussion of ten “Thoughts on Management” which distills the essence of all I know on this subject. Then three problems (one had two parts) were distributed and used as the springboard for discussion in the four sessions. The result was some very lively dialogue, probably attributable to the fact that most of the students in class had had some management experience.

Reproduced here are those ten thoughts on management and the problems with some explanatory notes. It is hoped that the reader might benefit from this in at least one of three ways. If you have not yet known the joys of being a manager but aspire to this calling, this may prove instructive. If you are a manager, this may evoke a déjà vu experience for you, or better yet you may disagree with one or more of the ideas expressed and write to me about them—I’d love to hear from you! Finally, you may be a teacher of future law librarians who will be persuaded to include a segment like this in the

Request for reprints should be addressed to Jenni Parrish, University of Pittsburgh Law Library, 404 Law Building, 3000 Forbes Avenue, Pittsburgh, PA 15260.

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