Before a discussion of current developments in law library administration, it may be worthwhile to mention that others writing on the subject of library administration have experienced difficulty in delimiting its compass. Rather than indulge in yet another attempt at definition, this article will accept the one that defines library administration as the concern with planning, organization, communication, training, controlling, public relations, and supervision. Inasmuch as a recent issue of Library Trends was devoted to library administration with thorough coverage of the above-mentioned categories, it is suggested that reference be made to it for detailed background information.

With this definition in mind, there indeed may be some who will maintain that the writing of an article on law library administration is superfluous since the same administrative practices are applicable to all types of libraries. The advocates of this theory of administration may be described as “generalists”; the form of reasoning may be described as the “pigs is pigs” theory and proceeds as follows: administration is administration, libraries are libraries, and therefore any administrator can administer any library. It would be tempting to accept this theory and be relieved of the task of writing this article. But to do so would be to ignore reality and succumb to a spurious logic. Although law librarians are concerned with planning, organization, communication, etc., as are other administrators, it cannot be assumed that the results desired are similar in all instances. For however it may be defined and whatever may be its role, administration can be effective only when applied to concrete situations. Law libraries are different from public libraries, college libraries, or church libraries.

Without defining the purposes of other types of libraries, the purpose of a law library, in short, is to aid in the solution of legal problems through law books. It follows that all administrative decisions must be
judged with that end in mind. One may consider, by way of illustration, two decisions that may be faced by a law library administrator. The first is whether or not to proceed with a much needed recataloging and reclassification project. (The decision on choice of classification will be ignored for the purpose of this example.) The problems of re-remarking books, shifting cards in the card catalog, maintaining the routines for processing new acquisitions, while at the same time continuing library service in reference and circulation all have to be solved. To find proper solutions, the law library administrator may consult library literature and may obtain useful information on how other types of libraries have handled such projects. After some consideration, the law librarian may be able to use and adopt the experience of others in his project. But let us suppose, however, that instead of cataloging, it is a decision on whether or not to change the circulation system. He will, in all probability, find that the literature on Gaylord and Recordak charging machines and the use of machine or hand-sorted punched cards are of no use to him in solving his particular problem of circulation control in the law library.

In both instances, the ultimate decision can be made intelligently only by one who is not only cognizant of the way lawyers use their libraries, but also of the unique organization of legal literature. Thus, although law librarians are concerned with the same administrative problems as other librarians, the conclusion cannot be made that any experienced administrator can successfully apply the same procedures to law libraries that he would use in other types of libraries.

A rationale for law library administration having been established, the remainder of this article will be devoted to a discussion of current trends, without an attempt to restate the fundamental principles which have already been well stated.3–4,5

The most stirring and still unsolved aspect of law library administration in recent years has been the place of the law school library within the general administrative framework of the university.6 Simply stated, the problem is that of whether the law school library should be administered autonomously as part of the law school or centrally administered as part of the university library. This matter has been disputed as far back as 1927 when the Association of American Universities recommended the centralization of all university libraries.7 Taking a contra position, leading legal educators by 1938 were urging the Association of American Law Schools to make autonomy of law school libraries a condition precedent to membership in the Associa-
Law Library Administration

tion. Discussion on this matter continued over the years, and in 1958 the issue was joined when the Section of Legal Education of the American Bar Association changed its rules for approved law schools to provide for law school autonomy over the law library. Further controversy ensued when the Association of American Law Schools proposed a similar change in its standard for law school libraries and the Association of College and Research Libraries organized a committee to explore the relationship between law libraries and the general library of a university. [Author’s Note: At its annual meeting, December 28-30, 1962, the AALS did not adopt the proposed change. Instead, an announcement was made that a special committee is to be appointed to re-study all of the Association’s standards on law libraries.]

The proponents of law school library autonomy argue, in essence, that the law library is an integral part of legal education; that its control should be centered in the law school and not with a Director of University Libraries who cannot be familiar with or responsive to the special needs and requirements of the law library; and that in too many instances the integration of the law library within university library administration has resulted in inferior law library service.

Those in opposition, on the other hand, insist that the real issue is not where the administration of the law library is located, since inferior law library service can occur under either administrative arrangement and that, consequently, the interest of the American Bar Association and the Association of American Law Schools should be focused upon establishing standards of library service and not upon the means of administration used by each university to meet such standards.

And there the matter stands.

One does not have to be a prophet, however, to predict that the final word has not yet been heard. But irrespective of the ultimate solution, and without taking a specific position, one recognizes the dispute as the outgrowth of several symptomatic factors. The fact that legal educators do devote so much of their time and energy to the matter does indicate that the law library is of vital concern to them. It is also apparent that in many instances where the law library has been operated as part of the university library, procedures have been in effect that hinder good law library service and seriously interfere with the dynamic processes of legal education. What must be recognized by both sides is that irrespective of where the law school library
is placed within the university hierarchy, the law librarian must, within reasonable limits, have control of the decision-making processes in the administration of the law library.

Other trends may now be considered. As many of them relate to specific aspects of law library service, such as cataloging and information retrieval, their coverage will be left to the other contributors in this issue.

Perhaps the most important influence in the development of legal education in recent years has been the publication by the Association of American Law Schools of The Anatomy of Modern Legal Education,¹¹ which has already been mentioned in reference to its recommendations for university-versus-law-school control but the report has other implementations for law library administration. Some of these are its recommendations as to size of staff and collection, book budget, and costs of continuations.

As to staff, in addition to a law librarian, the proposed new standard provides for one full-time assistant law librarian for libraries under fifty thousand volumes and for a minimum of two full-time assistant librarians for those law libraries with larger collections.¹⁶ Because the “one-man law library” is still too prevalent among law schools,¹⁷ the full implementation of this standard will require administrative reorganization in many law libraries, with the increased staff bringing about much-needed changes in law library services.

Another significant aspect of the report is its recommendation that law libraries of member schools move into the research collection category.¹⁸ This, coupled with the previous recommendation, can have far-reaching changes in the administration of many law libraries. Such a change in scope will afford many law librarians the opportunity to utilize, for the first time, new concepts of library administration.

One of the most recurring dilemmas in setting a standard for annual expenditure is the troublesome question of continuations. A large proportion of legal literature is in serial form, and law libraries differ in deciding which acquisitions, for accounting purposes, are continuations. The proposed standard provides for a uniform system of accounting wherein the definition of continuations will be uniform for all schools.¹⁹ With this provision accomplished, a fixed sum will then be specified (varying according to size of collection) to be spent over and above the cost of continuations. The adoption of this proposal will present several problems in accounting, budgeting, and book selection. It may also create serious difficulties in some institutions where accounting records are centralized in the business office.
One further comment must be made about the Association of American Law Schools. As had been noted, it has a real concern for the role of the law school library and has set standards affecting all aspects of its administration. It is surprising, therefore, to note that it has not taken a clear and forthright stand on the status of the law librarian. The present standards make no provisions for faculty rank. The proposed standard, in a hesitant and almost apologetic manner, gives the law librarian the right to attend faculty meetings, but to vote only on those matters that affect the law library. Would it not be proper, in light of this stand, to question whether or not the Association of American Law Schools truly understands the function of the law library in legal education? What decisions, one wonders, does a law faculty make that do not affect the law library? The size and qualifications of the student body? The curriculum? New faculty members? Research projects of the law school?

Although many of the changing developments have been of primary concern to law school libraries, other law libraries have been affected by the expanding discipline of administration. Law librarians in the Federal Civil Service have been perturbed by the failure of the Civil Service Commission to allow substitution of legal education for experience, in the classification of law library positions. There has also been a tendency to equate law library service to that of reference service only and to integrate the law library into the administrative organization of the general library serving the agency. In both instances, the influence of the "generalist" theory of administration can be detected. The Brookings Institution has arranged for a survey of federal libraries, and its recommendations will be watched with interest by all law librarians.

Another interesting trend has been the increasing number of law firm libraries. Not only are more firms developing private libraries, but an increasing number are demanding fully trained librarians to service them. The libraries in some firms are now approaching in size those of the smaller law schools, and many firms are becoming aware that the administration of their libraries can no longer be delegated to a secretary. This development is not only another indication of the increasing scope and complexity of legal literature but is also a commentary on the importance of law libraries to the legal profession. Recognition of the needs of such libraries was given by the creation in 1961 of a Committee on Private Law Libraries by the American Association of Law Libraries. This committee was delegated the responsibility to "... organize and direct a continuing series of
J. MYRON JACOBSTEIN

programs... aimed at representing the special interest of private law libraries throughout the United States and Canada." The committee has been active and has already published a manual on private libraries.

In summary, this brief survey reveals that law librarianship is in the midst of change. The changing structure of the legal profession is causing the organized bar to give greater attention to the quality of students entering law school, to continuing legal education, to the economic status of lawyers, to specialization among lawyers, and to the improvement of judicial administration. All of these factors have ramifications for law libraries, and law librarians will have to examine with care all methods for improvement in the administration of law libraries.

As a corollary to this, a perusal of the literature on law librarianship, with a few notable exceptions, discloses that there has been little consideration given to the theoretical aspects of administration, and it is hoped that this situation will change with the new emphasis upon education for law librarianship.

References

Law Library Administration


ADDITIONAL REFERENCES

