Education for Law Librarianship

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Education for law librarianship has been deeply influenced by the often conflicting interests and demands of law and librarianship. The reconciliation of subject specialization in law with general training for library work has at once been the source of perplexing problems and imposing accomplishments. No other field of specialized librarianship has achieved as high an educational level and none has struggled as hard to define and establish educational requirements.

During the last fifty years, law librarians, acting independently and through the American Association of Law Libraries, have developed a varied and lively educational apparatus. Its formal offerings include special library school courses, participation in law school courses, local association institutes and workshops, national summer institutes, and annual convention programs. Publications include regular educational features in the Law Library Journal (itself a substantial professional quarterly, now in its 55th year of publication), a successful series of AALL publications, five of which have been issued to date, and many scholarly, bibliographic guides and manuals. Despite these achievements, there is a growing realization today that not enough law librarians are being adequately educated.

For the higher positions in law librarianship, the ideal education is clear. Law librarians are by and large agreed that an optimum educational background for the important administrative positions in law school libraries and in all other large research law libraries consists of a broadly based liberal education, evidenced by a bachelor's degree; a full law school program, leading to an LL.B. or J.D. degree; and a master's degree in library science.¹ The nature of a desirable undergraduate education has never been the subject of controversy. Those college courses which are considered desirable for law and library training

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Education for Law Librarianship

could be recommended—English, social sciences, constitutional history, and in view of the growing importance of foreign and international law collections, foreign languages. Although in the past many law librarians have doubted the value of graduate library education, today most accept it as at least part of a desirable preparation for law library work. Law librarians have come to realize that many of their problems of administration are basically the same as those of other librarians. Budgeting, circulation, and technical services raise problems of general import. Reference, cataloging, and even acquisitions, however, seem to be distinctive areas which require special emphases, although most law librarians would agree now on the desirability of at least preliminary general library training in these areas. Special courses in the law library aspects of these subjects would be of interest on the advanced level and have been instituted at the University of Washington and contemplated at other library schools.

It was in the area of legal bibliography, which required intensive subject specialization, that law librarianship established itself as a truly dual profession. The complexity of legal literature and its bibliographic equipment and the centrality of the law library in the legal profession created an early demand for the lawyer-librarian. Legal publishing underwent the explosion of print earlier than any other subject field. It created highly successful indexes, digest systems, and citators for information retrieval long before modern documentation was born. In the administration of this huge literature, the law librarian par excellence became a lawyer. He shared the jargon, the education, the community of interest and understanding of his patrons. The law librarian more and more became the legal profession's authoritative voice in problems of research and bibliography. Magnificent bibliographic manuals were written,2-4 which educated not only law librarians but law students and lawyers as well, and established new standards of research and bibliography throughout the legal system. These developments increased the demand for specialists to administer the law libraries, and educational requirements were broadened.

For these reasons, many law librarians have undertaken full academic programs in both law and library service, achieving three degrees (B.A., LL.B., and M.L.S.). Most, however, complete the last leg of the program on a part-time basis, while working in a law library. Liberal matriculation requirements in many library schools have encouraged this practice. For obvious reasons, head librarians of law school libraries have generally been the best educated group among
law librarians and, either as cause or effect, many have achieved faculty status and title. In the law school library more than in any other library, the justification for the librarian fully trained in law is clear. That preparation, with the insights and the status it affords, permits the librarian to perform direct and significant teaching functions in legal research. Although this three-degree standard is still far from universal, its acceptance as a desirable prerequisite for the important positions in law school and other large libraries is almost unanimous and its attainment in such libraries is likely within the next ten years.

In recent years, however, concern with law library education has shifted away from emphasis upon training for the highest positions in the profession. More attention is now being given to the educational needs of the largest group of law librarians, those in medium-sized and smaller libraries and in the lower staff positions. Among these groups many positions are still held by nonprofessionals, and many vacancies are being filled by professionals without any introduction to the special problems of law librarianship. There is some disagreement on the matter of proper training for these positions, which constitute the numerical bulk of the profession. A few still argue for law training alone; many others hold that graduate library school education is a sufficient base; but most seek some combination of law and library training, short of the four years of postgraduate courses required by a full law school and library school program. This more pragmatic approach to the educational problem resulted in part from a more realistic appraisal of library needs, and in part from the anomaly of requiring, in a highly competitive market, the same training for top administrators of large collections receiving salaries up to $15,000, as for catalogers or acquisitions and reference librarians with considerably narrower responsibility and receiving half as much compensation.

Various educational formulae have been put forward to achieve the proper balance of law and library science. The columns of the *Law Library Journal* contain many discussions and arguments on one or another "definitive" solution. Law library courses offered at the University of Washington, Columbia University, and the University of North Carolina (each of which is discussed below) represent three different approaches to this problem. These and others are described at considerably greater length in a recent symposium in the *Law Library Journal*, devoted to education for law librarianship. One of
the most controversial attempts to resolve this dichotomy was proposed by Dean Lester E. Asheim of the University of Chicago Graduate Library School at a workshop of the Chicago Association of Law Libraries in 1953. Dean Asheim hopefully suggested a combined program, wherein the first year would be spent in library school, the second in law school, and the third year in both schools taking courses on an elective basis. His proposal was roundly criticized by several leaders of the law library profession at that same meeting and died aborning. Today, such a program seems more appropriate for law library needs than it apparently did ten years ago. Assuming that the top administrators of the larger libraries will continue to seek complete law and library training, what of the others who do not need or want the more demanding legal education? It now appears that compromises such as Dean Asheim's might afford desirable training for the many librarians needed in smaller law libraries and in the essential staff positions of the larger libraries. Whatever its solution (or solutions), this is a basic problem of law library education.

In order for one better to understand the present situation, it is desirable to review the educational pattern which has developed in law librarianship. Formal education in law librarianship probably began at the New York State Library School in Albany in 1910-11. Lectures on "the arrangement and use of law libraries" and "law books for a popular library" had been given at the school as early as 1906, but a regular program in law librarianship was instituted at the later date under Frederick D. Colson, who was then New York State Law Librarian. The lectures varied in number and content from year to year and were continued by Mr. Colson and his successors until 1926, when the school left Albany and returned to its original home at Columbia University. The Albany program involved practice work in the State Law Library and the Legislative Reference Section of the State Library. Between 1923 and 1925, it was "limited to students who have studied law and who are familiar with legal terms," indicating that subject specialization was apparently an early feature of education for law librarianship.

In 1937, Miles O. Price introduced at Columbia the first modern course in law librarianship, emphasizing the problems of legal bibliography and research. Given for three course credit hours in the Summer Session of the Columbia School of Library Service, it was offered every other summer thereafter until Mr. Price's retirement in 1961. The course was part of the regular library school curriculum, but was...
taught in the Columbia Law Library for ease of access to the subject materials. At least three-quarters of the curriculum was devoted to legal bibliography. As Mr. Price has written, “The emphasis, over the years, has been placed, more and more, upon preparing the students to do reference work in a law library, which is, after all, the ultimate function of the law library.” The course did not require prior law training. During the 25 years that it was given by Mr. Price, this course was the educational center of law librarianship. It trained an unusually large proportion of the law librarians practicing today, created very high standards of professional practice, particularly in reference and bibliography, and gave rise to a literature of instruction, including manuals of bibliography, cataloging, and order work. Mr. Price and Dean Jack Dalton of the Columbia School of Library Service have both expressed the hope that the Columbia library school program in law librarianship would be expanded in the near future, with the offering of additional courses on other phases of law library administration. In cooperation with the Education Committee of the American Association of Law Libraries, a draft curriculum has been outlined and preliminary discussions have been held toward that end.

The next important development in the educational program occurred in 1939 at the University of Washington, under Arthur S. Beardsley, then Librarian of its law school. Mr. Beardsley, who was one of the early leaders of the profession, established a new graduate program in law and librarianship. Initially, it required a law degree for admission and offered several courses specifically in law librarianship, along with a general library science curriculum. More than the shorter Columbia course, the Washington curriculum deals in detail with the peculiar problems of law library administration, in addition to legal bibliography. Although offered in the University of Washington School of Librarianship, it was given cooperatively with the Law School and led at first to the degree of Bachelor of Arts in Law Librarianship. Since 1944, the course has been under the direction of Mrs. Marian G. Gallagher, now Law Librarian and Professor of Law at the University of Washington. Its requirement of a law degree has been made more flexible and the course now leads to a master’s degree. Under Mrs. Gallagher, this program has become an important force in law librarianship and its graduates administer many large law libraries.

In 1954 the Law Librarians’ Society of Washington, D.C. sponsored a two-credit, two-semester course in legal research and law library
administration at the Graduate School of the U.S. Department of Agriculture in Washington, D.C. In 1954-55 it was taught by Ralph H. Sullivan, a Washington attorney and government librarian; in 1956-57 by Harry Bitner, then Librarian of the Justice Department and now Law Librarian of Yale University; in 1958-59 by Miss Berthe M. Rothe, then Law Librarian of George Washington University; and in 1960-61, by Marvin Hogan, Librarian of the Justice Department. It attracted primarily government librarians, many of whom were not in law libraries. It is uncertain whether or not the course will be given again, although its last enrollment was thirty students.

The library school of the University of North Carolina instituted in 1958 a special combined master's program in law librarianship, whose curriculum draws from both library school and law school offerings. These include regular library school courses, plus legal bibliography, legal method, and a selection of other law school courses. Mary Oliver, Professor of Law and Law Librarian, teaches the legal bibliography course and hopes to add a seminar in law library administration this year. Although still in its infancy (only one student having completed the whole course so far), it offers another interesting formula for joining subject specialty and general skills in a one-year program.

Western Reserve University's School of Library Science offered in 1958, and again in 1962, a three-credit summer session course under Miss Evelyn G. DeWitt, who is Librarian of the Cleveland law firm of Baker, Hostetler, and Patterson. It emphasizes legal bibliography, but also covers law acquisitions, cataloging and classification, and the use of related materials. The course content incorporates several new approaches and employs extensive project work and practice.

A one or one-half unit course similar in content scope to that given at Western Reserve University also has been available annually at the University of Illinois Graduate School of Library Science for a number of years. It is taught by Bernita Davies, the Librarian of the University's College of Law.

In 1962 the Drexel Institute Graduate School of Library Science established the most recent course in law librarianship, which was taught initially by Professor Erwin Surrency, Law Librarian of Temple University. This course also concentrates upon legal bibliography, but two of its eight sessions are devoted to technical problems of law librarianship. Although future plans have not been determined, the school hopes to offer the course every two years.

Thus, there are six library schools, with good geographical distribu-
tion, offering or planning to offer courses in law library work. It is hoped that another of them, possibly Columbia, will expand to a fuller program offering a wider selection of courses in law librarianship. An increase in the number of three-credit courses being offered in law librarianship also seems likely. Sufficient interest for at least biennial courses probably exists in California, the Boston area, and Florida or Louisiana. Although the curriculum emphasis will undoubtedly continue to be upon problems of legal bibliography and research (since the other aspects of law library work are more closely approached in general library courses), there does seem to be growing interest in law acquisitions, law cataloging, and law library administration. This trend will be enhanced by the increasing specialization of legal publishing, the growth of foreign and international law collections, and the continued independent development of a law library profession.

In addition to these relatively permanent graduate school programs, there are regularly given local workshops and institutes, sponsored by the various local chapters of the American Association of Law Libraries. In some cases, these are intensive two-day sessions for which full proceedings are published. Almost every one of the ten local chapters of the AALL holds at least one such educational program every year. However, the meetings of those groups which meet only once a year for all purposes are undoubtedly distracted by necessary socializing and informal professional exchanges. During the past year, particularly noteworthy two-day institutes were presented in Chicago (on "Classification in Law Libraries") and in New York (on "Official Documents—International, Federal, State and Local"). Although these conferences do perform an important professional and educational function which often transcends their local origin, there is some feeling that the local units might also offer less glamorous, but possibly more needed, basic instruction in library skills for novices and the numerous nonprofessionals and semiprofessionals of law librarianship.

As noted above, there are also national educational institutes held every other summer under the auspices of the American Association of Law Libraries. These programs usually deal with one topic and extend over five days, just prior to the AALL Convention. An extensive scholarship program has been developed which makes the institutes available to younger members of the profession. The last institute was held in 1961 at the Harvard Law School Library on "Literature of the Law: Techniques of Access." Its proceedings were subsequently
Education for Law Librarianship

published as an AALL Publication. A recent development which may modify the past pattern of these institutes is the proposal within the American Association of Law Libraries for a rotating series of five summer institutes, each introducing a different aspect of law librarianship, as part of an intensive core curriculum for those lacking prior specialized training in this field. Outlines for several of these basic courses have been drafted and tentative plans call for the first of them to be offered in the summer of 1964.

Two final aspects of the educational process in law librarianship are on-the-job training and job-generated educational opportunities. Although the training is not publicized and usually informal in nature, many of the larger law libraries do offer considerable opportunity for on-the-job training for advanced positions. Formal programs of this kind do not, however, appear to exist, probably because very few law library staffs are large enough to warrant them. Several of the larger law school libraries, particularly those associated with universities having library schools, offer tuition-free or reduced tuition library school matriculation for qualified staff members. Other law school libraries, more often in the smaller or medium-sized schools, afford similar opportunities for law school matriculation. In either case, the staff member must first meet the entrance requirements of the particular library school or law school. These courses ordinarily must be taken on the staff member's time, rather than on library time.

It seems likely that education for law librarianship, as a special and distinctive branch of library education, will continue to grow. Therefore, it may be in point to indicate who will do this educating and where it will be done. In view of the complexity of legal literature and the special techniques often required for its administration, it seems natural that the teachers of law librarianship will continue to come from the ranks of practicing law librarians. Law librarian-teachers have generally met the pedagogical standards of the library school faculties on which they have served. Many have had teaching experience with legal bibliography courses in their law schools. In addition, the standards of professional practice maintained in law libraries would seem to be on as high a level as those in libraries generally. Certainly the quality of librarianship prevalent in the law libraries from which these teachers will be drawn is on a par with the best of general libraries. Furthermore, the level of professional thinking in the forums and literature of law librarianship evidences a professional maturity adequate to produce a corps of professional teachers.

[313]
It seems probable that the library schools will remain the centers of formal training. They have made their curricula and facilities available to law librarians, and even made special exceptions in admissions requirements and arranged special programs of matriculation. On the other hand, the law schools and the legal profession generally have been uninterested in the training and education of law librarians. Although they have sought the best of librarians to build the best of libraries, they have never concerned themselves with how or where good librarians were produced. This unfortunate situation is not likely to change in the near future. It is therefore to be hoped that the law librarians will strengthen their ties with library educators and that with the resulting interchange of the best thinking in both groups, formal education in law librarianship can be improved and advanced, in and out of the library schools.

References

7. For further information, see New York State Library School, Annual Reports and Circulars of Information, between 1908 and 1925.