
Law Libraries as Special Libraries: An Educational Model

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ABSTRACT

THIS ARTICLE SUMMARIZES the history of the law library profession and the development of the educational model for law librarians. The American Association of Law Libraries' (AALL) *Guidelines for Graduate Programs in Law Librarianship* is analyzed in light of the current education model in law librarianship. The key characteristics that define law library careers in the private sector are scrutinized with reference to the current educational environment and the AALL policy. Trends and their impact on these characteristics point to the nature of law library education in the foreseeable future.

INTRODUCTION

The purpose of this article is to examine the broad educational environment of law librarianship in light of the particular demands and needs of the law librarian employed by the nation's corporations and law firms. This exploration can best be done by looking at the history of the profession of law librarianship and the educational model derived from that history. Then, the most recent policy statement of the profession that defines law librarian competencies will be analyzed. Key characteristics of private sector law librarianship are analyzed in light of the current educational model. Finally, this article will note trends that will influence the shape and direction of the educational model for law librarians in the future.

The first law libraries were private collections of law books owned by practicing lawyers and judges. As the body of American law began

to grow in the early 1800s, bar libraries were organized. These subscription libraries required membership in the bar association or club in order to use the collections. This type of law library was dominant in the nineteenth century, though some academic law libraries existed.

By the dawn of the twentieth century, the concept of public law libraries had firmly taken hold. Most of these libraries were formed to give judges, state officials, attorneys (who were not members of a bar library), and private citizens access to legal materials. Founded as court, county, and state law libraries, these public law libraries were organized and structured in a myriad of ways. Some were part of the court system, some served legislative bodies, some were established as independent county entities, some were departments within the state library system, and some were created as independent state law libraries.

The law schools founded in the early 1800s relied on the goodwill of local practitioners and their alumni to provide access to the law. Most law libraries in academic institutions got their start through a gift of an attorney's private law book collection. This tradition continued until the early 1900s, when a huge increase in the number of law books published and an increased demand for research materials forced law schools to devote more time, attention, and financial resources to their law library collections (Brock, 1974).

Corporate and private law firm libraries were in their infancy in the early twentieth century. In fact, the first law firm librarian was elected president of the American Association of Law Libraries in 1961. Elizabeth Finley joined AALL in 1939, when only one other law firm librarian was listed on the membership rolls (Houdek, 1983, p. 8). Some growth in the number of private law libraries was experienced beginning in the 1950s, but the unprecedented growth in the number of private and corporate law libraries occurred in the mid-1970s and continues today.

This historical development of law libraries has significantly influenced the educational model for law librarianship by emphasizing the importance of a legal education over any other.

But the mere existence of law libraries did not create the profession of law librarianship. A profession requires people—in this case, law librarians. Since the development of the earliest of the bar libraries precedes, by nearly 100 years, the development of library science education programs, who were the custodians of these first law libraries? Some early law librarians were actually custodians or janitors, and some were lawyers interested in developing collections of legal materials to support their areas of practice. These practitioners had the knowledge base and a very practical interest in assuring that

early law libraries contained collections of the law books needed for their work. Still other early law librarians were connected with state law libraries and responsible for distribution—sometimes publication—of primary legal materials such as court reports and state laws.

This lack of educational requirements posed no problem since the management and administration of the law library of the nineteenth century was a relatively straightforward task, often merely a custodial one. Where subject expertise was needed, lawyers were its providers.

It was not until the first information explosion in legal publishing in the late 1800s and early 1900s that the administration and management of law libraries started to become a more complex and time-consuming task. Larger law library collections, increasing competition among legal publishers, and poor access to this larger body of legal information caused law librarians to band together to try to cooperatively solve some of their problems.

In his article on "AALL History and the Law Library Professional," Frank Houdek (1991) postulates that "[o]ne seeking to understand the role of the modern law library professional must examine the beginnings of the American Association of Law Libraries (AALL) because its history is so intertwined with the development of the profession" (p. 19). Indeed, most would acknowledge the beginning of the profession of law librarianship as coterminous with the formation of AALL.

The perception of those who gathered in 1906 to discuss the possibility of forming a new association was that there was "no other organization then existing whose principles fitted our particular branch of library work..." (Small, 1931, p. 12). These pioneers were firmly convinced that they needed to find a way to make "[law] librarianship a profession rather than simply holding a job" and that a new "organization was necessary for the advancement of the libraries and cooperative work among the law librarians" (Small, 1931, p.12). AALL was created on July 2, 1906 as an independent organization separate from the American Library Association (ALA).

From a membership of twenty-five librarians representing twenty-five different law libraries (ten state law libraries, seven bar law libraries, seven academic law libraries, and one corporate law library) in 1906, AALL has grown to an organization of over 5,000 law librarians representing more than 1,600 law libraries. Rapid growth in the private sector in the last fifteen years has changed the demography of the association permanently. The proportion of academic law librarians between 1906 and 1992 has remained relatively constant (28 percent and 30 percent respectively), while the number

of law librarians in the private sector has increased from 4 percent to 44 percent. Just as staggering is the decrease of bar, county, court, and state law librarians from 68 percent in 1906 to 26 percent of the total membership of AALL in 1992.

The fact that many of the first law librarians were lawyers has significantly affected the educational credentials of law librarians past and present. This, in turn, has shaped the educational model in law librarianship.

A SHORT HISTORY OF EDUCATION FOR LAW LIBRARIANS

The educational model in law librarianship has both formal and informal components. The formal education is represented primarily by the educational degrees acquired by law librarians. Informal education occurs at many levels, including on the job and in professional development workshops, seminars, and other educational programs.

Historically, higher education of any kind was not required, although degrees in law and other disciplines were common in law librarianship. Gradually, the library science degree has become the predominant postgraduate degree earned by law librarians and required by employers, though many law librarians also have a law degree.

The development of formal education in law librarianship needs to be seen on a continuum. In the beginning, people with degrees in law or some experience with legal materials were the norm. Gradually the profession began to think that graduate educational programs should play a more important role in preparing people for careers in law librarianship. With the increasing complexity of the law and legal materials, many began to understand that the education provided in law schools could not provide a librarian with basic competencies, except what was learned about the law itself. The logical place to insert this educational goal was in the growing library science programs and not in law schools. Thus the formal education of law librarians really begins in the courses and programs developed as part of schools of library science.

One of the early proponents of the value of a library science education, Frederick Hicks (1926), said:

It has always been my contention that the only important difference between law library work and other kinds of library work is that which results from a different subject matter and a different clientele. The underlying principles of library economy and technique are the same in all libraries....Training in the general principles of all these phases of library work is given in library schools, and should be the basis on which to build such knowledge as is peculiarly useful in the respective special libraries or departments. (p. 66)

By 1936, this view (the value of library science education for law librarians) was still being championed by such leaders in the field as Arthur Beardsley (1936) who argued that:

Training in library science uncovers those latent powers which may be possessed by a librarian but which are not developed because of a lack of familiarity with the sources and materials of research. It aids him in applying "imagination to his law library problems." It systematizes the procedure used in rendition of service, fosters and increases the efficiency of library organization and administration. (p. 8)

The earliest formal independent course in law librarianship identified by Morris Cohen was a series of lectures given by Frederick D. Colson at the New York State Library School in Albany in 1913. Prerequisite to registering for this series: the student must have studied law. In 1937, Miles O. Price began to teach a course in law library administration, which covered legal bibliography and research in depth, at Columbia University School of Library Service. Prior law training was not required (Cohen, 1962, p. 194). In 1939, Arthur Beardsley started a new graduate program leading to the degree of Bachelor of Arts in Law Librarianship at the University of Washington School of Librarianship. This program, which required four special law librarianship courses and practical experience in a law library in addition to the normal library science curriculum, continues today. A law degree has always been required for admission to the program, but any library science student may take the specialized courses offered (Goldsmith, 1990).

From these beginnings, the profession of law librarianship begins to emerge. As of 1990, "over 32 (62 percent) of the 52 ALA-accredited library schools offer at least one course in law librarianship. Moreover, there are eight law schools and library schools offering joint degrees (JD and MLS) and 13 library schools that offer a specialization or concentration in law librarianship" (Hazelton, 1990, p. 278).

Growth in the number of law libraries in the private sector (1970s-1980s), as well as the academic sector (1960s-1970s), resulted in a shortage of qualified law librarians. The increase in law librarianship courses and concentrations, as well as the creation of joint JD/MLS degrees, began to respond to this market demand. In recent years, the number of students going to law school has markedly increased, while job opportunities for the practice of law have increased only slightly. This situation has encouraged many students and practicing lawyers to consider alternative careers. Some choose to get a library degree and enter law librarianship. The result is that an employer can often hire a law librarian with both degrees, even when the employer may have been satisfied with only the library degree.

Formal education in law librarianship is a part of many graduate programs in library science today. Opportunities for graduate education on a full-time or part-time basis are available, and the

prospective student may choose from a wide array of programs that offer one to five specialized law librarianship courses as part of the curriculum. Many programs also have a practicum or fieldwork component to give students some experience in a law library setting. Development and availability of these special courses in law librarianship were stimulated by the realization that a legal education alone did not properly prepare a student for a career in law librarianship.

Many who worked in the law libraries of the early twentieth century had no library science training and were reluctant to embrace the notion that appropriate education for law librarianship required library science course work. But, in the end, library science has been embraced by the law librarianship profession. The debate now is similar to that of the early years—the necessity of the standard three-year law degree for the practicing law librarian (Hambleton, 1991; Oakley, 1989).

Law librarians have always been profoundly concerned about the definition of the law librarian in educational terms. An effort to formulate some professionwide educational standards began as early as 1935, but it was not until 1965 that AALL created a voluntary certification program (Brock, 1974, p. 358). These standards permitted nearly any combination of education and experience to qualify a person as a Certified Law Librarian (American Association of Law Libraries [AALL], 1967). The certification program was abandoned in 1983 due to a concern over AALL's tax-exempt status (Price, 1984, p. 124).

Because of the scarcity of formal law librarianship programs in the late 1800s and early 1900s, most law librarians learned what they needed to know on the job. As the law library environment became more complex, as law libraries grew rapidly in size, and as users demanded more sophisticated services, some law librarians realized that formal educational programs were necessary. But even though the association could not agree on the educational standards of its profession, law librarians did not hesitate to create a network of informal educational opportunities to fill the void. This educational function was one of the primary reasons that the American Association of Law Libraries was founded.

The annual meeting of AALL created the opportunity to educate the members on issues of mutual interest and concern. From the early meetings, where one or two programs were planned, each AALL annual meeting now boasts over seventy different educational offerings, including panel discussions, roundtables, town meetings, keynote speakers, and workshops. In 1937, AALL held its first institute, a one-day meeting on law library administration, thus

providing another forum for informal education. Today, at least two institutes, lasting three to four days, are held in conjunction with the annual meeting, and an additional institute is held each winter.

Another important development occurred in the late 1930s which has given law librarians even more opportunities for continued education. In 1937, ten law librarians met at the University of North Carolina and agreed to organize the North Carolina Law Librarians. This group became the first chapter of AALL in 1939. Membership in AALL is not required for chapter members, and these local and regional groups have become important forums for the exchange of ideas, cooperation, and education. There are now thirty chapters of AALL, most of which meet several times a year for educational purposes.

Many cities have informal local groups of law librarians that are not yet official chapters of AALL. These groups also sponsor educational programs and other cooperative ventures. And, in many locales, the local chapter of the Special Libraries Association (SLA) has provided local educational programming for law librarians.

The early educational model in law librarianship emphasized a legal education as the primary qualification for careers in law libraries. This is not to say that all law librarians had law degrees, only that when talking of standards or qualifications, the law degree was considered the primary postgraduate degree. Those law librarians without degrees learned what they needed on the job. The model, then, had a possible formal component, the law degree, and informal components through learning in educational programs or on the job.

The model today has a clear formal component—the library science degree is nearly always required, while the law degree, except in academic and some court and bar libraries, is not considered as important. Most employers are not interested in a person with a law degree alone, although some are hired with the assumption that a library degree will be earned. In addition to these formal educational requirements, a substantial network of informal educational opportunities through AALL, its chapters, SLA, and other professional library organizations, as well as on-the-job learning, complete the educational model in law librarianship.

As the number of law librarians in the private sector increased (primarily in the 1970s), they began to demand more relevant educational programming. The formation of many of the local city and state groups of law librarians, some of which have become chapters of AALL, was a direct result of the need for a forum to share concerns, work cooperatively to solve problems, and provide educational experiences. The creation by AALL of special interest sections in 1976 was a direct response to criticism that AALL did

not meet the educational needs of special groups of law librarians, particularly the private law librarian group.

Many of the changes we see in the educational model are a direct result of the growth and importance of the private sector in our profession. Many law firms and corporations used untrained secretaries and paralegals to manage their law libraries. As the world of information became increasingly important and more complex (especially with the addition of computerized databases and systems), law firms recognized the need to hire better qualified managers. These private organizations were looking primarily for managers of growing departments and saw graduate library training (or substantial law library experience) as an essential qualification.

Legal education was not necessarily sought since the firm or corporation presumably had a host of law-trained employees at its fingertips. In fact, legal training was often considered a detriment (why would someone choose to be a librarian instead of a lawyer unless they were not good enough to practice law?). Fortunately, not all firms and corporations were so narrow minded, and many of the law librarians in the private sector have law degrees, some with the financial and administrative assistance of their employers.

AALL GUIDELINES FOR GRADUATE PROGRAMS IN LAW LIBRARIANSHIP

The American Association of Law Libraries has recently grappled once again with the question of educational standards for the law librarianship profession. In 1987, the American Library Association, as part of its review of library school accreditation standards, asked professional organizations representing specialized library interests to formulate guidelines that could be used in the accreditation process. Although ALA was not willing to accredit specializations and concentrations in various library school programs, ALA felt that individual organizations representing their profession could draft guidelines that would assist administrators and curriculum planning.

The result of this request was the creation of a Special AALL Educational Policy Committee, chaired by Judith Wright, director of the University of Chicago Law Library. The committee was composed of law librarians from all types of law libraries, and the result was the creation of the "Guidelines for Graduate Programs in Law Librarianship" which was approved by the AALL Executive Board in November 1988 (see Appendix).

Although these guidelines apply only within the framework of law librarianship courses and programs in graduate schools of library and information science, they do represent the profession's most recent attempt to articulate the educational standards for all law librarians,

regardless of the type of law library in which they are employed. In addition, the guidelines are a good checklist of what a librarian should attempt to acquire in an educational program.

It is fair to say that many law librarians learned these general and subject competencies in informal ways, through educational programs, as well as on the job. In that sense, these guidelines represent the ideal. To what extent teachers of law librarianship courses or deans of library schools have actually used these standards to plan courses and specialization tracks is unknown.

Because of the purposes for which these guidelines were drafted, the committee was able to sidestep the question of whether a law degree is required for the practicing law librarian. The committee tried to articulate what competencies were important for law librarians but did not dictate how these competencies should be acquired. Thus, the implication is that if the student (without a law degree) wishes to go into law librarianship and enters a library school program which has few or no courses in legal bibliography or law librarianship, that student should consider other avenues for acquiring subject competency in the law. These alternatives may include law school, AALL and chapter programs on substantive law and legal research, on-the-job training, and selected law school courses.

The guidelines are divided into two parts—general competencies and subject competencies. General competencies include reference and research services, library management, collection management, and organization and classification. Subject competencies recognize the critical role played by the origins and development of the law by requiring knowledge of the U.S. legal system, the legal profession and its terminology, the literature of the law, and law and ethics.

The guidelines purposely do not recommend that a specific number of law librarianship or other classes be offered in a library school program. There was no intention to prescribe a program for those schools offering a concentration or specialization in law librarianship. The guidelines were written to be as flexible as possible, since they need to be applied to a wide variety of institutions and programs. The committee also wanted these guidelines to articulate standards for librarians practicing in all types of law libraries.

Interestingly, the general competencies appear first in the guidelines document. This arrangement could be seen as a commentary on the relative importance of library science vis-à-vis the law. Or this order could be a mere acceptance of the fact that library science education is now a clearly accepted qualification for the practice of law librarianship. This arrangement certainly reflects a recognition that the guidelines themselves were being drafted to aid the ALA and library schools in evaluating the quality of law

librarianship offerings. Thus the quality of law librarianship courses is measured first against the purposes that graduate library education seeks to achieve.

As suggested earlier, the actual use of the guidelines adopted by AALL is unknown. At least two commentators have analyzed these guidelines, particularly in light of the balance which must be struck between sound library science education and appropriate knowledge of the law for those who wish to practice law librarianship.

In his article, Robert Oakley (1989), director of the Law Library and Professor of Law at Georgetown University Law Center, argues that law library educational programs need to be enriched. "In my judgment, library education should endeavor, not just to teach competencies and methodologies, it should also develop habits of mind, ways of reasoning and problem solving, and a skill in working and living in the constantly shifting information environment" (p. 149).

His four goals are:

1. To develop high level thinking skills, including analytical skills, systematic problem solving, and critical evaluation of alternatives....
2. To develop an understanding of library techniques on the practical and—more importantly—the theoretical level....
3. To cultivate an understanding of legal systems, legal methods, and the language and issues of the law....
4. To give the student some real world experience with the practice of librarianship (p. 150).

Oakley's analysis raises two issues that are not directly addressed by the guidelines. His goals of developing high-level thinking skills, as well as an understanding of library techniques on a more theoretical level, could easily be emphasized in the guidelines. Oakley's admonition that some substantial practical experience in a library be added to library science programs is a laudable one. In fact, many library schools have a practicum or fieldwork requirement as part of their program, though it may be of relatively short duration. Ultimately, Oakley concludes that his goals could not be met without increasing the length of time students were in library school. And he correctly notes that increasing the length of time it takes to get a degree in librarianship, especially for those interested in law librarianship, will be very difficult unless the salary and prestige of the profession greatly improves.

Jim Hambleton explores in his article the question, Does a law librarian need a law degree (1991)? He argues that even the first three general competencies imply an understanding or knowledge of the literature of the law. He goes on to analyze the subject competencies outlined in the guidelines and concludes that there are many ways to gain the knowledge needed for law librarianship. He rejects on-the-job-training, paralegal education, and the traditional three-year

education leading to a JD. By implication, he also rejects the joint JD/MLS programs since they usually do not shorten the number of hours required for the JD and are not tailored to emphasize the subject competencies of the guidelines.

The model Hambleton prefers is one year of education in the law, the kind some schools (University of Nebraska and Duke University) call a Master of Legal Studies. This degree combined with a graduate degree in library and information science "would provide the solid education needed for the competent practice of law librarianship" (Hambleton, 1991, p. 43).

It is clear from Hambleton's discussion of the general competencies that he does not believe that specialized law librarianship courses in library schools would be necessary, at least for the student aiming for a career in law librarianship, if the Master of Legal Studies were a recognized and viable degree. This conclusion does not suggest that Hambleton would support the elimination of all law librarianship courses in library school. He would simply move the responsibility for teaching the necessary subject competencies (law) from the library school to the law school.

These analyses bring the debate full circle. At this time, the JD is still the recommended way to obtain the competencies of the subject of law for the practicing law librarian. This is true because anything less is not recognized or valued in the eyes of most law librarians' primary patrons—lawyers and judges. For example, academic law librarians helped develop standards for the accreditation of law schools which required certain educational credentials for law library directors. Although the library or law degree is required for accreditation by the American Bar Association (AALS, 1992), the more rigorous Association of American Law Schools requires that the director have both law and library degrees (*Standards for Approval of Law School and Interpretations*, 1992). No such clear educational requirements exist for the other 4,800 law librarians, so the debate continues. We may argue with the logic of the relative importance of the law degree, but it is a reality we must face.

At the present time the educational model for law librarianship embraces education in graduate programs of library and information science to help satisfy the general competencies of the guidelines. In addition, professional development in continuing education programs and on-the-job learning contribute where library schools fail to provide the depth and breadth of education needed.

And, while law librarians may have finally agreed that its professionals are librarians and should be trained and educated as other librarians, the fact remains that the legal competencies must be achieved as well. There is no consensus as to how this education

should best be acquired. So we will continue to see specialization in library schools, three-year JD programs, joint degree programs, perhaps the acceptance of the Master in Legal Studies degree, and a great deal of informal education through continuing education and on-the-job learning.

KEY CHARACTERISTICS OF THE PRIVATE SECTOR LAW LIBRARIAN

Not all law librarians are the same. Already established is the notion that the type of law library may well affect the educational credentials and experience needed by the librarians who work in it. However, just as law librarianship has many of the same characteristics as librarianship, private sector law librarianship shares many key attributes with law librarians in other types of law libraries. The differences are more in degree.

Private sector law librarians are responsible for the management and administration of a department of an organization operating in the for-profit environment. Law librarians in these libraries must manage people, budgets, collections, services, and space so as to provide access to the information needed by the organization and its members. Management issues which tend to be heightened in this environment are in marketing and public relations, use of technology to improve service, and networking and cooperative arrangements.

Law librarians in the for-profit sector must also have a thorough grasp of the literature of the law and related disciplines, as well as of the legal system and legal profession. This subject competency permits extensive reference and research work to be done, including teaching in group settings when appropriate. A great deal of nonlegal research occurs in the private sector as well, depending on the areas of practice in the firm or corporation and business development handled by the library.

The for-profit environment requires increased awareness of the need for marketing the services of the law library or legal information center to the organization. In the dynamic economic environment of today, the law library without a strong public relations position within the organization disappears. The parent organization must know what the library staff do and must be convinced of the importance of those activities. Professional librarians moving into this environment must be advocates and must recognize that silence can be deadly.

Most private sector law librarians were early users of technology, whether to access increasing amounts of information or to bring the efficiencies of computer technology to bear on library records and procedures. Many law librarians were the driving force in their

organizations for the consolidation and management of all of the firms' information needs, including creating databases containing firm work products (brief banks), conflict management, other records management, continuing education programs, and more traditional library activities such as database searching, research, and selective dissemination of information. Capturing the power of the new technologies to provide information is one of the most important roles played today by the private sector law librarian.

The very nature of law libraries in the profit sector requires close networking and cooperation. Unlike their academic colleagues, law firm and corporate law libraries rarely have the option of owning large collections of legal information (regardless of the format). Instead, law libraries in the private sector tend to be small and provide the basic information required. However, the vast array of information needs of the average law firm today are often not met by what is actually owned by the firm. This reality has forced law firm librarians to develop sophisticated and often expensive retrieval and document delivery systems. Their use of messengers and information brokers is commonplace. Also as a matter of course, these librarians need to work with other librarians—public, special, law—in order to meet the information needs of their clientele. Professional organizations, both formal and informal, become an obvious source of support.

Law libraries of all types face these same issues, although the degree of their importance may vary now and in the future. For example, in the past, academic law libraries were presumed to receive their budgets from the law school. Revenue generation by the library itself was rarely considered. In these more stringent times, fund-raising and services for a fee are more common, with tremendous pressure on many academic libraries to find sources of revenue. This requires academic law librarians to market their library and products, essentially engaging in public relations campaigns like their private sector colleagues.

In another example, academic institutions were often content to sit by the road and wait to be dragged into automation and use of technology, while the private sector left them in the dust. Now with a national network (the Internet), many academic institutions find themselves on the cutting edge of sharing resources and information using the new technology. Or one could look at the role of education, which historically was the province of the academic law library. Recently, more and more organizations in the private sector are using the organizational skills and substantive knowledge of their law librarians to teach advanced research skills, computer-assisted legal research techniques, complex resources in specialized areas of law, and more.

The point here is that the differences exist, but there is a wide area of overlapping interests. The only real difference between private sector law librarianship and the rest of the profession is the fact that they are in a profit-making environment. This fact makes law librarians in law firms and corporations look more like special librarians than like law librarians found in academic, court, county, state, and government libraries.

Does the educational model for law librarianship currently in existence address the needs of the private law librarian? The answer is probably not. While the guidelines prepared by the AALL clearly address many of the key characteristics of the private sector, the educational model does not.

Many private sector law librarians lament the state of library education in that it does not provide the best possible preparation for the complex management tasks required of them. This concern simply echoes a refrain heard by many other special librarians. In fact, when drafting their "Policy Statement on Graduate Education," the Special Libraries Association purposely limited their statement to "library/information education only, specially those areas of current curriculum which require expansion or modification to meet the educational needs of potential special librarians" (Hill, 1990, p. 328). Both the Hambleton and Oakley articles mirror this concern, presumably not just from the perspective of the academic sector of law librarianship (Hambleton, 1991, pp. 39-40; Oakley, 1989). Thus one could argue that library school (with or without law librarianship courses) does not serve the needs of the private law librarian any more than it serves the needs of most special librarians.

In addition, how do private firm or corporate law librarians gain the competencies in law they clearly must have? If the law firm has a strong personal injury practice, where does the law librarian learn what he or she needs to know about medical and other related information sources? One obvious avenue is through specialized courses in law librarianship, of which there are quite a few. Another is for the librarian to get a law degree. Another is to learn on the job and learn through continuing education programs and courses offered by professional law or library organizations. There is no right path, but it is clear that the more opportunities for this kind of education, the more we can improve the competency level of the profession.

OUR CHANGING ENVIRONMENT

Predicting the future is always a dangerous business, but one thing is clear—everything around us is changing at a very rapid pace. No longer can we hope to use the substantive knowledge we gained last year to solve a problem this year. The personal computer that

managed everything we wanted this year will not have the capability to support the software, graphics, multimedia, and telecommunications needs of tomorrow, let alone the needs of next year or the next century. How will the events around us affect the educational requirements of the private sector law librarian? And how will our educational model change to accommodate these future trends?

These trends can be divided into external forces and those forces which are internally generated within the law librarianship profession. The external considerations can be categorized as those which affect libraries and those which affect the law. Internal trends include issues of salary, career development and educational qualifications, image, recruitment, and retention.

Changes in technology are here to stay. This dynamic environment has a direct impact on libraries of today as well as of the future. Many wonder if libraries as we know them will disappear. Articles and speakers talk about libraries without walls and emphasize access over ownership. No question that libraries will be different. Perhaps it is time for us to stop trying to answer the "what will libraries be like?" question, and instead try to cope with whatever the changes are and will be.

This view does not contemplate business as usual, or merely responding to technological advances. Librarians can and should help shape the application of technology to our situations. It is certainly important to know what is on the "bleeding edge," but librarians must also keep their eyes on the current information needs of their users as well as the records and procedures which support those needs most effectively. Despite the advances of computerized legal information, many lawyers and law professors prefer to use the physical books. We are working in a time of transition, and one of its challenges is to be able to respond effectively to the traditional user as well as to the high-tech user. Librarians must be willing to try new technologies, understanding how the application of those technologies will affect library services, staff, space, and collections. Our organizations must remain flexible and able to respond to ever-increasing workloads which technology seems to demand. Shifting of priorities, elimination of some previous work, and reassignment of staff as new needs emerge all help keep the work environment adaptable. Planning organizationally and spiritually for change is important and must be a high priority.

What can be said about the information explosion that has not been said before? Little except that it is real. The increasing number of publications and the variety of formats can make a collection development librarian or reference librarian or even a library user lose control.

Five years ago in the state of Washington, people who wanted access to the codified law of Washington could purchase one of two printed sources. Today, there are still two printed sources, but the people of this state can also find codified law in two commercial online databases, one commercial CD-ROM product (three more are rumored), and a local legal bulletin board service—no fewer than six separate sources. And while most of us are pleased with the diversity of access these products provide, when is there time for librarians to learn enough about them to help library users make choices? Are there quality differences in the products? What did not get purchased so the library could provide the necessary computer equipment and furniture for the workstations? Where did the space for the workstation come from? How is training in the use of these resources integrated into basic library services or into the curriculum? Does the basic legal research course increase in number of credit hours? Who had time to set up the new policies and procedures for the technical services handling of this special material?

No longer is more information exciting. More information brings a concomitant need for strategies to winnow the information to the most relevant and important. Those who have been overwhelmed and deluged by information know the importance of this task. Librarians are well suited by intellect, training, and personality to provide value-added information to their users.

Libraries could insulate themselves from this onslaught, and some have, by refusing to buy or access the new formats of material. But the world will pass those libraries by because they will not be able to justify their existence if they cannot respond to the demands of their users. Most librarians continue to try to be responsive to their clientele by adding the new or integrating it into their environment. The key here is integration—little of the traditional goes away or becomes less important. So this acceptance and integration of new materials requires a different conceptual framework and is a stressful process.

Few would argue with the proposition that the rapid changes in technology, coupled with the information explosion, have left most libraries and librarians gasping for breath. These external forces will not disappear. Librarians in this new age must like to be in a sea of constant change and must learn the analytical and problem-solving skills necessary to solve the challenges of today and the unknowns of tomorrow.

The trends outlined earlier affect all kinds of libraries and librarians, not just those in the private sector of law. In that sense, their impact on education for law librarians is much more broad based. Library schools, in particular, must reform to meet this

challenge, not just for the private sector law librarian, but for the profession of librarianship overall. Encouraging students to take courses outside of library science or adapting courses from other schools to the library environment is necessary. If library schools cannot reform, the prominent place enjoyed today by the library degree in the law librarianship educational model will disappear and be replaced by a more meaningful education.

There are external forces at work in the law, as well. Our world is more complex, and we are constantly inventing more and more complex structures to cope with these changing needs. Our legal system is a complicated series of interrelating branches of government operating at all levels—federal, state, and local. Gone are the days of locating the controlling statute or case. Enter the days when looking for state, federal, or tribal regulations may be required. The law is more complex, and the sources of the law have grown more complex as well.

With this complexity has come an interesting phenomenon. These days, the law is more related to things nonlegal. That is, the law has become more interdisciplinary. People who do legal research must often know how to find business, economic, statistical, medical, social science, technical, and humanities information. Law cannot be isolated into a totally separate field. Law is created and revised in response to the world around it. This external force also shapes the kind of educational preparation necessary for law librarianship.

Interestingly, these same observations have been made for years about the law. But today it is the pace of change which is hampering our ability to cope.

The third external force which will continue to affect our role and responsibilities as law librarians is the dramatic change which is taking place in the practice of law. More lawyers, larger and larger law firms and corporations, greater diversity, treating law as a business not a service industry, hourly billing, extremely high billable hour standards, and increased specialization have all contributed to a changing environment in law practice. Effects on law libraries in the private sector include librarians billing their time directly to clients, closer budget management, much more attention paid to the "bottom line," staff, materials and equipment cutbacks (down-sizing), pressure to produce more with less, taking on new responsibilities, and so on.

The last external consideration relates to the internationalization of the law—and of the world around us. More and more lawyers have a connection to other countries as the law changes to accept the global village concept—old legal systems, particularly in Europe and Asia, disintegrate and new legal systems and governments are

created—and as we recognize that many challenges facing the human race can only be solved by global action. These increasingly international contacts create a burden on private sector librarians to research in sources unfamiliar and often hard to obtain. Often knowledge of other languages becomes important in providing high level service to users. An ever-larger number of publications and databases are being created to enhance access to this new type of material and law librarians must have the resources to own and access this information.

The trends that impact the law will have a direct bearing on the educational model for law librarianship. While the increasing complexity of the law and the internationalization of the law all suggest the continued viability and importance of the subject competencies in the law, the growing interdisciplinary nature of the law and the far-reaching changes in the practice of law would seem to push in the opposite direction, away from subject competencies.

The profession of law librarianship is also concerning itself with issues which tend to be more driven by considerations internal to the profession. Salary levels are dreadfully low in most law libraries. Career development is limited. Concern about the ability to retain highly competent law librarians is real as we see our colleagues move into completely different careers and out of librarianship. The image of librarians is still low in the eyes of those who determine salaries and benefits.

Our ability to discuss and solve some of these problems will have an affect on the quality of law librarians of the future. And this, in turn, will affect the educational preparation for entry into the profession. Without prestige or salaries that recognize worth, professionally trained librarians will choose careers that avoid law librarianship. We can and must change this direction.

Today the model of education for law librarianship requires a library degree, in limited cases may require a law degree, and relies on educational programming through AALL and other professional organizations as well as on-the-job learning. The relative importance of these pieces, and how the competencies required will be achieved, will be shaped by the external and internal forces at work in libraries, the law, and the profession of law librarianship.

CONCLUSION

Law librarianship is one branch of librarianship which has strong historical roots in its subject, the law. The educational model for law librarianship is strongly influenced even today by this history. Our profession has agreed on the competencies needed, as expressed in the guidelines, but has been unable to agree on how those

competencies can best be acquired. But perhaps this begs the question. As long as a variety of alternatives is available to attain those competencies, maintaining flexibility in today's changing environment may be of key importance.

Law librarianship today is primarily a profession of people who consider themselves librarians, even if they possess a law degree. This transformation is not complete but is broadly based. Library schools will need to work to reform their educational offerings to meet the needs in the management, technological, and marketing aspects of private sector law librarianship. More law schools should consider offering a degree of Master in Legal Studies, and employers must recognize the value of this alternative in meeting the educational competencies in law. Library schools will need to continue to exist and must have our support, for without library science graduates, the private sector may look elsewhere for the law librarians of the future.

And, fundamentally, law librarians must be educated in such a way that adaptability and flexibility are second nature. Our world has changed dramatically in the last decade, and law librarians must find a way to keep pace or be left out.

APPENDIX

ALA-ACCREDITED GRADUATE LIBRARY SCHOOLS

AALL GUIDELINES FOR GRADUATE PROGRAMS IN LAW LIBRARIANSHIP

This policy statement is for the American Library Association to use in its accreditation of graduate library school programs. Law librarians are employed in academic, court, private firm, corporate, government, bar and subscription libraries; the competencies this policy describes are needed by all law librarians. These guidelines are concerned with graduate library education only, specifically those areas that require expansion or modification of current curricula to meet the educational needs of future law librarians.

Library school curricula must include courses that create a high degree of competency at the general level as well as in the subject discipline—the law. Therefore, this document is divided into two sections: general competencies and subject competencies.

I. General Competencies

Although these general competencies are required by librarians employed in all types of libraries, library instruction must also include and emphasize the components of these areas that are specific to law librarianship.

Areas of general competency include: 1) Reference and Research Services; 2) Library Management; 3) Collection Management; 4) Organization and Classification.

1. Reference and Research Services

Law librarians provide reference and research services that meet the requirements of their organizations in the most efficient and cost-effective manner possible. An essential component of law library service includes teaching users how to identify and use sources for legal research. Because legal materials are the tools of the trade for lawyers and law students, effective law librarians are sophisticated users and finders of legal information. Further, law librarians are required to fulfill the non-legal information needs of their organization.

Research and reference may include, but are not limited to: a) provision of information to meet specific needs; b) selective dissemination of information; c) analysis and evaluation of sources and information; d) development and delivery of new services as needed by the organization; e) advice on the design and development of commercial information products and services; and f) expert use of all information media used for storage and retrieval of information. Education for law librarianship must teach research strategies and methods that are based on sound analytic and problem-solving skills.

2. Library Management

Principles of management and organizational behavior must be part of all graduate library school programs. Specifically, law librarians must learn techniques for managing library personnel and resources, measuring and evaluating library services and implementing technology-based solutions to library management problems. Library education must emphasize

communication skills, human resources, strategic planning, budgeting, marketing strategies, productivity, innovation and sound fiscal management, including cost recovery and profit-making.

3. Collection Management

Law librarians make decisions regarding the identification, selection and acquisition of the legal and non-legal resources needed by their organizations. In order to support the needs of their organizations, they must assess the strengths and weaknesses of their collections, develop appropriate collection policies, and employ the best methods to improve the power and scope of their collections, including resource sharing and interlibrary cooperation as appropriate. Knowledge of subject-specific selection tools and of acquisition procedures is essential.

Legal materials are increasingly created, stored, and retrieved in full-text electronic databases. Whole systems of national and state case law as well as statutory and regulatory materials have been published in full-text in online systems. Selection policy and purchasing decisions require not only critical evaluation of subject matter, but also consideration of the efficacy of particular formats (e.g., print, online, CD-ROM, microform, etc.), space limitations, user access, cost and other relevant factors. Knowledge and use of cost-benefit analysis techniques are essential to the collection management process.

4. Organization and Classification

All law libraries contain basic primary and secondary legal materials in a variety of formats which must be easily identified by and accessible to users. Methods and reasons for classification and organization of a library collection may differ from one law library to another because of size, organizational needs, and emphasis of the collection. Knowledge of cataloging and classification theory, serial publication patterns, government documents, database design and construction, and indexing and abstracting is essential, with the ability to apply this knowledge in context of organizational needs and national standards.

II. Subject Competencies

An understanding of the origins, development and present state of Anglo/American law and legal literature is crucial to the work of the law librarian. Graduate library education for law librarianship must, at a minimum, provide basic competencies in: 1) the Legal System; 2) the Legal Profession and Its Terminology; 3) Literature of the Law; 4) Law and Ethics. In-depth knowledge of the law is outside of the realm of library education.

1. The Legal System

In order to locate pertinent materials and recognize their relative importance to the user, a law librarian must have a working knowledge of the judicial, executive, and legislative branches of the United States federal and state governments. Knowledge of the legislative history of statutes is also essential. The interplay of common law, precedent, statutes, regulations, and constitutions significantly affects the use of legal materials. Therefore, all law librarians need a thorough understanding of the processes by which law is created.

2. The Legal Profession and its Terminology

Law librarians must possess knowledge about the legal profession in order to understand the forces that drive its information needs. Specifically, law librarians need to know about the institutions and professional organizations of the legal profession and law librarianship.

Legal terminology is the professional language of those who are directly or indirectly involved in the legal profession. Thus, it is essential that law librarians have a working knowledge of legal vocabulary, including legal abbreviations and citation systems.

3. Literature of the Law

Knowledge of the literature of the law is a fundamental component of law librarianship. Legal literature includes primary and secondary sources, their accompanying finding tools, and adjunct publications in all media formats. Printed legal publishing continues, but new legal publishing formats such as full-text legal databases, microforms, and CD-ROM mean that library education must prepare law librarians to exploit the advantages as well as recognize the limitations of these new formats.

4. Law and Ethics

The use and dissemination of legal information is affected by legal and ethical considerations. Law librarians must understand the legal complexities that affect access to and use of information, including copyright, freedom of information, privacy, and issues related to unauthorized practice of law and/or malpractice. Law librarians must be familiar with and understand any legal requirements and ethical considerations of both the legal profession and librarianship.

—Approved by the AALL Executive Board, November 5, 1988

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