

1954

The Law Librarian's Education and the Autonomous Library

Marian G. Gallagher

University of Washington School of Law

Follow this and additional works at: <https://digitalcommons.law.uw.edu/faculty-articles>



Part of the [Law Librarianship Commons](#)

Recommended Citation

Marian G. Gallagher, *The Law Librarian's Education and the Autonomous Library*, 47 LAW LIBR. J. 114 (1954), <https://digitalcommons.law.uw.edu/faculty-articles/444>

This Article is brought to you for free and open access by the Faculty Publications at UW Law Digital Commons. It has been accepted for inclusion in Articles by an authorized administrator of UW Law Digital Commons. For more information, please contact cnyberg@uw.edu.

The Law Librarian's Education and The Autonomous Library

by MARIAN G. GALLAGHER, *Librarian*

University of Washington Law Library

The American Association of Law Libraries quite logically is the organized unit most interested in education for law librarianship. That interest is documented in the 1953-54 list of A. A. L. L. committees and official representatives: we have a Committee on Education and Placement, a Representative on the Council of National Library Associations' Joint Committee on Library Work as a Career, a Representative on the same Council's Joint Committee on Education for Librarianship and on that Joint Committee's Subcommittee on Education for Special Librarianship and, occasionally studying educational standards for school law libraries, the Joint Committee to cooperate with the Association of American Law Schools. This is no bureaucratic recipe for alphabet soup; the list represents, in fact, a thinning of titles and a careful attempt by the Executive Board to eliminate duplication of effort. We have not had, since 1951-52, the Committee to Cooperate with the Joint Committee on Library Education of the Council of National Library Associations.

The membership of these committees has been composed principally of experienced law librarians. They have

either achieved the degree of education advocated by the most undiplomatic among them, or have reached the stage where, optimum standards or not, they intend to absorb no further formal education. Their committee reports are designed for the processions of law librarians who come after them, not to educate them, but to induce in them and their administrators the mood for education. As the dripping of water wears away the stone, so will years of committee pronouncements wear down the resistance of those who think the law librarian advocating special training is employing operation bootstrap.

Prospective law librarians do not read our committee reports, and if they did would seldom find recommendations couched in terms definite enough to give them pause in their headlong rush to enter the profession. Our committee members have been most diplomatic in their reports to colleagues; they realize that some of our most distinguished law librarians have achieved success without the formal educational short-cut we should like to require.

We all are less diplomatic when we range outside our own Association, where we are apt to be placed on the

defensive, by lawyers who cannot or do not want to pay the price for librarianship on top of law training, or by law library administrators who feel that legal training dims the light of librarianship, or by volunteer librarians who feel we take something away from them by our refusal to concede that what is good enough for them is good enough for us. Sometimes we are placed on the defensive without warning, and under circumstances which make it impossible for us to gird ourselves with committee reports or throw up any sort of documented breastwork. The advantages of eternal vigilance notwithstanding, the packing about of ammunition in readiness for such attacks might well be limited to a ready stock of silly answers to be used in reply to stupid questions. There is something about us who want lawyer-librarians on our library staffs which prompts our acquaintances to assail us suddenly and antagonistically and in a rather repetitious manner with blanks: that librarians lock up the books and collect pieces of string; that only lawyers who cannot make a living in practice turn to law librarianship; that exposure to legal education creates in the victim a vacuum in all other skills and knowledge fields; that the law library administrator who deviates from general library practice has an occupational disease.

This type of attack is unimportant; I am concerned with a defense for the law library administrator who has been presented with serious arguments contradicting his beliefs that a law librarian's education should include both law and librarianship, and,

often in issue with it, that there are special aspects of law library administration which prevent its fitting neatly into a unified library system. The frequency with which the two beliefs are attacked simultaneously results from the fact that, salary scales being in issue, librarians object more heatedly to the added cost of legal training than do lawyers to the added cost of librarianship training; when they object to the point of blocking attempts of the lawyer administrators to obtain legally trained librarians, there often develops a struggle over who shall run the law library.

These serious arguments will be well documented, and many of them will be supported by law librarians as well as non-law librarians; they may include two major premises:

- I. That the law librarian is primarily a librarian, not a lawyer.
- II. That making the law library a part of a unified library system with the administrative advantages of unified performance of like functions, will result in increasing efficiency and economy.

The first may be augmented by these statements: that medical librarians need not be doctors, engineering librarians need not be engineers, and law librarians should not necessarily be lawyers; that legal publications are standardized and are no more difficult to use than publications in such fields as chemistry, medicine or public documents; that the *interpretation* of legal publications and the preparation of briefs is highly involved and should

be left to practicing lawyers; that the prime function of a law librarian is the same as that of any other librarian: the acquisition and management of large collections of books for those who will read and interpret them. I make no pretense of being able to see the logic of this premise, but in unequivocally rejecting it, I feel that my bigotry does not exceed that of those who advocate it. No scholar would be willing to suggest that a library's function ends with the acquisition, processing, cataloging, shelving, and routine circulation of books. Any library serving a profession depending on research, must, and usually does, make some attempt to facilitate use of the collection. In order to be of service, the librarian should know at least as much about the use of books as the patron, and those standards are not too high which expect him to know slightly more than the patron. Citable authority defending against the premise is more unwieldy than scarce: it can be found in the various reports of the A. A. L. L. committees earlier mentioned, including a recent one less hampered than the majority by the diplomacy required in reports to colleagues¹; in periodical articles, albeit sometimes concealed in the indexes by generalized or Latin titles²; in publi-

cations of the Association of American Law Schools; in published statistics³; in letters from learned colleagues, most of whom will not want to be quoted, and even in obituaries⁴.

A recent series of articles aimed squarely at lawyer vs. librarian, and notable for its air of unrestrained advocacy, appears in the Chicago Association of Law Libraries' Proceedings of the 1953 Workshop on Law Library Problems, 1954, pp. 37-64⁵.

The proponents of the second premise, advocating merger with a general library system, can and do point their guns at any type library, but law school librarians most frequently are those who must find defensive ammunition. They can concede that the administrative advantages of unified performance of like functions might be noticeable in a law library's formative years when it is too small to justify a trained staff of its own, and when the technical processes (but not the selective processes) involved in acquiring out-of-the-ordinary quantities of books require the skills of librarianship. Those advantages would be apparent also in cases in which the university had no central purchasing department to control economy in the purchase of supplies and equipment, or in which the

1. Julius Marke's report as a member of the Subcommittee on Special Library Education of the Council of National Library Associations, setting forth his plan for an "optimum and yet practical program" of training for law librarianship, 24 LIBRARY QUARTERLY 7-8 (Jan. 1954). His plan was submitted to the American Association of Law Libraries 1951-52 Committee to Cooperate with the Joint Committee on Library Education of the Council, which commented on the plan in "committee-ese" and neither approved nor rejected it.

2. Edward S. Bade, *Quo Vadimus?* 2 JOURNAL OF LEGAL EDUCATION 41-52 (1949); Judson F. Falk-

nor, *The Function of the Law School Librarian*. 30 LAW LIBRARY JOURNAL 13-16 (1937).

3. William R. Roalfe, *The Libraries of the Legal Profession*, Chapter IV, Personnel. 1953; *Law School Library Statistics*, 45 LAW LIBRARY JOURNAL, chart between pages 172-173 (1952).

4. *Report of the Committee on Memorials, 1949 ASSOCIATION OF AMERICAN LAW SCHOOLS, PROGRAM AND REPORTS OF COMMITTEES* 83-86.

5. For the librarian: Lester Asheim, Dean, University of Chicago School of Librarianship; for the lawyer: Law librarians Bernita J. Davies, Annabelle M. Paulson, Miles O. Price, and Marian G. Gallagher.

law library had been managed in an inefficient or wasteful manner or had failed in its duty to other departments of the university. If the law library is large enough to justify utilization of a full-time staff, and if that staff has the advantage of use of the same central business agents as the larger library, and the ability to exercise efficiency and economy, then those interested in legal education are almost unanimously advocates of administration by the school. It is their advocacy, and not coincidence, which places the libraries of the better U. S. law schools, with a few exceptions, on the autonomous list. They believe that the law library is the heart of the law school. It provides the only tools with which the law students and faculty can work. It is not a library in the ordinary sense, but a laboratory equipped for the research essential to everyday preparation for class or practice. To sever it from the law school of which it is and should be an integral part and place it under the general library system, to which it is not essential, is devaluing to the law school.

The besieged may be the recipient of most effective appearing organization charts, contrasting the flow of work under the two types of system, the unified system involving fewer lines, with the plain implication of less work, less expense, and greater efficiency. This type of thing cannot be combatted by more charts. It can be effectively answered by translating those lines into actual processes. One instead of two lines for the acquisition process looks neat and sensible; but is the acquisition process as represented by the one line the best possible

process for the law library? Will the order department have the same knowledge of law book dealers and prices as the law librarian? Will it expedite rather than delay the receipt of books and serials? Will it be able to eliminate unnecessary duplication more effectively than could a cooperative law librarian with access to a cooperative order department's files? What does the single line for the cataloging process mean? Do the subject headings assigned by the general library, and designed for a general collection in which few "Law reports, digests, etc." might be expected to appear, make sense in a law library catalog? Does the classification scheme allot the 340s, or a fragment of some other scheme designed for a general collection, to law? If the classification scheme and subject headings are satisfactory, is there anyone in the catalog department who has sufficient legal background to assist in applying them? Will the catalog department be able to turn out the cataloged product in as short a time as could be done in the law library?

The proponents of efficiency and economy via merger will say that in addition to the objectionable salary demands of lawyer-librarians, the autonomous law library spends too much money on books; that it should be allotted a fair percentage of the total amount spent by all libraries within the unit. This ignores the plain fact that law books cost a great deal more than most other types of books, and law library patrons are compelled to make greater use of library facilities than those in other fields. A comparison of national law library expendi-

tures with those of other libraries leaves no room for doubt about costs; a comparison of local circulation statistics usually proves the increased use.

Finally, the proponents of merger may throw in one or more of these arguments: that complete coordination will provide the administration with accurate knowledge of the library resources of the area; that a consolidated payroll and operating budget will provide a true picture of what library service is costing; that if the law librarian is a member of the library staff the general librarian will benefit from his advice and counsel; that library resources are most useful when pooled and made available to all on an equal footing; that in remaining aloof, the law library fails in its duty to the organization as a whole. Some of this is sheer nonsense: simple addition of two budget expenditures will give as true a figure of library costs as will the same total taken from a consolidated budget; it is an unusual fellow who feels that advice and coun-

sel should come only from those whom he can hire and fire; and the law library is not remaining aloof by serving as an integral part of the department to which it is essential, instead of a part of the library department, to which it is not essential. Aside from the nonsense, the law collection can be listed at the general library as in a union catalog, without impressing upon the law library the general subject-headings and classification scheme. The pooling of library resources and ease of availability to all does not depend upon central administration, for the smaller unit is often able to, and does, adopt a more liberal service policy than the larger rule-bound library.

Aside from and including the nonsense, the ideals can be accomplished by simple cooperation, and by the law librarian's expenditure of a maximum effort to be helpful to the library unit, while remaining free to apply his legal and librarianship training in running the law library as a part of the legal unit.