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Recommended Citation

Elizabeth G. Adelman, Centralization of the American Law Library: Is It Right for Your Institution? in *Academic Law Libraries Within the Changing Landscape of Legal Education: A Primer for Deans and Provosts* (Michelle M. Wu, Scott B. Pagel & Joan S. Howland, eds. William S. Hein & Co. 2020)



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Centralization of the Academic Law Library: Is It Right for Your Institution?¹

Elizabeth G. Adelman²

Introduction

Since 1928, law schools have been required to have a library located in a building occupied by the law school.³ Law school libraries, also called Academic Law Libraries (ALLs), are typically characterized by direct reporting to the law school dean, a budget allocation directly from the law school dean or the University's central administration, and a law library mission with a purely law school centered approach. The importance of ALLs to even the earliest law schools demonstrates their centrality to the identity of the law school and to the legal profession. Since the Great Recession,⁴ centralizing the ALL with the Central Campus Library (CCL) system has been a topic of interest to university administrators and law school deans.⁵ Seeking financial and operational efficiencies is a top priority for every academic institution today.

This chapter explores the following questions:

- What characterizes an autonomous and a semiautonomous ALL?
- Why are ALLs characterized this way?
- What characterizes a traditional CCL?
- What is the definition of centralization in a university setting?
- What steps should a dean and provost take to determine if centralization is an organizational model worth considering for their particular institution?
- What are the factors a law school and a university administration should consider when exploring the possibility of centralization?
- What are the opportunities and challenges of centralization?
- What preparations are necessary after deciding to make the transition to centralization?

¹ © Elizabeth G. Adelman, 20209.

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³ Theodora Belniak, *The History of the American Bar Association Standards for Academic Law Libraries*, 106 LAW LIBR. J. 151, 157–58 (2014).

⁴ The Great Recession took place from December 2007 to June 2009. *U.S. Business Cycle Expansions and Contractions*, NAT'L BUREAU OF ECON. RESEARCH, <https://www.nber.org/cycles/> (last visited Oct. 24, 2018).

⁵ This chapter does not apply to standalone law schools. Opportunities to centralize are only available in a university setting where central resources can be shared.

Autonomous and Semiautonomous Academic Law Libraries, Defined

An autonomous ALL is a library that is part of an independent law school or one that, despite being on a university campus, operates independently from the CCL. “An ‘autonomous’ law library is one ... that is free, not from all outside control, but one that is free from control exercised by the university librarian or director of libraries.”⁶ Although there may be some collaboration between the autonomous ALL and the CCL, it is typically voluntary and mutually beneficial. The director of an autonomous ALL reports to the dean of the law school. The law library’s budget is commonly allocated from the law school budget at the discretion of the dean. Another alternative, though less common, budget model is an autonomous law library’s budget line coming directly from the central university. Currently, approximately two hundred law schools in the United States are accredited by the American Bar Association (ABA),⁷ and 97% of those schools’ ALLs are autonomous.

The remaining 3% of law schools have semiautonomous ALLs.⁸ A semiautonomous ALL is administratively connected to the law school and to the university’s central library. There are two key differences between semiautonomous ALLs and autonomous ALLs. First, the director of a semiautonomous ALL reports to the dean of the law school *and* to the university librarian. Second, all or a significant portion of the semiautonomous law library’s budget is derived from the CCL’s funds or a central university source. Currently, there are less than 10 semiautonomous law libraries in the United States.⁹

Why Are Some Law Libraries Autonomous and Some Semiautonomous?

Although now a small minority, semiautonomous ALLs were more common in the past.¹⁰ Of the remaining law schools with semiautonomous libraries today, all were accredited prior to 1938, which suggests that semiautonomous ALLs were a model that comported with pre-1940 accreditation standards. In 1937, 45% of ALLs were

⁶ James F. Bailey & Matthew F. Dee, *Law School Libraries: Survey Relating to Autonomy and Faculty Status*, 67 LAW LIBR. J. 3, 6 (1974).

⁷ “The Council has accredited and approved 203 institutions and programs that confer the first degree in law (the JD degree); three of these law schools are provisionally approved.” *ABA-Approved Law Schools*, AM. BAR ASS’N, https://www.americanbar.org/groups/legal_education/resources/aba_approved_law_schools/ (last visited Oct. 28, 2018).

⁸ Elizabeth G. Adelman, *The Three Percent: Common Issues in Nonautonomous Law School Libraries*, in *ACADEMIC LAW LIBRARY DIRECTOR PERSPECTIVES: CASE STUDIES AND INSIGHTS* 53 (Michelle M. Wu ed., 2015).

⁹ *Id.* at 53.

¹⁰ See Adelman, *supra* note 8, at 55. The percentage of semiautonomous law libraries has dropped over time from 45% (1937) to 35% (1938), 25% (1973), 15% (1978), 6.5% (1984), and 3% (2010). The percentage of semiautonomous law libraries has not changed since 2010 (3% in 2014). Oscar M. Trelles II & James F. Bailey III, *Autonomy, Librarian Status, and Librarian Tenure in Law School Libraries: The State of the Art, 1984*, 78 LAW LIBR. J. 605, 670 (1986). Adelman, *supra* note 8, at n.4.

semiautonomous.¹¹ A report in the 1937 *Association of American Law Schools Handbook*¹² encouraged member law schools to advocate for as much autonomy as possible. Autonomy was portrayed as a key ingredient for providing excellent services in an efficient manner without being weighed down by administrative burdens or interference by the CCL.¹³ In addition, 1938 marked a shift in the *ABA Standards for the Approval of Law Schools* (hereinafter ABA Standards) from purely qualitative measurements of libraries to a combination of quantitative and qualitative measures. Because qualitative measures may expose glaring differences between autonomous and semiautonomous ALLs, this shift was another motivating force for law schools to push for an autonomous ALL.¹⁴

In 1958, the ABA Council unanimously passed a resolution articulating a definition of an autonomous law library:

[The law library] should be administered by the law school as an autonomous unit, free of outside control. Exceptions are permissible only where there is [sic] preponderance of affirmative evidence in a particular school, satisfactory to the Council of the Section, so that the advantages of autonomy can be preserved and economy in administration attained through centralizing the responsibility for acquisition, circulation, cataloguing, ordering, processing, or for payment of books ordered. Cooperation between the law library and the general library is to be encouraged.

The law librarian should be appointed on recommendation of the dean after consultation with the law faculty. He should be directly responsible to the dean When the law library is autonomous, the staff should be administratively and fiscally a part of the law school.¹⁵

Library Structures: ALLs and CLLs Have a Lot in Common

The ABA Standards require an ALL to have a qualified director but have never required a specific organizational structure. There are many organizational structures common to both ALLs and CCLs. In the *unit head model*, all unit heads report to the Director. In the *AUL model*, all units and staff report directly up to a group of Associate University Librarians, who in turn, report to the Director. In the law library context, the AUL model is similar to the multiple *associate director model*

¹¹ Trelles & Bailey, *supra* note 10, at 670.

¹² *Special Committee to Cooperate with the American Association of Law Libraries*, in HANDBOOK OF THE AMERICAN ASSOCIATION OF LAW SCHOOLS AND PROCEEDINGS OF THE THIRTY-FIFTH ANNUAL MEETING 337–38 (1937).

¹³ See Adelman, *supra* note 8, at 54 (citing Oscar C. Orman, *Autonomy in Law Library Administration*, 32 LAW LIBR. J. 60, 63 (1939) (citing *Report of Special Committee of the Association of American Law Schools to Cooperate with the American Association of Law Libraries*, in PROGRAM AND REPORTS OF COMMITTEES, ASSOCIATION OF AMERICAN LAW SCHOOLS, 36TH ANNUAL MEETING 32, 34 (1938)).

¹⁴ See Adelman, *supra* note 8, at 53.

¹⁵ See Adelman, *supra* note 8, at 55 (citing *Proceedings of the Fifty-Third Annual Meeting of the American Association of Law Libraries*, 53 LAW LIBR. J. 298, 459 (1960)).

that is common. The *deputy model* has all functions and staff reporting to a Deputy Director, which allows the Director to focus on external activities including broader involvement in the law school. In a *team-based model*, teams form organically or are mandated and work closely with one another. Many ALL and CCL structures are a combination of the structures mentioned above.¹⁶

The main difference between the ALL and the CCL is, in large campus settings, CCLs typically have branch libraries such as a health sciences library or a business library whereas ALLs tend to be in the law school building. It is noteworthy that multiple branch libraries gave rise to the *CCL place-based model*, characterized by having a director at every library location and decentralized administrative functions. This is no longer a widely used structure because of its inefficiencies. The transition away from the place-based model makes autonomous ALLs very noticeable because they remain a place-based model contained within a law school.

Centralization: What Is It and Why Now?

The “new normal” in higher education is permanent fiscal strain.¹⁷ In this environment, operational and financial efficiencies are sought continuously through multi-year resource planning and institution of wide-scale metrics. These processes and evaluative metrics often give rise to a conversation about centralization of branch libraries into one administrative structure. Centralization within a university library setting means that services are provided or tasks are performed through the administration of one central unit and/or services are provided in one central place. Typically, centralization of services takes place when administrations are seeking operational efficiencies, financial efficiencies, or when there is an opportunity for change. For example, the retirement of a law librarian is often viewed as an opportunity to re-evaluate library needs with respect to the duties and functions performed by that librarian as well as the remaining interdependent positions. Law school administration will evaluate if the position is still needed, often leading to a discussion about whether the duties performed by the retiree can be handled in-house or by the CCL (i.e., a *shared services model*) where specific functions are performed by the CCL for the ALL, thus eliminating the need for a replacement in the ALL. This may even trigger a larger conversation about moving toward a centralized model.

¹⁶ Roger C. Schonfeld, *Organizing the Work of the Research Library*, ITHAKA S+R 7 (Aug. 18, 2016).

¹⁷ See, e.g., Lindsay Ellis, *How the Great Recession Reshaped American Higher Education*, CHRONICLE OF HIGHER EDUC. (Sept. 14, 2018), <https://www.chronicle.com/article/How-the-Great-Recession/244527> (quoting Morgan Olsen, Arizona State University’s Executive Vice President and Treasurer, “This isn’t a temporary deviation from what was once normal ... [t]his is an inflection point.”).

What Steps Should a Dean and Provost Take to Determine If Centralization Is an Organizational Model Worth Considering for Their Institution?

Consider the Least Restrictive Options First

Once centralization occurs, regardless of what subsequent difficulties are discovered, it is unlikely that de-centralization will take place to return the former structure. Centralization of the ALL into the CCL will also take investments of time, planning, and additional resources to adjust space and staffing to accommodate different needs. Because it is a large and irreversible undertaking, and because the tone of Chapter 6 of the ABA Standards makes clear that there is a preference for autonomous ALLs for accreditation purposes, exploration of specific ALL services to be shared with the CCL is a logical first step.

A consolidation of specific ALL functions, the *Shared Services Model*, represents the middle ground between autonomous and semiautonomous. Many autonomous law libraries have consolidated some services, such as cataloging, with the CCL to realize efficiencies, but the remaining reporting structure and budget resemble those of an autonomous law library.

The analysis begins by answering these two questions:

- What are the institutional goals triggering an examination of centralization?
- In the spirit of implementing the least restrictive changes, can those goals be realized without a consolidation but, instead, with the shared services model?

Indeed, shared services models have been a common theme for some time. The American Association of Law Libraries Subcommittee on Law School Library Statistics reported in 1937 that 31% of ALLs ordered books with some involvement of the central library, 24% collaborated on cataloging with the central library, and 27% delegated other routine tasks to the central library.¹⁸ Today, the consolidation of select library services is happening with greater frequency and visibility. For example:

- Harvard Law School Library negotiated a fee-based outsourcing arrangement with Harvard's central library for ordering, cataloging, end processing, stacks management, interlibrary loan, and circulation services.
- University of Illinois Albert E. Jenner, Jr. Law Library's interlibrary loan services are fulfilled by the CCL.
- The University of North Texas Dallas College of Law is a newer law school whose law library currently relies on the main library in Denton,

¹⁸ *Proceedings of the 32nd Annual Meeting of the American Association of Law Libraries*, 30 LAW LIBR. J. 319, 320 (1937).

Texas, to process its materials, batch load its machine-readable cataloging (MARC) records, and perform its Serials Solutions management.

- St. Louis University's Vincent C. Immel Law Library consolidated its technical services operation with the main campus library.
- Wayne State Arthur Neef Law Library's interlibrary loan services are coordinated by the CCL. In addition, select technical services functions (e.g., review of license agreements and discovery services), marketing and communications, and business services (e.g., budget and reporting) are centralized with the CCL.

Factors to Consider in Relation to the ABA Standards

The analysis continues with these questions:

- What, if any, operational and financial efficiencies will be realized by centralization? Do these meet the institutional goals?
- What, if any, services provided by the ALL can the law school live without in order to realize those efficiencies via centralization?

These two questions cannot be answered before an evaluation of a number of factors in relation to the current *ABA Standards for the Approval of Law Schools*. It is worthwhile to note that no other discipline has such detailed, proscribed standards for libraries in relation to accreditation.¹⁹

The 2018/19 ABA Standards²⁰ will be used to demonstrate how to evaluate the factors. For the rest of this section, *italic* text represents the text of the ABA Standards and **bold** text represents factors to consider.

*Standard 601. GENERAL PROVISIONS*²¹

(a) *A law school shall maintain a law library that:*

(1) *provides support through expertise, resources, and services adequate to enable the law school to carry out its program of legal education, accomplish its mission, and support scholarship and research;*

(2) *develops and maintains a direct, informed, and responsive relationship with the faculty, students, and administration of the law school;*

¹⁹ For example, the Liaison Committee on Medical Education (LCME) Accreditation Standard for medical school libraries is limited to section 5.8. "Library Resources/Staff. A medical school provides ready access to well-maintained library resources sufficient in breadth of holdings and technology to support its educational and other missions. Library services are supervised by a professional staff that is familiar with regional and national information resources and data systems and is responsive to the needs of the medical students, faculty members, and others associated with the institution." *Functions and Structure of a Medical School 2019–20*, LIAISON COMM. ON MED. EDUC. (March 2018), <http://lcme.org/publications/#Standards>. This one sentence standard, compared with Chapter 6 of the ABA Standards, demonstrates the disparity in library scrutiny between law school accreditation standards and the standards of other higher education accrediting bodies.

²⁰ See generally ABA STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS 2018–2019 (Am. Bar Ass'n 2018).

²¹ *Id.* at 39.

(3) *working with the dean and faculty, engages in a regular planning and assessment process, including assessment of the effectiveness of the library in achieving its mission and realizing its established goals; and*

(4) *remains informed on and implements, as appropriate, technological and other developments affecting the library's support for the law school's program of legal education.*

Will the semiautonomous ALL be able to provide the specialized support needed for the law school to carry out its mission?

Specialized support may include, but is not limited to, copyright expertise, empirical research support services, and promotion of scholarship.

What library services or privileges are essential to the school of law's mission, and will those services and privileges be possible under a centralized model?

Essential services or privileges may include, but are not limited to, same day document delivery or in-depth research support.

Will centralization impose divided loyalties upon law librarians and, if so, how will law librarians be expected to prioritize?

Expectations to serve on central library committees, for example, may consume a great deal of the librarian's time with little value to the law school.

(b) A law school shall provide on a consistent basis sufficient financial resources to the law library to enable it to fulfill its responsibilities of support to the law school and realize its established goals.

What will be the source of the law library budget under a centralized model?

The source of the budget is either the law school, the Central Campus Library, or directly from the Provost or another central university source, or a combination. The source should not matter as long as the ALL is appropriately funded.

Which entity will be financially responsible for maintaining or improving law library spaces?

Will financial responsibility for maintaining or improving law library spaces be equivalent to aesthetic or pedagogical control of those spaces?

Will financial responsibility be equivalent to controlling access to law library spaces?

The CCL may not support specialized access policies tailored specifically to law school needs and culture. For example, some law schools restrict access to the law library to only law students during final exam periods, during the evening hours, or all the time.

Which entity will be responsible for making ALL fundraising efforts a priority? What factors will be considered when calculating the law library's budget allocation?

Cost: The high cost of legal resources compared to the resources of other disciplines is a factor.

Salaries: Law librarian salaries are higher than salaries of central campus librarians.²²

Culture: Law schools have a long tradition, borne out the ABA Standards, of embracing the ALL as central to the legal education enterprise.

The tradition of academic law libraries is to provide a specialized and individualized level of service not typically received by faculty and students in other disciplines. This tradition is enabled by a higher librarian to student ratio and a higher librarian to faculty ratio. For example, the CCL may have one librarian assigned as a liaison to all faculty in the Physics and Chemistry Departments while it is common in a law school to have a team of librarians paired as liaisons to individual law faculty.

Enrollment: An ALL budget determined solely upon law school student enrollment is unlikely to be an appropriate funding model.

A university that offers law-related courses outside of the law school (e.g., Business Law offered in the Business School) may take into account the enrollment in these classes because the faculty and students associated with those courses are likely to utilize law library resources.

Who will be responsible for bridging the financial gap between the expectations of the law school (including the requirements of the ABA Standards) and the realities of the budget allocation?

Service demands, personnel needs, and facilities upkeep can cost more than a budget can bear. It is important to consider which entity or entities will be responsible for bridging the gap in these three categories.

*Standard 602. ADMINISTRATION*²³

(a) *A law school shall have sufficient administrative autonomy to direct the growth and development of the law library and to control the use of its resources.*

²² See, e.g., Shaneka Morris, *ARL Annual Salary Survey 2016–2017*, ASS'N OF RES. LIBR. 51, 102 (2018) (comparing the average salary of Research/Reference/Instruction Librarians in ARL central libraries (Table 28) to the average salary of Research/Reference/Instruction Librarians in ARL law libraries (Table 61). A law librarian with 0–3 years of experience earns an average salary of \$ 65,471, whereas a librarian from the central library with 0–3 years of experience earns an average salary of \$53,020).

²³ See AM. BAR ASS'N, *supra* note 20, at 40.

What will the governance structure be, and what impact will it have on the educational mission of the ALL and the law school?

How will a successful semiautonomous structure be built in your institution?

How will a balance be struck among administrative bodies of the institution?

(b) The director of the law library and the dean, in consultation with the faculty, shall determine library policy.

How will ALL policy be determined?

If ALL policy, set in consultation with the dean and the faculty, conflicts with CCL policy, how will this be resolved? For example:

Circulation Policies: Law libraries may allow law faculty to check books out indefinitely. CCL circulation policies may hinder this practice.

Promoting Faculty Scholarship: Law libraries often promote faculty scholarship through law school repositories, through ORCID²⁴ profiles, and through social media. While promotion of faculty scholarship may take place through CCL efforts, it is atypical to be happening with the same magnitude.

Purchasing Policies: Law libraries often buy office copies for law faculty offices, a practice which is not typically followed in the CCL.

Research Support: Law libraries may provide a level of faculty research support that is not common to the CCL such as checking footnotes and providing editorial assistance

Restricted Access: Law libraries may restrict access to law students year-round or intermittently for specific reasons (for example, a law school event; final exam period; during the overnight hours). These law library restrictions may run counter to CCL policies (for example, the CCL may allow access to the public or to the entire university community during all open hours).

(c) The director of the law library and the dean are responsible for the selection and retention of personnel, the provision of library services, and collection development and maintenance.

Which campus entity will be responsible for law library human resources?

Who will be responsible for deciding whether to recruit law library staff when vacancies arise or needs are identified?

²⁴ ORCID (Open Researcher and Contributor ID) is an alphanumeric string that is assigned to academics and researchers upon request to create a persistent identity. This is analogous to the Social Security Administration's assigning a social security number to persistently identify an individual throughout their life. More information about ORCID is available at <https://orcid.org/>.

Who will be responsible for appointing search committees and selecting which candidate to hire?

Which campus entity will be responsible for funding law library staff lines?

Which campus entity will be the home for law librarian promotion and tenure?

The home for law librarian promotion and tenure is not important as long as the criteria for evaluating law librarians accurately reflects the kind of research, scholarship, teaching, and service that is characteristic of a law librarian.

Who will be responsible for determining law library services and law library collections?

(d) The budget for the law library shall be determined as part of, and administered in the same manner as, the law school budget.

This standard assumes the source of all ALL budgets is derived from the law school. Whether a law school meets this standard depends on whether there are sufficient financial resources to carry out its mission no matter the source.

How is “sufficient financial resources” defined?

Interpretation 602-1

This Standard envisions law library participation in university library decisions that may affect the law library. While it is preferred that the law school administer the law library, a law library may be administered as part of a university library system if the dean, the director of the law library, and the faculty of the law school are responsible for the determination of basic law library policies, priorities, and funding requests.

This interpretation of Standard 602 acknowledges the possibility of the ALL as part of a centralized system but only under circumstances that maintain a law library’s autonomy over its operations.

Standard 603. DIRECTOR OF THE LAW LIBRARY²⁵

(a) A law school shall have a full-time director of the law library whose principal responsibilities are managing the law library and providing information resources in appropriate formats to faculty and students.

(b) The selection and retention of the director of the law library shall be determined by the law school.

Who will select and appoint the director of the law library?

Who will determine the rank of the director?

What if the rank of the law library director is higher than the central campus librarian?

²⁵ See AM. BAR ASS’N, *supra* note 20, at 40.

Which entity will pay the law library director's salary?

(c) *A director of a law library shall have appropriate academic qualifications and shall have knowledge of and experience in law library administration sufficient to support the program of legal education and to enable the law school to operate in compliance with the Standards.*

Considering 603(a) and 603(c) together, are these standards met if the dean or vice provost of the libraries holds the appropriate qualifications but an on-site law library manager does not?

Additional variations in library leadership are likely. Consultation with the Managing Director of the ABA Section on Legal Education and Admissions to the Bar may be helpful when interpreting Standard 603.

(d) *Except in extraordinary circumstances, a law library director shall hold a law faculty appointment with security of faculty position.*

Will the law library director hold appointments in the law school and in the CCL?

Which entity will provide security of position?

Does security of position mean a tenured or tenure-track line in the law school?

Who will determine the contractual terms of the director?

Is it enough to offer a 3- or a 5-year contract? Is the 3- or the 5-year contract presumptively renewable?

Will the law library director automatically be given the same contractual terms as the dean or vice provost of the libraries and is this in the best interest of all parties?

*Standard 604. PERSONNEL*²⁶

The law library shall have a staff sufficient in expertise and number to provide the appropriate library and information resources services to the school.

Who will decide if there are a sufficient number of staff?

Which entity will pay the salaries for those positions?

*Standard 605. SERVICES*²⁷

²⁶ *Id.* at 40-41.

²⁷ *Id.* at 41.

A law library shall provide the appropriate range and depth of reference, instructional, bibliographic, and other services to meet the needs of the law school's teaching, scholarship, research, and service programs.

If the law library does not have sufficient resources to provide all of the appropriate services, how will the ALL bridge the gap between the law school's expectations and financial, staffing, and CCL priorities?

*Standard 606. COLLECTION*²⁸

(a) *The law library shall provide a core collection of essential materials through ownership or reliable access. The choice of format and of ownership in the library or a particular means of reliable access for any type of material in the collection, including the core collection, shall effectively support the law school's curricular, scholarly, and service programs and objectives, and the role of the library in preparing students for effective, ethical, and responsible participation in the legal profession.*

(b) *A law library core collection shall include the following:*

...

(c) *In addition to the core collection of essential materials, a law library shall also provide a collection that, through ownership or reliable access,*

(1) *meets the research needs of the law school's students, satisfies the demands of the law school curriculum, and facilitates the education of its students;*

(2) *supports the teaching, scholarship, research, and service interests of the faculty;*

(3) *serves the law school's special teaching, scholarship, research, and service objectives; and*

(4) *is complete, current, and in sufficient quantity or with sufficient continuing access to meet faculty and student needs.*

(d) *The law library shall formulate and periodically update a written plan for development of the collection.*

(e) *The law library shall provide suitable space and adequate equipment to access and use all information in whatever formats are represented in the collection.*

Interpretation 606-1

The appropriate mixture of collection formats depends on the needs of the library and the law school. A collection that consists of a single format may violate Standard 606.

If sufficient budgetary resources will not be available for the ALL collection, how will the ALL address the law school's collections needs and the budgetary realities?

²⁸ *Id.* at 41.

Opportunities and Challenges of Centralization

Budget Opportunities

In the continually evolving legal education and law practice landscapes, a budget derived from the CCL may be more insulated from fluctuations than a budget derived from a law school facing financial uncertainty. Whereas a semiautonomous law library is subject to the fluctuations of the campus budgetary situation, an autonomous law library's budget is subject to both the campus budgetary situation and the law school's response to market forces in legal education.

Being part of a central library system offers opportunities to create interdisciplinary library partnerships such as pooling financial resources for purchases desired across disciplines or partnering on delivering services across disciplines.

Consolidation of the Integrated Library System (online catalog and back-end systems for circulation, ordering, and other functions) and the consolidation of OCLC symbols may yield some long-term savings. In terms of service, there is an opportunity for seamless resource sharing.

Budget Challenges

A law school may view its autonomous ALL as a financial burden whose funds can be reallocated for other purposes. Law schools tend to explore centralization in a time of financial strain or crisis. Because higher education appears to be in a perpetual state of financial strain, more schools have given and will give centralization consideration.

Compared to other disciplines on campus, an ALL may look overstaffed. The law library may have trouble obtaining the permission and the funds to hire to maintain its standards of service.

Personnel Opportunities

Law librarians can benefit from a partnership with the CCL in many ways. University librarians often enjoy a breadth of training opportunities, collaboration on projects, and opportunities to be exposed to what is going on in libraries outside the legal specialty. Law library staff more integrated into the CCL can expand areas of expertise and provide well-rounded services. For law schools with interdisciplinary scholars, tapping central librarian expertise can provide support in substantive areas unfamiliar to law librarians.

Personnel Challenges

A law library director who holds a joint appointment on the law faculty and on the library faculty may be assigned to double faculty duties. Similarly, being part of and participating fully in a CCL requires a significant time commitment from law librarians that may detract from services that could be provided to the law school. For example, a common activity for law librarians is serving on law library and law school committees. When CCL committees are added to their duties, the time commitment required may be overwhelming.

The ABA's heightened accreditation standards often outstrip similar types of requirements in other departments and may cause a semiautonomous law library to appear out of step with its organization's other libraries. For example, ALLs tend to offer a higher level of hands-on service and dedicated library services to the law school community than librarians in other disciplines are expected or able to provide. Consequently, justification for recruitment under the CCL may be more difficult to demonstrate when compared with university librarian norms.

Semiautonomous law libraries have a reputation within the law librarian community as challenging places to work, primarily because of external confusion around budget sources, funding, and work load. Therefore, it may be difficult to attract high quality recruits to work in a semiautonomous law library. Recruiting law library directors to semiautonomous law libraries may be particularly problematic.

Reporting Structure Opportunities

The director of a semiautonomous law library reports to two administrators, which can create a "forum-shopping"²⁹ advantage. When one administrator does not provide the support needed, there is an opportunity to approach the other. This advantage is limited by the advocacy skills of the ALL director, as well as the respective budgets and accessibility of the administrators.

In an institution with a semiautonomous structure, the relationship between the dean of libraries or vice provost for libraries and the law school dean can be an opportunity or a challenge. It is an opportunity if the two can work together as allies to support the director of the law library and the law library's mission. A relationship between the two that is anything short of professional burdens the law library director and hinders the law library's mission, including providing optimal service to the law school community.

Reporting Structure Challenges

A structure requiring the law library director to report to two administrators can pose unique challenges when all parties involved cannot agree on matters of mutual concern. For example, project initiation can be hindered if both administrators are not on board. Similarly, policy changes can be slowed or derailed when the changes are proposed to two administrators in different sectors of the administration with distinct agendas and goals. In addition, if the many details around decision-making authority outlined above in Section IV.b. are not established or agreed upon, many decisions are left in a 'no mans' land which creates ambiguity and additional time investment.

In an autonomous setting, law library space is under the purview of the law school, including facilities concerns. Although law libraries are typically in the law school building, the ownership of and responsibility for semiautonomous law library space is often ambiguous. From a central library administration perspective, the law library's geographic proximity and connection to the law school may appear to

²⁹ Forum-shopping is "[t]he practice of choosing the most favorable jurisdiction ... in which a claim might be heard." BLACK'S LAW DICTIONARY 726 (9th ed. 2009).

make the law school largely responsible. On the contrary, because the funding allocation structure and employee salaries may stem from the CCL, the law school may view its library as central library space and therefore under the purview of the central library. Directors of semiautonomous law libraries may struggle to obtain financial support for facilities issues and upgrades because of this ambiguity.

An emphasis on standardization of library policies throughout the CCL may not mesh with the specialized needs of the law school community. Because of the bargaining power tethered to the standards, semiautonomous law libraries may be able to opt out of across the-board central library policies and initiatives. When it is not possible to deviate from central policies, the law library director lacks control to address concerns raised by law faculty or law students. This means that the dean/vice provost for university libraries will be both burdened with and have control over law library policy in violation of ABA Standard 602.³⁰

The requirements of Chapter 6 of the ABA Standards are invisible to those outside of the law school community. With significant infrastructure support justified by the ABA Standards, the ALL will appear resource-rich compared to the CCL with the potential to cause resentment among CCL colleagues. Likewise, communicating the unique needs of the law school community and the needs of the law library to the CCL can be challenging to an audience unfamiliar with the ABA Standards' strictures.

Answering to two masters can place the ALL in a difficult position for fundraising. Who is raising money for the ALL? Will either master make the ALL a fundraising priority? Fundraising is an important aspect in modern educational institutions, often bridging the gap between centrally-allocated funding and institutional need. The semi-autonomous ALL is often at a disadvantage due to lack of priority and ability to fundraise independently from the CCL.

The Memorandum of Understanding

Before centralization occurs, it is recommended that a memorandum of understanding (MOU) be drafted and promulgated by the law school and the institution's central administration. It should be an intrinsic part of the centralization planning process. The parties to the negotiations and the signatories of the MOU will vary on each campus. For practicality, the law dean, the law library director, the provost, and the person or entity controlling the budget need to be parties to the conversations and negotiations.

In a centralized model, an MOU is a vehicle to describe the relationship between the ALL and the CLL against the backdrop of the campus culture. The document also is an opportunity for both sides to articulate the rights and responsibilities of each party under each section of Chapter 6 of the ABA Standards. It is recommended that the parties also articulate the intervals for review and revision of the document. The intervals may be measured in years or they may be triggered by specific events. A successful agreement is a structurally sound mission-centric MOU that stands the test of time by being unaffected by personnel changes.

³⁰ See AM. BAR ASS'N, *supra* note 20, at 40.

Conclusion

A resource-strapped law school may consider centralization because of the financial burden of the ALL. However, the potential savings for the law school yielded by centralization hinges upon the source of the ALL's budget in the centralized model. If the main source of the ALL budget continues to be from the corpus of the law school's budget but is consolidated into the CCL's budget, there is little immediate or long-term gain. The law school must evaluate whether centralization makes sense if the law school does not benefit from significant budgetary savings while relinquishing control over the law library and diminishing the quality and quantity of services for the law school. Long-term savings is possible by combining some services such as sharing an ILS³¹ or sharing workflows across libraries, however, these are incremental savings and will not remedy immediate budgetary pains. Each institution must evaluate the anticipated long- and short-term savings and weigh it against the potential changes in services that impact the law school's mission. The law school must be prepared to demonstrate for accreditation purposes how the law library continues to meet the standards set forth in Chapter 6 of the ABA Standards.

Similarly, the university administration seeking campus-wide efficiencies understandably may want to explore centralization. From the university administration's perspective, centralization may be viewed as inherently efficient and worthwhile because the university should benefit from whatever small or large efficiencies will be gained. A realistic assessment of centralization will demonstrate that it yields efficiencies as well as inefficiencies and that it is a significant undertaking requiring investment of time and money that is unlikely to realize appreciable savings. If considering consolidation, it is worthwhile to perform an environmental scan with various invested groups to establish critical markers for success during the process.

³¹ ILS or Integrated Library System is an enterprise system for libraries to track its business transactions including, but not limited to, ordering library materials, receiving library materials, and borrower records.