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THE ESSENTIALS OF AN EFFECTIVE LAW SCHOOL LIBRARY SERVICE*

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IN THE first article of this series, which was devoted almost exclusively to a discussion of the relationship between the library and legal education, no consideration was given to the several indispensable features of an effective library service, except to the extent that this was required for the particular purposes in hand. By proceeding in this manner, which was obviously desirable for other reasons, we have perhaps unwittingly reinforced the widespread belief that the establishment and maintenance of a law library service is a relatively simple matter.¹ However this may be, we are at any rate now in a better position to demonstrate the unsoundness of this assumption. This we will endeavor to do by enumerating and briefly discussing the several characteristic features of such a library service as every creditable law school should maintain.

However, before proceeding, it should be made perfectly clear that the answers to all questions and the solutions for all problems cannot of course be embraced within the brief compass of a single article. Therefore, nothing hereinafter set forth should be regarded as in the least detracting from the force and effect of the following statement, namely, that when the construction of a new building is involved or substantial additions are in contemplation, or when any other important steps must be taken, those who are entrusted with the responsibility for making decisions should first take full advantage of,

1. Consultation with the persons who have the clearest conception of the probable activities and objectives of the institution concerned;
2. The recommendations of the person who is, or who will be, responsible for the library's development and administration;²
3. The advice and recommendations of at least one, and preferably more, persons who have had extensive experience in law school library work under the most favorable conditions;

*This is the second of a series of three articles by Mr. Roalfe on the topic "The Developing Role of the Library in Legal Education." The first article entitled *The Relation of the Library to Legal Education* appeared in the July number of the LAW LIBRARY JOURNAL. The concluding article, *Some Suggestions for Improving the Law School Library Service* will appear in the January number of the JOURNAL. Editor's note.

¹In the first article in this series reference was made to the establishment of the Institute of Law at a university not already having an extensive law library as an illustration of the effect of such a belief. See 31 L. LIB. J. 141, at 155.

²The all too common practice of making important decisions before selecting the librarian is obviously unsound. Many of the present difficulties may be traced to this practice as their principal source.

4. The detailed inspection of several other law school plants, preferably those to which the most careful thought has been given, and
5. The useful information available in print.³

Obviously, then, our present task is a more modest one. Since the common sense procedure suggested above is so frequently disregarded, there should be sufficient justification for the discussion which follows, (a) if some, who would not under any circumstances pursue the matter further, secure a wider appreciation of what is involved from the scanning of the succeeding pages; and (b) if a few are thereby induced to pursue the matter further, either by examining the literature relating to specific problems, to which references will be made as we proceed, or by acting upon the more far reaching recommendations set forth above. It should, therefore, be quite evident that this article is not designed to contribute to the store of knowledge of experienced law librarians, but is addressed primarily to those whose training and experience are as yet more limited, and to law school teachers and administrators, who, although they may be fully informed as to other phases of law school work, may be required to make vital decisions relating to libraries which are based upon positive misinformation or without a full appreciation of the important factors involved.

Undoubtedly the quite general belief that the words "library" and "books" are virtually synonymous is one of the important misconceptions about the law school libraries. In this view, the development of a library reduces itself to a question of increasing the number of books (often regarded as a relatively simple matter like buying bricks by the thousand) and a large library is merely one having more books on the shelves. While this "book conception" may be substantially correct when applied to a limited private library, nothing can be more unwieldy, irritating and well-nigh useless than a large quantity of books, indifferently or unintelligently selected and inconveniently arranged. In other words, the maintenance of a comprehensive library for the use of a large group of persons is an altogether different matter. Therefore, in any law school of consequence, an effective library service will depend upon the presence of a number of essential factors. Among these the most important are (1) suitable housing, (2) adequate equipment, (3) a conveniently arranged collection of books and

³ Most of the information relating specifically to law libraries will be found in the *LAW LIBRARY JOURNAL* through the use of the cumulative indexes in volumes 20 and 29 and through reference to the succeeding volumes. But see also *A BOOK OF THE LAWYERS QUADRANGLE AT THE UNIVERSITY OF MICHIGAN* (1931); *HICKS, MATERIALS AND METHODS OF LEGAL RESEARCH* (2nd ed., 1933); *YALE LAW LIBRARY MANUAL, THE BUILDING, THE BOOKS AND THEIR AVAILABILITY FOR USE* (Yale Law Library Publications No. 5, August, 1937); Annual Reports of Frederick C. Hicks from July, 1928 to date, found in the successive issues of *THE SCHOOL OF LAW, REPORTS OF THE DEAN AND OF THE LIBRARIAN* (Printed in part from reports made to the President and Fellows of Yale University), and *DUKE UNIVERSITY SCHOOL OF LAW, ANNUAL REPORTS OF THE LIBRARIAN* (mimeographed) from 1930 to date.

There is also a wealth of information relating to libraries generally, much of which has a direct or indirect bearing upon law library problems. Substantially all of this information may be located through the use of the volumes of *LIBRARY LITERATURE* for 1921-1932, 1932-1935, and the subsequent annual volumes; *CANNONS, BIBLIOGRAPHY OF LIBRARY ECONOMY 1876-1920*; and the latest edition of *A.L.A. BOOKS AND PAMPHLETS* which contains the publications of the American Library Association.

other materials, and (4) a competent staff. In addition (5) the relationship of the library to the law school and to the other university libraries must be such that its effectiveness will not be impaired.⁴ Let us now consider these essential elements separately and in the order set forth above.

1. Suitable housing,⁵ then, becomes the object of our immediate concern.⁶ A composite photograph of the quarters in which our law school libraries are at present housed would without doubt be a curious object. Needless to say, there would be many deviations from the mean other than those justified by the mere differences in the sizes of the schools. Most of the vagaries would dramatically demonstrate the painfully low estimate at present placed upon the library, and it is altogether likely that any informed person would be impelled to reach at least these two fairly general conclusions: (a) That in many instances no competent person was consulted when the building was planned, or, (b) that the importance of providing for library quarters generally came as an afterthought. In consequence, the relatively few well designed libraries stand out in glaring contrast, and far too many are "concrete" examples of what not to do.

And yet the essentials may be quite briefly stated. Functionally, but not necessarily physically, the library should be the center of the law school plant, for it not only to a very large extent serves a purpose similar to that of the laboratory in the medical school, but in no other field is it so essential that a large number of books be easily available. For example, even a very limited piece of work may involve the examination of dozens of volumes of court reports and other books, while in a more extended study the books required may run into the hundreds. Although a convenient arrangement may more readily be achieved in a small plant, it is equally if not more important that it be provided in a large one. Faculty offices, departmental quarters, such as those of the law review and the legal aid clinic, and a sufficient number of seminar and small study

⁴In this connection the essentials as set forth by Professor Hicks will be of interest. See, *THE SCHOOL OF LAW, REPORTS OF THE DEAN AND OF THE LIBRARIAN, 1928-1929*. (Reprinted in part from Reports made to the President and Fellows of Yale University.) p. 11.

⁵Obviously, the services of an architect are essential. However, he cannot be expected to design satisfactory quarters unless he is in possession of all of the relevant facts. The responsibility for seeing that this is the case must be assumed by those who are primarily concerned.

⁶Unfortunately there is very little information available relating specifically to law school library quarters. Reference must, therefore, for the most part, be made to the materials mentioned in note 3 *supra*. But see especially Coffey, *The Law Quadrangle of the University of Michigan* (1932) 25 L. LIB. J. 266; Hogan, *Tate Hall, The Law Building of the University of Missouri* (1929) 22 L. LIB. J. 2; *A BOOK OF THE LAWYERS QUADRANGLE OF THE UNIVERSITY OF MICHIGAN* (1931).

Although the special needs of the law school library must be kept clearly in mind, helpful suggestions and useful information will also be found in GEROULD, *THE COLLEGE LIBRARY BUILDING, ITS PLANNING AND EQUIPMENT* (1938), HIRSEBERG, *ELEMENTS OF THE LIBRARY PLAN* (Manual of Library Economy, Chapter X) Am. Lib. Ass'n (1930), and TILDON, *BOSTWICK AND RANCK, ESSENTIALS IN LIBRARY PLANNING* (Articles reprinted from *THE ARCHITECTURAL FORUM*, December, 1927), Am. Lib. Ass'n (1928); *YALE LAW LIBRARY MANUAL, THE BUILDING, THE BOOKS AND THEIR AVAILABILITY FOR USE* (Yale Law Library Publications No. 5, August, 1937) p. 1; *YALE UNIVERSITY, THE SCHOOL OF LAW, REPORTS OF THE DEAN AND OF THE LIBRARIAN* (1930-31) p. 36.

rooms (for the use of two or more persons jointly, without interfering with other readers) to meet the needs of the particular law school program, should be placed in the closest possible proximity to the books themselves, while classrooms and administrative quarters may be incorporated wherever other considerations dictate and without any necessary concern for their proximity to the library. This is not because they are not important, but merely because they perform relatively independent functions. In fact, the almost universal problem of noise in the library can be considerably mitigated by removing all activity, not connected with its use, to other parts of the building. Merely because the ideal arrangement is difficult fully to achieve is no adequate excuse for not making a reasonable effort to do so.

We have been considering the relationship of the library quarters to the remainder of the law school plant. Of equal if not greater importance is the internal arrangement.⁷ Certain well-nigh indispensable features called for by the special uses to which library quarters are put should be kept clearly in mind.⁸ Among these are (a) the fact that the library quarters should be adequate to allow for the convenient arrangement of the books, to provide a reasonable degree of comfort for the readers, and to permit the staff to do its work efficiently; (b) that adequate provision should be made for future growth, notwithstanding the fact that at the moment there may seem to be no prospect of substantial enlargement; and (c) that the various parts of the library quarters be so arranged with respect to each other as to promote the greatest efficiency in administration. If the building, as originally constructed, allows for the future growth of the collection, less thought need be given to possible enlargement. However, a building may be designed so that it may be conveniently enlarged, thus keeping the initial outlay at a minimum. What should be stressed is the fact that planning costs little or nothing, while reconstruction or remodeling is

⁷ This cannot be intelligently determined without at the same time considering the selection of equipment and where it is to be placed. See *post* page 340.

⁸ As applied to libraries generally, the fundamental principles have been set forth as follows:

"Every library building should be planned for the kind of work to be done, and the community to be served.

"The interior arrangement should be planned before the exterior is considered.

"Plans should provide for future growth and development.

"A library should be carefully planned for economical administration.

"Public rooms should be planned for complete supervision by the fewest possible attendants.

"No convenience in arrangement should be sacrificed for architectural effect.

"There should be no such decoration of reading rooms or working rooms as will attract sight-seers to disturb readers and attendants.

"There should be good natural light in all parts of the building. Windows should extend to the ceiling, to light the upper portions of every room. In a book room or stack, windows should be opposite the aisles.

"No shelf should be placed so high as to be out of reach of a person of medium height standing on the floor.

"Flights of stairs should be straight and not circular.

"Communication by telephone or speaking tube should be arranged between the working rooms."

HADLEY, LIBRARY BUILDINGS, NOTES AND PLANS, 11.

invariably expensive. It is folly to paralyze any library service by undue confinement within permanent walls of stone.

In addition to the above considerations careful thought should be given to the provision of (*d*) suitable heating and ventilation,⁹ taking into account the requirements of both persons and books, and (*e*) adequate light for reading both by day and by night. Certainly present conditions in some libraries are little short of criminal. Finally, (*f*) every practical method of keeping noise at a minimum should be utilized to the fullest advantage. While the solution of these several problems is usually more simple in the small library plant, it is nevertheless important that they be dealt with effectively. For the large library building only the best technical skill available will suffice. Because they are so frequently overlooked, it is important to point out that the comfort and convenience of the staff should also be kept in mind while dealing with these matters.¹⁰

But, while the foregoing utilitarian considerations should never be disregarded for the mere sake of effect, there is no valid reason why the library quarters should not also be attractive and perhaps even impressive. If comparisons with other fields of education are made, they will but emphasize the importance of this fact. For example, in the natural sciences elaborately equipped laboratories are visible demonstrations of the fact that interesting and significant work is being carried on. Art galleries, museums and exhibits of various kinds serve similar purposes in other fields, and the medical school not only has its laboratories but magnificent hospitals as well. Therefore, while appearances are indubitably no substitute for a thorough and effective program, so much in legal education is by its very nature inconspicuous and undramatic that the most should certainly be made of the opportunity to create at least in the library an atmosphere in some measure expressive of the objectives and ideals of the particular law school and of the legal profession in general. Surely barren rooms or a barn-like hall are not enough, and a library, even a law library, without atmosphere should be a contradiction in terms. When funds are limited a little forethought should make possible a pleasing effect without involving much if any additional expense. In short, it is one thing to sacrifice utility for the sake of appearance and quite another to give due consideration to each in working out a harmonious plan. Library quarters, meeting every requirement as to space, arrangement and materials used, are indeed still inadequate if they do not at the same time convey to the users an appropriate impression—if they do not create an atmosphere in keeping with their function.¹¹

2. So much for the problems involved in providing suitable quarters. Obviously, to function effectively, the library must also be provided with certain

⁹ See RANCK, PROBLEMS OF LIBRARY HEATING AND VENTILATION, Am. Lib. Ass'n, 1931.

¹⁰ A number of instances in which this has been overlooked have come to the writer's attention. See also Coffey, *The Law Quadrangle of the University of Michigan* (1932) 25 L. LIB. J. 266, at 270.

¹¹ But ornamentation can of course be carried too far, for to the extent to which the library is made an object of interest to mere sight-seers will it be rendered less satisfactory to the serious reader.

classes of equipment. Everyone of course will at once think of tables, chairs and shelving. But even this incomplete list suggests several matters that deserve more than passing attention. Both tables and chairs should be substantial, for the public (and particularly one largely composed of students) is seldom unduly considerate. Noise produced by squeaking at the joints or when the chairs are drawn across the floor should be regarded as an inexcusable imposition upon the public. Cast off furniture not good enough for use elsewhere will never be satisfactory. The chairs should certainly provide at least a reasonable degree of comfort, for while a certain amount of austerity may be consistent with and even conducive to scholarship, it is no part of the function of the library to impose these various forms of mild torture upon its patrons.

Shelving constitutes the third obviously indispensable item of equipment. But, contrary to the popular conception, shelving may be either good, bad or indifferent, and shelving which will suffice for one purpose is not necessarily satisfactory for another. Therefore, a selection based upon considerations of economy alone, or made in ignorance of the basic requirements, may lead to undesirable consequences. For example, substantial shelving is the most economical in the long run, both because of the far greater use to which it is put in any library serving the public, and because law books are, on an average, considerably heavier than books in general. But as the collection of books is constantly growing there can never be a fixed and final arrangement, and reshelving at more or less frequent intervals is unavoidable. In consequence, because books vary greatly in size, waste of stack space and frequent inconvenience can only be avoided by the use of adjustable shelving throughout the library.¹²

But intelligence in the selection of the equipment above referred to must be supplemented by care in establishing the proper relationship between the shelving and the chairs and tables. Particularly in the reading room every effort should be made to have the books shelved in the closest possible proximity to chairs and tables in order that the books may be casually examined with the greatest of ease, for only thus will the reader be spared the unnecessary fatigue resulting either from the repeated periods of standing by the shelving from which the books are drawn or from carrying books to a distant table.

Because the brief examination of a large number of books is so characteristic of certain phases of legal research, the alcove arrangement is probably the best for a law library reading room, and the additional shelving thus provided is in itself a matter of no mean importance, since even under the best of circum-

¹² The writer once had the consequences of the lay misconceptions as to books and shelving brought dramatically, albeit amusingly, to his attention when he was inspecting a law library which was receiving the "finishing touches." The man responsible both for the general arrangement and for the details pointed to the shelving with particular pride and said: "See here, I have nailed down all the shelving so the d— librarians can't monkey with it all the time." I shall never forget the look on his face when I called attention to the fact that a good many law books would not fit on this shelving. His only reply was a rather feeble, "I measured several books and allowed a little for good measure. I had no idea that books were not more or less standard as to size."

stances it is no longer possible to shelve in the reading room as many books as would be desirable.

Although as large a number of readers may not be involved, it is equally important to provide for the comfort and convenience of those who must use the books in the stacks, for these persons will in many instances do the most intensive work. For this purpose a sufficient number of suitably ventilated and lighted cubicles is indispensable, and no doubt the present trend toward individualized methods of instruction will further accentuate this need. Because a large proportion of the books in the stacks must of necessity be shelved at some distance from chairs and tables, the installation of shelving containing the sliding reference shelf feature is well worthy of consideration.

But, however experienced the reader may be, he will frequently need to extend his inquiry beyond the point where direct reference to the books on the shelves will suffice. It is then, if not before, that he probably will become conscious of the fact that the library contains equipment other than chairs, tables and shelving. More than likely he will then turn his attention either to the reference desk or to the public catalog (which should be in the closest possible proximity to each other) or both, for, notwithstanding the fact that the literature of the law is perhaps the most extensively digested and indexed body of knowledge of like proportions, the research worker frequently finds that these devices alone are not sufficient. Here he may make use of the public catalog (the index of the particular library)¹³ to locate items of possible interest not otherwise called to his attention; he may refer to that miscellaneous lot of books kept at the reference desk which provide quick answers to many practical questions; or he may secure assistance from the attendant in charge.

Perhaps there is no other point in the library at which the question of arrangement is more vital, for the reference desk should not only be in the closest possible proximity to the public catalog, as stated above; it should also control sufficient shelving for the books which must be kept on reserve;¹⁴ and should at the same time command the exit from the library in order to make more effective the charging of volumes borrowed for use elsewhere.¹⁵ These considerations are particularly important during evenings and holidays and at

¹³ For a discussion of cataloging, see *post* p. 345.

¹⁴ While in a law school library, above all others, as many books as possible should be made easily accessible to the public, certain books must of necessity be kept under direct staff supervision, as for example, volumes containing assigned reading, texts in frequent use, and other volumes for which there is such a constant demand that their use must be restricted. But the number of books on reserve should certainly be kept at a minimum for no unnecessary formality should be allowed to stand between the student and the use of the books.

¹⁵ Although regulations should of course be kept at a minimum, a few are indispensable. With respect to these, cooperation on the part of the public is vital. Therefore, any condition, whether due to laxness or inability on the part of the staff, which promotes inefficiency in the charging of books taken from the library is likely to have far reaching consequences, for nothing spreads so rapidly as the non-observance of regulations. The average person, even when inclined to be cooperative, will sooner or later ignore a regulation which he knows others do not observe.

the other times when most law school libraries must be under the supervision of a single staff member.¹⁶

And, finally, the work that goes on behind the scenes and largely unknown to the public must not be forgotten, for upon its effectiveness the reader's service to a very large extent depends. Here, as elsewhere, equipment is an important consideration. Card cabinets for the shelf list, for depository files, for records of serials, of gifts and exchanges, and filing cabinets for vertical file materials and for correspondence, as well as the more obvious desks, tables, chairs, typewriters, etc., should be provided, and, needless to say, each and all should be carefully selected with a view to the particular purposes in hand. Gross deficiencies in equipment inevitably lead to inefficiency, and inefficiency costs money. In an active library, where the important work is never finished, delays occur and a lower standard of service to the public is inevitable.¹⁷

3. Having thus briefly discussed the major problems involved in providing suitable housing and in acquiring adequate equipment, we may now proceed to a consideration of the various factors involved in the creation and maintenance of the collection itself. We should, from the very outset, keep clearly in mind the fact that the units of which it is composed, for convenience usually designated as books, are not, even in this standardizing age, by any means uniform either as to size, form, character, or quality—for they range from the thinnest pamphlet to massive and unwieldy tomes and from items which have little and perhaps only temporary value to those which are permanently indispensable. And, indeed, library materials may also be diagrams, maps, charts, pictures and works of art. Inclusions and exclusions must be determined upon the merits and not because of external characteristics, but the value of a given item may in many instances largely depend upon the present and future needs of the particular library. However, there is certainly no place today for the law librarian who proudly boasted that his library did not bother with pamphlets as they were too much trouble to handle.

In discussing the collection, thus broadly defined, we may conveniently treat the subject under three general headings, namely, (a) the acquisition of materials, (b) their arrangement, and (c) cataloging. From all three points of view it is the rapidly increasing volume of essential printed matter which has converted a relatively simple undertaking into one involving many complications, so many indeed that they can be mastered only through specialization. In short, it is a far cry from the situation in 1894 when in an intelligent and constructive

¹⁶ While it is far from easy to coordinate the facilities of the library as here suggested, the matter is one of such great importance that every effort should be made to achieve the desired result. In libraries having a staff of several persons it is also highly desirable to have their work space as close to the reference desk and public catalog as possible, as many of the records and books used by them are helpful, if not indispensable to the reference service. If located at a distance, resort to a telephone or to duplication of materials and records may become necessary. In this connection see *supra* note 10, p. 270.

¹⁷ So far as equipment is concerned, the needs of law libraries are generally similar to those of other classes of libraries. Therefore, reference may be made to the general literature on the subject, and to the manufacturers' and dealers' catalogs. See especially EASTMAN, FURNITURE, FIXTURES AND EQUIPMENT (Manual of Library Economy, Chapter XI, revised) Am. Lib. Ass'n (1927); and GEROULD, THE COLLEGE LIBRARY BUILDING, ITS PLANNING AND EQUIPMENT. For further information see *supra* note 3.

article Simeon E. Baldwin was nevertheless able to say that "There is no library that is so easy to select and maintain as the American law library."¹⁸

(a) Turning first to the acquisition of library materials, it may be well to note the several problems involved and then offer a few suggestions which may prove helpful. To proceed thus is to be confronted immediately both by the fact that many vital decisions are involved, and that they can only be intelligently made if one is possessed of a considerable amount of detailed practical information. For example, it is necessary to know what books and other materials should be selected from the great mass of possible and even highly desirable materials, from what sources these may be obtained most conveniently, and how much (if indeed anything) should be paid to secure them. And each of these is an important consideration in any library for, as the day has long since passed when even the large library can hope to acquire all desirable materials, selection is an unavoidable function. In the library with a generous budget a wider range of knowledge is required, but in some respects the more limited the budget, the more vital becomes each decision, for much more that is desirable must perforce be excluded.¹⁹

Obviously, only a limited amount of the information required to make such decisions intelligently may be secured through reading. For example, such all-important facts as which dealers handle certain types of books, which of these are reliable and which are not, what is a fair price for a given book or set of books, and what materials may be had for the asking, etc., are learned only by actual work in a law library and by collaboration with other librarians. And as conditions are constantly changing these facts cannot even thus be learned once and for all. To become expert one must keep in constant touch with this special field of endeavor.

Fortunately, however, a portion of the useful information is communicable through the printed page and at least some of it is already thus available. Helpful suggestions for a beginner are contained in the articles by Bernita J. Long and Helen Moylan appearing in the *LAW LIBRARY JOURNAL*. The former discusses order routine²⁰ and the latter outlines the fundamental materials for the smaller law school library.²¹ The libraries of schools seeking approval by the

¹⁸ Baldwin, *Law School Libraries, and How to Use Them* (1894) 17 A.B.A. REP. 431, at 436. And in 1900 the Association of American Law Schools contained in its articles of association the absurd provision, from the present point of view, that member schools "must own or have convenient access to a library containing the court reports of the state in which the school is located and of the United States Supreme Court." For a brief discussion of the development of law school library standards see Brownfield, *The Development of Law School Library Standards as Applied by Accrediting Agencies* (1937) 30 L. LIB. J. 22.

¹⁹ Comparisons with other schools may be helpful in determining how much should be spent for the purchase of books and what the approximate size of the collection should be, but the figures relating to the total number of volumes in the collections should be used with great care as no uniform system of reporting these has been adopted and these figures are likely to be misleading. See tables of statistics in 30 L. LIB. J. 474-486.

²⁰ Long, *Order Routine* (1937) 30 L. LIB. J. 351.

²¹ Moylan, *Fundamental Material for the Law School Library, with Particular Reference to the Library of 7,500 to 15,000 volumes*, (1928) 21 L. LIB. J. 85; 6 AM. L. S. REV. 751. As this article was written in 1928 due account must be taken of the books which have since been published.

American Bar Association or membership in the Association of American Law Schools²² should of course profit from the requirements of these two groups, and may on occasion secure valuable information from the representatives who make the inspections.²³ Obviously the LAW LIBRARY JOURNAL is the best source of continuous information but to a limited extent other legal periodicals will be helpful.²⁴ Every law library should gradually build up a collection of books and pamphlets containing information of value in connection with the acquisition of legal materials,²⁵ and the fact that a substantial beginning may be made with materials that can be had for the asking should not be overlooked.²⁶

(b) But the librarian's problems are by no means confined to those directly connected with the acquisition of the books, for he is not merely a collector but

²² Certain volumes and sets which are required by the Association of American Law Schools are specifically listed in Section 6 of Article 6 of the Articles of Association. See, ASS'N AM. L. SCHOOLS, HANDBOOK (1937) 370.

²³ While the work of these inspectors has been helpful, it is doubtful if they are usually as qualified to make constructive suggestions with respect to the library as they are with regard to other aspects of the law school program. This doubt is reflected in a recent committee report which contains the constructive suggestion that experienced librarians be selected to collaborate in such inspections. See, *Report of Committee to Cooperate with the American Association of Law Libraries*, ASS'N AM. L. SCHOOLS, HANDBOOK (1937) 337, esp. 339, and *Report of the Committee on Cooperation with the Association of American Law Schools* (1937) 30 L. LIB. J. 284, esp. 286.

²⁴ Although the book reviews found in most legal periodicals usually appear too late to be of aid in making current selections, they will on occasion be helpful. The lists of books received are usually more current and frequently prove useful. For example, the "Book Notes" found in each number of the MICHIGAN LAW REVIEW are a valuable source of brief current information about books in general and the lists of case books appearing in the front advertising sections of the Columbia and Harvard Law Reviews should not be overlooked when specific information about case books is desired. An examination of the other legal periodicals will quickly reveal which of them are usually the most helpful.

²⁵ See HICKS, MATERIALS AND METHODS OF LEGAL RESEARCH (2nd ed. 1933) which contains a great deal of information of value in connection with the acquisition of materials. Many helpful books and articles are also listed or referred to.

A very useful source of information may be created by subscribing to a set of the Library of Congress printed cards for books classified in law. These will not only serve as a current check list but may thereafter be filed so as to create a depository file which will increase in value with the passage of time. If the expense of this subscription is prohibitive the same result may be obtained by cutting up and filing the proof sheets for these cards, the subscription for which is nominal. Where funds will permit, a purchase of the back file of such cards will give the library a complete list of the publications in the Law Library of Congress.

While it is not necessary that every law library possess a set of the United States Catalog and the cumulative supplements to date, this source of useful information should certainly be available. However, except in the larger libraries where frequent references to it may be necessary, the fact that it is in the general library should suffice.

²⁶ Few beginners, and indeed some more experienced librarians, appreciate the value of building up files of such materials. A few examples are collections of book dealers' and publishers' lists and catalogs, including every agency, public and private, which publishes legal and near legal materials; circulars and announcements relating to new books; the current numbers of all Price Lists issued by the United States Government Printing Office containing documents of probable interest to law libraries, and of such check lists and bibliographies as are sent to libraries upon request by governmental officers and departments and occasionally by other bodies.

rather a collector merely that he may have the materials with which to provide a library service. As custodian he becomes immediately charged with the responsibility of seeing to it that the collection is arranged in such a manner that any book or pamphlet may quickly be made available. Fortunately, for the beginner, certain large classes of legal materials are extremely easy to arrange (for example the state reports), but unfortunately this very ease in arranging some of the materials has considerably retarded the development and, therefore, the general adoption of any comprehensive plan of arrangement, much less the acceptance of any detailed scheme of classification. In consequence, there is a good deal of unanimity with respect to the court reports, statutes, digests, encyclopedias, in fact most of the materials found in the smaller collections and in the reading rooms of the larger libraries. But texts and treatises in some libraries are shelved alphabetically according to the names of the authors and in others according to subject matter, and to the extent that the collection includes classes of legal materials not so easily grouped, or near-legal and non-legal materials, will the problem of arrangement become more difficult. It is with respect to this expanding area of materials that there is as yet no unanimity of opinion. In consequence, the beginner will do well to test his own common sense solutions by making comparisons with the practices in successful operation elsewhere. In case the collection in which he is interested is a fairly large one, or is growing rapidly, it may be advisable to make a special study of the classification of legal materials.²⁷

(c) But, regardless of what arrangement is adopted, a little reflection will reveal that no scheme for the shelving of the books will alone suffice, for no given book can be shelved in more than one place, and since many books deal with more than one subject or may with equal logic be put in one of several places, each book must frequently be more or less arbitrarily assigned to one of them. If in the opinion of the inquirer (and it is quite immaterial whether his judgment is good or bad) the book should be shelved under some other heading, he will very likely not find it at all. Furthermore, he will often fail to utilize significant parts of books or sets merely because in general they deal with some other topic and are therefore shelved under a heading that will not even occur to him. And finally, if the book is in use and, therefore, not on the shelves, he may actually fail to refer to the most significant work in the entire collection.

In consequence, no collection can attain its fullest usefulness unless it is supplemented by a catalog to bring quickly to the reader's attention all the material in the library dealing with any given subject. It is no more possible to provide an effective reader's service without it than it would be to utilize

²⁷ See especially, DABAGH, *THE MNEMONIC CLASSIFICATION FOR LAW LIBRARIES*; Dabagh, *Elementary Considerations Regarding Classification for Law Libraries* (1937) 30 L. LIB. J. 382; Dabagh, *Materials on Law Library Technique Found in Law Library Journal*, Volumes 1-24 (1932) 25 L. LIB. J. 150; Dabagh, *A Mnemonic Classification for Law Libraries* (1929) 22 L. LIB. J. 30; Hicks, *Cataloging and Classification in a Modern Law School Library* (1932) 25 L. LIB. J. 41; Tomlinson, *The Numerical Classification Scheme of the Legislation Collection in the Harvard Law School Library* (1936) 29 L. LIB. J. 71; Wire, *Classification for Law Libraries of Under Fifty Thousand Volumes, Part Three* (1935) 28 L. LIB. J. 327.

an extensive set of books in the absence of a general index. Reliance upon the arrangement of the books or upon memory alone inevitably reduces the effectiveness of the collection,²⁸ and for certain classes of materials it is almost literally true that a book not cataloged is a book not used.²⁹ Hence the catalog, and a good one takes both time and skill to create and maintain, is at the very heart of the library service. Needless to say, no adequate law school library is so small that there are not at least some classes of materials which require cataloging. Where the collection is limited and will in all probability remain so, a simplified plan may be followed, but if there is any prospect that the library will grow (and this should always be so) an early beginning should be made and a plan adopted that may be followed more or less indefinitely. It is task enough to catalog the normal current accessions without having also to undertake the cataloging of books acquired during past years, or the recataloging of books inadequately handled in the first place.³⁰

4. Having first considered other aspects of law library development and administration, we are now in a better position to take up the problems of library personnel—problems which, as we have already suggested, should be regarded as among the most important. This is not due to the fact that books are less essential than the public generally supposes, but rather to the widespread belief that these may be easily secured and that little or nothing more is required. It is because of this belief that it is usually "easier to get \$10.00 for books than \$1.00 for administration." Is it not significant, in this connection, that in the library requirements of both the American Bar Association and the Association of American Law Schools the major emphasis has always been placed upon the books?³¹ That neither Association has been greatly concerned over the adminis-

²⁸ That memory alone is not an altogether satisfactory substitute for a systematic catalog of the collection is illustrated by the following rather amusing experience: Entering a large law library, not equipped with a catalog, the writer asked the attendant for a standard book, but one not put to frequent use. To this inquiry the attendant replied: "I don't know whether we have the book or not, and if we have it, I don't know where it would be shelved. Mr. X (the librarian) has gone to the bank to cash a check but he will be back in a few minutes. If you can wait I am sure he can find it for you, if we have it." In due course of time the librarian, who had stopped on the way to chat with some friends, returned. When my inquiry was put to him he smiled pleasantly and said, "Let me see, where did I put that book? Oh, yes, it is over in that corner." I took the book gratefully just one hour after I had requested it, but I could not avoid speculating on what would have happened if the librarian had gone on a fishing trip, or to Europe. What if the librarian should retire or die?

²⁹ For example, in one library where there was a great deal of more urgent cataloging to be done, the collection of pamphlets was for the time being arranged in boxes under suitable headings so that they could as a matter of fact be located with a reasonable degree of facility. Nevertheless, they were seldom used. However, just as rapidly as it became possible to bind them up into volumes and catalog them they assumed their appropriate place in the service of the library.

³⁰ For an introduction to cataloging for law libraries, including a bibliography, see Moylan, *A Primer on Law Library Cataloging* (1936) 29 L. LIB. J. 156.

³¹ However, a belated recognition of this fact appears in an amendment recently adopted by the Association of American Law Schools which, after September 1940, will require that every member law school have "a qualified librarian, whose principal activities are devoted to the development and maintenance of an effective library service." See ASS'N AM. L. SCHOOLS, HANDBOOK (1937), 38, 52.

tration of the libraries, and the extent to which the books are actually used, is amply demonstrated by the fact that almost every conceivable makeshift arrangement may be found among law schools upon which these two groups have placed the stamp of approval.³²

This reluctance to recognize the importance of competency in the administration of the library, so characteristic of many law schools, is the more extraordinary in view of the extent to which specialization has invaded the law school world. The part time instructor has given way before the professional educator, and he in turn before the specialist, at first in legal education generally, but today in some much more restricted field such as constitutional law or taxation. And yet the hard, cold and irresistible logic of events which lies behind these developments with equal force necessitates the services of specialists to concern themselves exclusively with the intricate problems involved in the acquisition and organization of the ever expanding literature which all must use.

As most of what has heretofore been said, both in this article and in the first of the series, has been a direct or indirect demonstration of this fact and since the expanding activities of the law library staff have been enlarged upon elsewhere,³³ we may at present confine ourselves to a few observations of a more or less supplementary nature.

In the first place, if we carefully consider the needs of the thorough student of any legal subject, it will become perfectly clear that the belief that research, involving the use of library materials, begins when the research worker commences his examination of the books in the library is altogether erroneous. Only occasionally is he familiar with all of the materials he will need to examine. Frequently, he will not even know of the existence of some of them and sometimes he will have practically no knowledge of the literature in the field. In other words, the very initiation of his work presupposes a knowledge on the part of the staff, either present or past, (*a*) that such materials exist, (*b*) where and how they may be procured, (*c*) how they may be conveniently arranged, and (*d*) how they may be made quickly available through adequate cataloging and a competent reader's service. Even the briefest reflection should lead to the conclusion that such a service amounts, among other things, to a comprehensive program of preliminary research—research of a character that permits any library user to start where the staff left off and at a stage far in advance of his starting point had it been necessary to rely upon his own initiative alone. However resourceful he might be, if lack of funds did not bar his progress, he would often be indefinitely delayed while waiting for his materials, which might be procurable only

³² For a confirmation of this statement by one who has inspected many law schools, see Horack, *The Small Law Library and the Librarian*, (1937) 30 L. LIB. J. 6, esp. 10.

³³ *The Status and Qualifications of Law School Librarians* (1936) 8 AM. L. S. REV. 398. See also the following by Frederick C. Hicks: *The Widening Scope of Law Librarianship* (1926) 19 L. LIB. J. 61; 20 A. L. A. BULL. 564; *Educational Requirements of Law Librarians* (1930) 23 L. LIB. J. 62; 15 A.B.A.J. 699, and his report on the Law Library found in RANEY, *THE UNIVERSITY LIBRARIES* (1933) (University of Chicago Survey, Vol. VII) p. 156.

from points at a great distance. Even if he should overcome these difficulties, his search would frequently be stopped altogether for want of some book or books acquired by the library long before he had any interest in the subject and now not obtainable at any price. Securing materials, when they are available, although they may not be needed immediately, is one of the indispensable services that every efficient library renders.

In the second place, no library staff can today rest on its laurels merely because its acquisitive and custodial duties are being well performed. Under present conditions it must, through the reader's service,³⁴ be not only an active participant in the day-to-day tasks of students and faculty members, but it should be equipped to extend its service by the preparation of bibliographies and study lists and by definitely assisting all persons in the law school whenever the use of library materials is involved.³⁵ Unfortunately, many a law school library is so understaffed that all time is absorbed in the performance of necessary routine tasks and it is absolutely impossible to render such a service. Where such conditions exist, the law school is certainly not securing an adequate return from the funds invested in the library collection.

In the third place, the same reasons that have induced and indeed impelled faculty members to participate in a wider circle of activities require that the library staff also be concerned with interests which extend beyond the four walls of the library. This should involve not only the exchange of duplicate books with other libraries and the extension of the service to the public through inter-library loan but some degree of participation in the work of the library profession, an interest in those aspects of legal education most closely related to library work, and some concern with the activities of the legal profession in general. It is particularly important that librarians take part in activities where they can make definite contributions because of their specialized knowledge. Certainly no library staff can be expected fully to serve its own immediate constituency, unless it is also possessed of the knowledge and experience which are acquired only through an active participation in the upbuilding of those facilities and services which are indispensable to all.

We have as yet said nothing about a fourth consideration, namely, the educational qualifications of persons competent to perform the numerous duties that have heretofore been suggested. As would be expected, in such a relatively undeveloped field, the general average among those now holding positions in law libraries is far too low,³⁶ and in addition there is as yet no unanimity of opinion among law librarians with respect to what requirements are ideally desirable. But it is encouraging that there is a fairly widespread dissatisfaction

³⁴ See Hall, *Reference Work in a Law Library* (1938) 31 L. LIB. J. 233.

³⁵ A number of legal educators have already recognized this fact. See Hollzer, *Service in the Law Library* (1930) 23 L. LIB. J. 119, especially the quotations on page 124.

³⁶ See *Survey and Report of the Committee on Education for Law Librarianship* (1936) 29 L. LIB. J. 199.

with conditions as they are at present and that at least a fairly militant minority is determined to bring about radical improvements.³⁷

While it would be useless, under such conditions, to suggest the immediate adoption of specific educational requirements for all law school librarians (and indeed their enforcement would work an injustice upon a number of highly competent librarians who have learned through experience) it would seem that all should recognize the value to the law librarian of (a) a broad general educational background (academic training); (b) familiarity with the several special routines and skills involved (library science); (c) at least some understanding of the subject-matter (the law) with which law librarians are primarily concerned, and (d) some practical experience in an efficiently administered law library. Thus, while knowledge is by no means acquired only at an educational institution, as such institutions provide the more usual route to entrance into professional work, other things being equal, persons so equipped will usually make the most of their later practical experience. In addition, and this is by no means of minor importance, even to the individual librarian, the experience in other fields of endeavor clearly demonstrates the fact that there is generally a very close relationship between the according of professional status to any given group and the educational standards which it maintains.³⁸

But, although the promulgation of definite formal educational requirements may lie somewhat in the future, a more widespread appreciation of the importance of taking this factor into account would have an immediate beneficial effect. For example, both persons planning to take up law library work as a career and those already engaged in such work who were seeking advancement would thereby be induced to secure such formal training, in each of the three categories suggested above, as circumstances would permit, although the emphasis in each case might be put upon such aspects of law library work as were of special interest to the particular individual. Obviously, the cataloger will make more direct use of training in library science than some other staff members and one can hardly expect to become an effective reference librarian without legal training. And with such a change in attitude those responsible for making appointments would less frequently disregard the educational qualifications of the respective applicants, or be unmindful of their significance in view of the present trend toward higher standards.

Before leaving this subject it may be well to point out two preconceptions whose widespread acceptance has alone done much to retard the development of

³⁷ The recent change in the articles of the Association of American Law Schools, already referred to, which will require each member law school to have on its staff a "qualified librarian" is a fairly substantial straw in the wind. See also Beardsley, *Education for Law Librarianship* (1936) 30 A. L. A. BULL. 168; Hicks, *Educational Requirements of Law Librarians* (1930) 23 L. LIB. J. 62; 15 A.B.A.J. 699; Roalfe, *Status and Qualifications of Law School Librarians* (1936) 8 AM. L. S. REV. 398. For the recent reports of the committee of the American Association of Law Libraries on Education for Law Librarianship see (1932) 25 L. LIB. J. 170; (1935) 28: 222; (1936) 29:199. For discussions and other developments see (1930) 23: 49; (1936) 29: 214; (1937) 30: 29, 261, 514.

³⁸ While the legal profession appears to be an exception, and at any rate has been extremely reluctant to recognize this fact, there can be no doubt about the present trend.

a trained personnel for our law school libraries. The first one is the fairly common belief that, except for a few of the larger libraries, almost any person is qualified to act as librarian, whether such person be an untrained but deserving widow of some professor, a broken down lawyer or teacher who has not made good, a clerk, or perhaps a regular faculty member who is more or less fully occupied with teaching and other duties. Suffice it to say, that these custodial, glorified janitorial and spare-time conceptions are altogether fallacious. Certainly no library service predicated thereon can possibly be satisfactory. Where the faculty complacently accepts such conditions the indictment must perforce be extended to the entire teaching program. On the other hand, if it is emphatic in making its legitimate needs known and those in authority will not or cannot remedy conditions the school should not be held out to the public as being equipped to teach the law.³⁹

The second preconception, above referred to, is the belief that although in the larger libraries it may be desirable and perhaps indispensable to have a specially qualified person in charge, the remainder of the staff may be selected without taking much account of either special training or practical experience, since a great deal of the work is of a purely routine character. Of course library administration includes a considerable amount of such work and some of it can be done by persons with limited training and experience if effective supervision is provided. Such supervision, however, requires both time and a considerable amount of specialized knowledge, and other aspects of the library routine cannot be performed at all in the absence of such knowledge. Obviously, then, in the large library it is unreasonable to expect satisfactory results, however competent may be the administrative head, unless he is supported by assistants qualified to make many of the day-to-day decisions, for if he is overwhelmed with details he must perforce neglect the duties he is primarily expected to perform.

Needless to say, the development of such a supporting staff can hardly be expected, unless the surrounding conditions are conducive to the satisfactory performance of its duties, and this unquestionably involves a reasonable degree of appreciation for the work that it is endeavoring to do.⁴⁰

5. In the foregoing remarks we have endeavored succinctly to indicate the essential features of an effective law school library service, noting particularly that they fall under four general headings, namely, quarters, equipment, book

³⁹ Although there can no question that membership in the Association of American Law Schools or approval by the American Bar Association conveys to the public the impression that the particular law school is satisfactory in all respects, neither of these associations insists upon the maintenance of any standards so far as library personnel is concerned. See *supra* note 32.

⁴⁰ In answering the question of how many persons should be included on the staff of a law school library it may be well to refer to the annual tables of statistics. See 30 L. LIB. J. 474-486. But it should be remembered that many libraries are at present quite definitely understaffed. The recommendations made several years ago with respect to the University of Chicago Law School Library would be equally applicable to several other law schools. See RANEY, *THE UNIVERSITY LIBRARIES* (1933) (University of Chicago Survey, Vol. VII) 156. And the need for several persons in the reader's service alone in the large law school library has been recognized by the faculty of the Columbia University Law School. See *SUMMARY OF STUDIES IN LEGAL EDUCATION* by the Faculty of Law of Columbia University (1928) 175, at 176.

collection and staff. However, as a law school library is in every instance a part of a larger organization, its relationship to the institution as a whole is also of the greatest importance. Since nearly all law schools are affiliated with universities, this relationship will usually involve a proper integration of the law library service, both with the law school program and with the service provided by the other libraries on the campus. However, although the law library is thus necessarily both "library" and "law school," it must, in the final analysis, from an administrative but not from a service point of view, be regarded as one or the other. What needs to be stressed, and indeed can hardly be overemphasized, is the fact that regardless of the formal determination of this matter the arbitrary exercise of final authority from either point of view is altogether undesirable and there is not the slightest prospect of achieving a satisfactory working arrangement in the absence of wholehearted cooperation on the part of all concerned. There is absolutely no room for personal or departmental jealousies. For example, there can be no question but that the administration of the law library under a general library system, which is indifferent, unsympathetic or uninformed, may result in virtual strangulation.⁴¹ On the other hand, there is no justification for the petty isolationist attitude characteristic of some law schools and their libraries. The law school library which is failing also to fulfill its function as the law library for the greater university community is certainly missing a great opportunity. For these reasons, the officers of any university interested in the development of its law school should see to it that this matter is definitely and satisfactorily settled, keeping clearly in mind the fact that outstanding success for the law school can hardly be expected under general library supervision unless there is at least a very substantial delegation of responsibility.⁴²

But neither autonomy for the law library, coupled with a satisfactory cooperative working arrangement with the university library system, nor a satisfactory departmental library arrangement will alone insure the adequate development of the law school library. It must also function smoothly and effectively as a part of the law school itself and there is certainly no merit in substituting an unintelligent attitude in the law school for the probable defects of administration by the head of the general library system. For example, either indifference or an excess of supervision on the part of the faculty is detrimental, and both undoubtedly indicate the fact that something is fundamentally wrong. Upon analysis, this will invariably be found to be intimately connected with the problem of library personnel. In the case of indifference the faculty has usually not insisted upon a competent librarian, or, if one has been secured, he has not been given adequate support. On the other hand, excessive supervision on the part of the faculty usually denotes that the librarian is either not qualified to perform

⁴¹That this is a problem with which a number of law schools are concerned is attested to by the fact that a committee of the Association of American Law Schools has made specific recommendations with respect to it. See *Report of Special Committee to Cooperate with the American Association of Law Libraries*, ASS'N AM. L. SCHOOLS, HANDBOOK (1937) 337.

⁴²The annual statistics reveal that in most of the larger law libraries there is virtual autonomy. See 31 L. LIB. J. 317, esp. 318, and 30 L. LIB. J. 474.

his duties effectively, or that, if competent, he has not been given the opportunity to demonstrate what he can do. In other words, the faculty is either justified in not having confidence in the librarian, or it has failed to recognize the absolute necessity for the delegation of responsibility. In any event, the faculty has not recognized the fact that it is impossible to administer the library effectively and to integrate its administration with the law school program unless the librarian is both competent in fact and commands the confidence of the faculty so far as library problems are concerned. It is for this latter reason, among others, that it is important that the librarian have faculty standing.⁴³ This will also enable him to keep in close touch with the objectives of the several faculty members and with the educational program of the particular school.

But the full benefit which should flow from the administration of the library by a librarian with faculty standing will certainly not be realized unless his status as a faculty member is based upon his qualifications as a law librarian and not as a professor of law, regardless of whatever merit there may be in having a librarian who also possesses these latter qualifications. To make a mistake at this point will in all probability merely shift the hiatus from a position between the faculty and the librarian to one between the librarian and the remainder of the library staff, or, in the case of the small library, between the librarian and what should be his major interests.⁴⁴ The professor who is "also" librarian will almost invariably continue to view his work as librarian from the former point of view, and in consequence the conceits and limitations peculiar to the teaching profession will stand between him and his staff, between him and a profession which has its own function to perform and of which he should feel himself a part. A good librarian cannot be half-hearted or apologetic about his work. He must believe in it and actually prefer it to that of his colleagues on the faculty. His contributions to the work of the faculty will then be by no means inconsequential, although primarily those of a law librarian, and the fact that his interests range over the entire field of the law and run athwart those of most law school faculty members should have a wholesome and broadening effect.⁴⁵

⁴³ It is at this point that difficulties are likely to arise if the law school library is administered as a formal part of the university library system. If the librarian must look elsewhere for his final authority this may bring him into actual or supposed conflict with the best interests of the law school as interpreted by the faculty.

⁴⁴ These matters have been more fully considered in *The Status and Qualifications of Law School Librarians*. See *supra* note 33.

⁴⁵ It should of course not be supposed that the need for this relationship is peculiar to law schools. For a discussion from the more general point of view see Wriston, *The College Librarian and the Teaching Staff* (1935) 29 A. L. A. BULL. 177.