

Bridging the Abyss

Law librarians come together to prepare new attorneys

G-5: “From Law School to Real Life: Preparing New Lawyers for the Challenge of Practice”

Presenters: Carolyn T. Santanella, coordinator and co-moderator, Smith Moore LLP; Chris Wolf, co-moderator and speaker, Nexsen Pruet Adams Kleemeier; Thomas Gaylord, Chicago-Kent College of Law Library; and Laurence Seidenberg, Syracuse University College of Law H. Douglas Barclay Law Library.

This early morning session was billed as an open forum for law firm librarians and academic librarians to engage about the issue of new attorney preparation and training. We’ve all heard accounts of woefully unprepared first-year attorneys. In my experience as a law firm librarian, I’ve found that these accounts represent more of an exception than a rule. However, on numerous occasions I’ve also witnessed the rhetorical question, “What are they teaching them in law school?!” served to sympathetic colleagues with no shortage of indignant relish. So, as I roused myself from another vendor-induced slumber to sit in on this panel discussion, I hoped for a civil dialogue but prepared for a more partisan exchange.

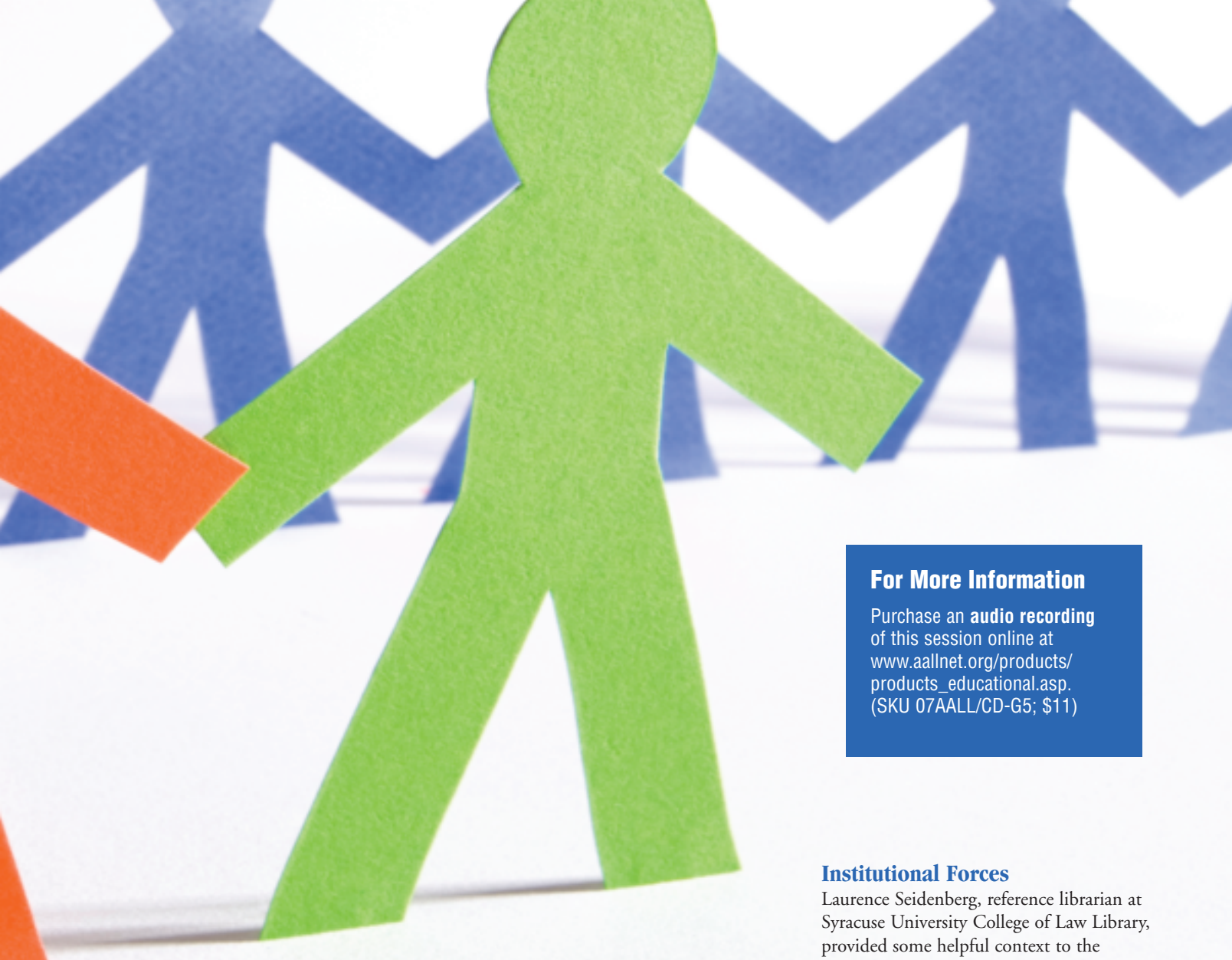
Evaluating Ourselves First

Carolyn Santanella, serials and reference librarian at Smith Moore LLP in Greensboro, North Carolina, set the tone for the next 90 minutes by emphasizing the need to come together as members of the same profession to help prepare attorneys for successful practice. She joked that she almost named this session, “Bridging the Abyss.” She stressed the need to move beyond the last 20 years of knowing about the problem of ill preparedness; it would better serve both the profession and our patrons to evaluate ourselves and engage in practical solutions to the problem.

Restating the issue faced by law firm librarians, Chris Wolf, librarian at Nexsen Pruet Adams Kleemeier in Greensboro,

North Carolina asked, “How is it that we have young people entering the workforce without understanding the basics of legal research?” Rather than reciting an anecdotal monologue to illustrate this issue, she peppered the discussion with highly entertaining video vignettes featuring high school drama students primed for their YouTube debuts.

The vignettes were based on responses elicited from the Private Law Libraries Special Interest Section members in an effort to obtain a representative sample of the surprising questions new attorneys ask law firm librarians. The vignettes included familiar scenarios involving digests (“What are those?”) and electronic databases (“You mean this costs money?”). The vignettes artfully infused a fair amount of levity to a portion of the discussion that in other



hands might have entrenched the “us v. them” dichotomy that the organizers intended to avoid.

Survey Results

By summarizing results of a survey submitted to non-academic members of the Chicago Association of Law Libraries, Thomas Gaylord, reference librarian at Chicago-Kent College of Law Library, further framed the issue. When asked to choose from a list of pre-defined research skills, 89.3 percent of respondents chose “defining and narrowing issues with secondary sources” as a skill lacking among new attorneys. Further, 80.4 percent found that new attorneys have trouble “finding relevant sources efficiently.” At the top of their list of recommendations to law schools, 37.14 percent of respondents believed that students should receive more training on print materials.

When compared to the results of his previous survey, Gaylord’s most recent survey indicated that the percentage of new attorneys able to research efficiently dropped by half. Further, the percentage of new attorneys unaware of print resources in their particular area of practice went up by almost 30 percent.

Thankfully, it was not all bad news. More new attorneys are looking for print treatises. They seem to be much more adept at using print tools than they used to be. Based on the survey responses, there is also better training than ever on pricing issues involving electronic databases.

Gaylord concluded by emphasizing that personal interaction with students and new attorneys and greater accessibility to librarians will do much to prevent them from carrying unresolved shortfalls in their research skills to the point where it might become an embarrassing issue for them when confronted with unforgiving supervisors or clients.

For More Information

Purchase an **audio recording** of this session online at www.aallnet.org/products/products_educational.asp. (SKU 07AALL/CD-G5; \$11)

Institutional Forces

Laurence Seidenberg, reference librarian at Syracuse University College of Law Library, provided some helpful context to the question of why some new attorneys are ill prepared. He pointed out that the causes of the problem are broader than the Internet and electronic research and include institutional forces based in both firms and law schools.

In law firms, as new associate salaries have increased, so has the need to quickly recoup those costs. As a result, the customary apprenticeship period (during which the new attorney is trained and learns from his or her mistakes) has shortened—as has the tolerance for poor research skills.

In law schools, where legal education is typically theory-based, law school leadership can be reluctant to add the practical aspect to legal education, relying on clinics and librarians to fill the gap. Unfortunately, librarians and legal clinic directors are rarely tenured and often have less pull than tenured faculty to affect changes in the curriculum.

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Seidenberg proposed three strategies for solving the ill preparedness dilemma.

- Adding a legal research component to the bar exam would help convince schools of the importance of these skills to professional success.
- Law librarians could also offer students a for-credit certification in legal research skills, separate from continuing legal education (CLE), which tend to pick up the slack left in training for practical legal skills.
- Law schools and law firms could partner to identify legal research skills and work together to make sure students and future associates receive the training they will need.

A Positive Discussion

The presenters did an excellent job to ensure that the discussion didn't get bogged down in either frustrating anecdotes or

counter-productive negativity. Wolf and Santanella illustrated the problem in a light, generalized, non-confrontational way. As an expression of experiences common to non-academic librarians, the data is helpful to all law librarians as they work to address the issue of ill preparedness. Likewise, Seidenberg's presentation was valuable for the profession as it seeks to understand the causes of the problem and work towards a solution.

Gaylord wrapped up the session by asking us to remember that the students and new attorneys we now encounter seldom have the latent memory of card catalogs, periodicals indexes, and other finding aids that may have helped us conceptualize the research process. In a spin on the familiar aphorism, he said that in a sense, "we are teaching new dogs old tricks." Not a bad sound bite to keep in mind as I returned to prepare for fall associate trainings.

This program did not include any handouts. Only one presenter used PowerPoint slides to summarize the survey results. And in an effort to cover the material without detracting from the discussion, the presenter skipped over most of the slides. As a result, someone listening to the audio recording should not feel like she or he missed out on anything. The only portions that a listener might miss are the three video vignettes. However, the audio would presumably pick these up as well, so the listener would still benefit from the added context the vignettes provide. ■

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