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WHY YOU NEED A LAW LIBRARIAN

Over the past five years, law firm librarians comprised the fastest growing segment of the membership in the American Association of Law Libraries (AALL). Now, about one in every three AALL members works for a law firm. Despite the dynamic growth nationally of law firm librarians, few Mississippi law firms employ librarians. At the latest count, only eleven librarians in the state work for law firms. Nine of the eleven work for firms in Jackson; the other two work in Gulfport.

While economics undoubtedly restricts some Mississippi law firms from hiring professional librarians, others may be unaware of the advantages of having a librarian to support the work of attorneys. When a firm hires a librarian or secures the services of a library consultant, the attorneys become acclimated quickly to the information services available. In fact, one attorney views these services as indispensible and suggests that a firm with six or more members needs a librarian (vom Baur, What a Librarian Can Do for a Law Firm, Prac. Law., Jan. 15, 1980, at 83, 84). See also Begleiter, A Functional Law Office Needs a Librarian, Prac. Law., April 15, 1982, at 77.

Before describing what a librarian can do for a law firm, I should define the term. By "librarian", I refer to a person with a post-graduate degree in library science or librarianship, from a school accredited by the American Library Association. A person with this degree has completed a course of study based on
theoretical concepts of information management as well as on practical skills in bibliographic record-keeping and financial management. But more important, a professional librarian has been inculcated with a spirit of service and creative problem-solving that cannot be learned on the job in much less than a lifetime.

Primarily, librarians serve law firms by organizing existing library collections and providing new means of access to those collections, as well as establishing new methods to obtain other sources of needed information. Further, librarians assist attorneys with research by obtaining needed materials from within and without the resources owned by their firms. Beyond these responsibilities, librarians also assist law firms in planning for growth in terms of adequate physical facilities, new information technology, and personnel.

Though specific responsibilities differ somewhat to reflect the organization and practice of the firms for which they work, librarians benefit law firms in many ways as outlined below. Typically, despite small differences in the librarian’s responsibilities from one law firm to another, attorneys discover quickly how librarians help their firms increase productivity. Besides presenting a broad overview of typical duties of a law firm librarian, this article includes some practical advice for law firms considering hiring a librarian.
I. ORGANIZING RESOURCES

A librarian typically saves a law firm expense in overhead by coordinating and controlling purchases, establishing bibliographic record-keeping systems, and following good financial management practices for information resources. To control purchases, the librarian must deal with the law book company sales representatives. To do this effectively, the librarian will become intimately acquainted with what the firm owns and how those resources relate to the firm’s practice. Once familiar with the firm’s current library, the librarian then will analyze with a critical eye the new products touted by the sales representatives. As a result, the firm will purchase fewer resources that duplicate materials already in the library.

Beyond having a more informed position from which to consider new purchases, the librarian will establish working relationships with the customer service representatives of major law book publishers and information vendors. Building these relationships early yields great dividends later on. The librarian then can refer a small problem to a representative before it becomes a major problem that requires a significant amount of staff time to resolve.

To organize the existing resources in the library, the librarian will establish a catalog for the members of the firm to use. Even the smallest of libraries should have a catalog so
that the firm's attorneys can determine quickly whether a particular title is in the library and where it should be located.

Though most attorneys probably tend to think of a library catalog in terms of a "traditional" 3x5 card format, the librarian may compile one that appears to be quite different. In many situations, a librarian will choose an alternate format to make the information readily available to members of the firm. For example, using a microcomputer program designed for bibliographic records, the librarian could print the catalog in a notebook in quantities sufficient to provide each member of the firm with a personal copy. And, with the bibliographic records stored in microcomputer format, revising the catalog would not be a difficult task. Frequent revisions would keep information on the library's latest resources close at hand for all members of the firm.

The librarian will also establish and organize record-keeping for serial publications as well as for annotated codes and treatises that require supplements. The record-keeping system will probably permit the librarian to record the payment of publishers' invoices and keep other financial data. Using such a system can prevent a number of problems found in law libraries, such as paying twice for the same shipment of pocket parts or being dropped from the list of subscribers for a law
review or journal. After establishing the serial records, the librarian will audit them on a regular basis to discover problems while they can be corrected easily. For example, if a library fails to claim a missing law journal issue or a pocket part shipment within a reasonable time, the item may be out of print or available only at a substantially higher price.

II. ASSISTING RESEARCHERS

Beyond organizing the collection, however, librarians provide valuable research assistance to attorneys in their firms. Because librarians know the particular features of the major resources in the collection, they can guide researchers to needed information quickly. Further, due to the nature of the professional training they have received, librarians often can provide creative approaches to solving problems in locating information.

Librarian also know the libraries and information resources in the general area. An attorney needing non-legal information can turn to the librarian for assistance in locating what is needed. This reduces significantly the amount of time that the attorney will spend reaching a "dead-end" in research. What appears to be unavailable for the attorney may be just a telephone call away for the librarian. The librarian will locate the needed resources and make arrangements to obtain the material much faster than the attorney probably could do so.
And if local sources cannot provide what the attorney needs, the librarian can rely upon a network of contacts built within law library professional organizations such as the Southeastern Chapter of the American Association of Law Libraries (SEALL) for additional help. Because law librarianship remains a profession influenced by professional contacts, the successful librarian tends to be one who cultivates professional relationships for help in answering research questions and solving other problems.

Beyond locating materials requested by attorneys, librarians facilitate the process of research at law firms in many other ways. Law firm librarians develop new services to bring needed information to the attention of appropriate members of the firm. For example, often a librarian prepares and maintains a subject interest profile of the members of the firm. The librarian then uses the profile as a guide to select books for the library and to spot relevant periodical articles.

Also, law firm librarians compile and organize information that their firms will likely need in the future based on their clientele. For example, the librarian often assumes responsibility for compiling legislative history information on major federal and state statutes that will affect the firm's clients. Having this information compiled already can save valuable research time.
In the area of computer-assisted legal research services (LEXIS and WESTLAW), librarians help law firms get the most effective research accomplished for the cost. They advise members of the firm on strategies for searches and sometimes run searches themselves to save the attorneys’ time.

Attorneys find that the services that the librarian provides change the process of legal research. Instead of investing large amounts of time in the search for information, the attorney served by a librarian spends more research time in reading and analyzing. The net result is a better use of the attorney’s time.

III. PLANNING FOR GROWTH

Besides organizing the firm’s resources and providing research assistance to attorneys, a librarian can play an important role in the growth and development of a law firm. If the past ten years serve as any guide, information technology will change dramatically in the next decade, and librarians have the training necessary to plan for the integration of new technology. Changes in information technology influence a firm in many ways, from the way that the library’s physical plant should be designed to the way that attorneys use information resources in preparing legal instruments.
Librarians have been trained to integrate new technology in information services and can draw upon the knowledge to assist the law firm planning to meet the challenges of the future. For example, one of West Publishing Company's latest products, compact discs containing cases, statutes, and treatises by subject retrieved using a CD-ROM player and microcomputer, promises to revolutionize legal research every bit as much as the development of LEXIS and WESTLAW have. A librarian appreciates the effect that this new resource will have and can help the firm take full advantage of what it offers.

Further, the librarian can assist in the growth of the firm in personnel. The librarian, no doubt, will spend a great deal of time assisting summer associates with research projects. By virtue of this, the librarian can provide some background information on the research skills of potential law firm members that the hiring committee may want to consider before extending offers.

IV. HIRING A LIBRARIAN

How then does a law firm hire a librarian, and what qualities and qualifications should the successful candidate possess? Some attorneys today might agree with one writer who advises law firms to search for a librarian who is a "lover of books" (vom Baur, What a Librarian Can Do for a Law Firm, Pract. Law., Jan. 15, 1980, at 83, 84). However, I believe that other
qualities far outweigh any romantic, bibliophilic attributes that a good librarian should possess. The typical law firm librarian today deals with information stored in all formats: books, computer databases, microfiche, and now CD-ROM resources. To prefer one format over another, even in romantic idealism, does not serve the information needs of the modern law firm. Instead, interviewers should look for candidates who love the challenge of finding and retrieving information in a dynamic technological environment.

Hiring a librarian for the first time takes planning. The wise firm will settle several policy questions dealing with the librarian’s duties, minimum qualifications, status within the firm, and level of commitment for professional support before beginning the hiring process. Since most attorneys lack specific knowledge of how these factors relate to librarianship, the firm might do well to consider the services of a law library consultant. A qualified consultant with experience in law librarianship will advise the firm in defining the librarian’s role, assist the hiring committee with advertising the position, and help screen applicants for interviewing.

The paramount question concerns the librarian’s duties. The firm must recognize the professional status of the librarian when deciding the responsibilities of the position. The librarian must be given challenges appropriate to the nature of the
education that he or she received. If the law firm needs a book shelver, looseleaf filer, and mail sorter, it should not hire a librarian. A well-trained clerical worker could do all of those tasks. Instead, the firm should hire a librarian to organize the information resources of the library and to design services to meet the needs of the members of the firm. For example, the librarian should be involved with the looseleaf services to which the firm subscribes as a trouble-shooter to resolve problems and as the trainer of clerical workers who file the services. Often, though, attorneys expect the librarian to file looseleaf services and thus fail to take full advantage of what the librarian can offer the firm.

Taking these factors into account, the firm should prepare a job description as best it can. If the firm has engaged a law library consultant, he or she will review the job description to advise the members of the firm responsible for hiring the librarian of any errors or omissions.

Second, the members of the firm must decide upon minimum qualifications of education and experience. At the very least, candidates should hold a degree from a library school accredited by the American Library Association and have some demonstrated knowledge of or experience in law librarianship.
Not surprisingly, the relative lack of opportunities in law firms statewide limits the pool of local librarians qualified to assume a position without further training. The only accredited library school in Mississippi lacks a course in law librarianship, and the parent institution lacks the resources (i.e. a law library) to support a course in law librarianship. So, graduates without experience may not be trained adequately for the law firm environment. However, a library consultant working with the law firm can help to identify qualified candidates.

Third, the firm must provide the librarian with appropriate opportunities for professional development. Continuing education is as necessary for librarians as it is for attorneys. Information professionals who cannot keep abreast of developments cannot serve their firms adequately. The firm must decide the level at which it will support the continuing education activities of the librarian. A reasonable beginning is payment of the membership fees and expenses to attend the annual meetings of the American Association of Law Libraries and the regional chapter. Later, the librarian may want to attend the Mississippi Library Association, Special Library Association, and Computers in Libraries conferences, depending on the particular information needs of the firm.
Besides developing contacts by attending these meetings, the librarian also sees firsthand the information resources and library collections in the area. For example, the University of Mississippi Law Library will host the 1990 annual meeting of the Southeastern Chapter of the American Association of Law Libraries (SEALL). Librarians attending that meeting will have the opportunity to become familiar with the collection and services available to Mississippi law firms.

Fourth, the members of the firm must commit to sacrifice some measure of individual control over the information resources to permit the librarian to be successful. The librarian should be given some measure of discretionary purchasing power. Often, firms provide a budget for the librarian and set a dollar amount on individual purchases. Orders for new resources that exceed the dollar limit must be approved by the firm’s business manager or management committee.

After deciding these policy matters and drafting the job description and advertisement, the firm can announce the position. Here again, a library consultant can direct the firm to the appropriate places to advertise. Since law librarianship in Mississippi law firms is limited and law librarianship differs greatly in many respects from other branches of the library profession, sources that would otherwise appear to be suitable, such as listing the position with the state library association
and local library school, may not produce a field of highly qualified candidates.

Instead, at the very least, the firm should advertise the position with the regional and national law library professional associations. The newsletters of the American Association of Law Libraries and the regional chapter include listings of placement opportunities, and the cost of advertising in both is modest.

The members of the firm responsible for hiring the librarian may also want to survey law librarians working in government and at the law schools in the state for leads on librarians who are qualified and might be interested. Telephone calls or personal letters sent to these prospects might encourage applications better than a printed advertisement.

Following the application deadline, when the field is narrowed to the most qualified candidates, the firm should consider the interview process carefully. Above all, the interviewers should avoid asking impertinent or illegal questions. Law firms may be covered by federal law in this area. The court in *Hishon v. King & Spalding*, 467 U.S. 69, 77-78 (1983), held that law firm partnerships do not enjoy an automatic exclusion from the requirements of Title VII of the Civil Rights Act of 1964.

Interviewers should ask many of the same questions of a librarian candidate that they would ask candidates for any other professional position with the firm. A knowledgeable candidate can explain his or her career goals and how the firm’s position would further those goals. Also, the interviewers should ask each candidate to comment on how he or she can contribute to the firm so that it can reach its goals.

Specifically, the interviewers will want to ask about the candidate’s knowledge and experience in organizing small library collections and in establishing serial record-keeping systems. The successful candidate must have some recent knowledge or experience in these areas coupled with familiarity with microcomputers to serve the firm adequately.
The interviewers, too, must be prepared for questions. Each candidate will want to learn as much as possible about the firm and the library so that he or she can make an informed response to an offer of employment. If the information has not be given to the candidates before the interview, members of the recruitment committee should be prepared to answer questions concerning the size, scope, organization, and growth of the collection, as well as the size of the budget for acquisitions and how much of this is spent on supplements for material already in the library.

When the firm extends an offer, it must give the librarian an appropriate amount of time in which to make a decision and to notify the present employer of the decision to leave. Normally, a firm should allow at least two weeks for the candidate to decide and four weeks for the candidate to provide adequate notification to the present employer. In hiring practices, what goes around tends to come around. A firm that requires a candidate to move before giving adequate notice to his or her present employer could find itself without adequate notice in the future if the librarian changes positions.

After an offer is accepted, the firm should prepare for the librarian’s arrival, much in the same way that it prepares for the arrival of a new associate. The librarian will need much of the same information about the firm and how it is organized.
And, if the librarian is new to the area, the firm should provide information on housing and banking services as well as other necessities. Efforts that the firm takes to help orient its librarian to the firm and to the local area fosters good morale.

V. CONSIDER ALTERNATIVES

Obviously, hiring a full-time law firm librarian requires a financial commitment that some firms cannot make. However, some alternatives exist that could bring many of the benefits of a professional librarian without as large a commitment.

First, consider establishing a part-time librarian position. The firm's library might be small enough that a part-time librarian would be able to handle the necessary record-keeping duties, while still providing some measure of research assistance to the firm.

Second, sharing a librarian with another firm works well in some situations. Problems with potential conflicts of interest and access to privileged information would need to be addressed in an agreement between the firms involved well before selecting a librarian.

Third, a firm interested in some measure of professional library services could consider hiring a qualified law librarian on a retainer. The librarian would spend a specified minimum
number of hours each week attending to paperwork and record-keeping with more time as needed, charged against the retainer at an hourly rate.

One problem with this approach is that the librarian on retainer would not be readily available as needed for research assistance. The firm would receive only a portion of the skills and talent that a librarian has to offer.

In addition, some firms might balk at the hourly rate that a qualified librarian will charge. But, a professional librarian deserves a professional wage, these firms should take into account that they will avoid the cost of fringe benefits that normally accrue for employees. So, while not as inexpensive as it first might appear, this alternative could provide needed information services for a lower cost than a full-time or part-time employee.

The dramatic growth in the number of law firm librarians recently nation-wide attests to the value that a librarian is to a firm. I predict that similar growth will occur state-wide over the next few years as more Mississippi law firms discover what librarians offer the legal profession.
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