

Keeping Future Law Libraries Relevant

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Many challenges will confront the academic law library in the future. Some of these challenges are already with us. For example, most law libraries will continue to be strapped for staffing, space, and, especially, money, and law library administrators will need to find innovative ways to offer the new services demanded by our patrons. We can be sure that our collections will be increasingly electronic, and that changes in technologies and patron expectations will necessitate corresponding changes in physical space, resource allocation, and staffing. And we are seeing even today that less ownership and more licensing of resources will see a corresponding diminution in control over collection development, an extraordinary challenge until the day, if ever, that technological platforms are stable and new models of ownership are established. We are even seeing an inkling of a challenge to the continued existence to the law library itself, especially in the world of disintermediated searching, customizable interfaces, and the ability to have information delivered directly to an individual's desktop or laptop. Couple these known challenges with those about which we are unaware at present, and the world of the academic law library administrator becomes one filled with challenges both exciting and daunting.

Greater than all the other challenges, however, is that which goes to the heart of law libraries: the challenge of relevance. How do we keep the academic law library relevant in an age when "it's all on the Internet, and it's all for free"?

Law was one of the first fields to have its primary resources and many of its secondary resources available electronically in full-text. More than a full generation of lawyers has had desktop access to a steadily increasing body of electronic legal materials. Sophisticated search engines compensate for a general lack of legal research skills, allowing even the most occasional user to find at least some applicable information online. Lawyers wonder why print legal resources continue to exist in the increasingly electronic world of legal information. Law professors, who make decisions about curricular matters, too often share this sentiment.

Yet the truth is that many lawyers and law professors only scratch the surface of available information in their research endeavors. This can result in pleadings and policy documents that lack richness and breadth in coverage, and that may even have inaccurate and incomplete information. The lack of attorney research skills, coupled with the ubiquitous availability of electronic legal resources, has created a situation in which the academic law library and the law librarian face serious questions about their futures.

Law librarians need to take action. Our subject expertise is legal research, but we have done little to develop a theory or pedagogy of teaching this fundamental legal skill in mandatory first-year classes. We must address this shortcoming. Law librarians have seen legal writing faculty, who teach a far different skill, incorporate legal research into their portfolios, and we allow, if not encourage, vendors' representatives to teach electronic research skills. We have not

claimed the mandatory legal research instruction of first-year students as “our” territory, focusing instead on elective advanced legal research classes that reach a small portion of the student population. Research is an important subject, with full professors teaching research methods and skills in virtually every other graduate field. In law, no other doctrinal or skills faculty claim research as an expertise or a legitimate academic subject. By not “claiming” legal research as an academic subject, law librarians are contributing to their own appearance of irrelevance.

The way law schools provide research instruction is a matter of long-standing concern to many practitioners, who learn, too late, of the importance of research in the daily life of lawyers. American Bar Association (ABA) studies, journal articles, and reports of various entities document this concern. Today’s strong push from the ABA for improved skills instruction in law schools has opened the door for academic law librarians. We need to walk through that door.

Improving legal research instruction will require curricular changes. Before they will approve a curricular change to improve legal research, the law faculty must be re-educated on the importance of legal research in the educational process and in law practice. All curricular changes are political, and the law library director and public services head must take the lead in educating faculty and advocating for this change. Ironically, the extraordinary efforts of law librarians to increase faculty service in the past 20 years have shielded law faculty from the changing nature of legal research and thereby hampered their decision making.

The political nature of a curricular change and the groundwork that must be laid by the law library director and administration illustrate what may be the second largest challenge to law libraries in the coming years. That challenge is the necessity of political involvement in the life of the law school, and maybe even in the university itself.

It is easy for law library administrators to get caught up in the daily operations of the law library, dealing with budget issues, handling personnel matters, and generally managing a multi-million-dollar operation. Focusing entirely on internal matters, however, neglects the larger context in which the law library exists—that of the law school and the university. Yet it is in the law school and the university that decisions affecting the law library are made regularly: decisions regarding funding, staffing, and space allocations. Almost all academic law library directors—and many other law librarians—have faculty status, giving them a voice in law school governance. The wise law library administrator will know the importance of participating in faculty governance and in campus affairs, of networking and promoting the library, and not focusing internally only.

When it comes times to allocate new resources or cut budgets, law school and campus administrators will make decisions affecting the law library. Deans and other academic administrators are tempted to consider the law library budget as a convenient, and large, source of funds for a multitude of needs. Without effective advocacy, academic law libraries may not be protected from capricious budget-cutting administrators and may have to count on luck to receive new resources. An active and networked law library administrator will be able to insist on having input into those decisions and can argue more effectively for desired outcomes, if he or she is known already as a participant in governance. As law librarians assume more

responsibility for teaching their specialty—legal research—the law library will need additional staff resources, at the very least, underscoring the reality that future allocations of resources in tight economies will require political involvement of the law library director. When the law library administration is a force to reckon with, however, relevance of the library itself is less likely to be challenged.

We may not be entirely clear on what the future will hold for academic law libraries, but academic law library administrators will, to a great extent, make their libraries' own futures by actions taken today. If academic law libraries are to remain relevant in the educational program of the law school, the future must include recognition of the research expertise of the law librarians as well as incorporation of librarians into the formal teaching mission. For that to happen, law library administrators will need to be active politically, in the law school and even across campus. To do anything less will confine the academic law library to an increasingly marginal role in legal education.