

*Commentary . . .*

## **Law Libraries: Maximizing Their Impact and Resources\***

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*Professor Cihak urges law librarians to adopt a four-step approach in order to maximize a library's impact and resources.*

¶1 If law librarians want to maximize the impact and resources of their libraries, they would be wise to follow this advice attributed to Mark Twain: "Twenty years from now you will be more disappointed by the things you didn't do than by the ones you did. So throw off the bowlines. Sail away from the safe harbor. Catch the trade winds in your sails. Explore. Dream. Discover."<sup>1</sup>

¶2 Twain's advice calls for thinking outside the box. The twenty-first century demands bold vision, creativity, and risk taking. While most law librarians may know what the box is, many do not seem comfortable in moving out from behind the library desk and into the arena where library customers are engaged. They refuse to use the word *customer* to describe library users, as if the "c" word was not a worthy characterization. It is not surprising that many libraries continue to follow traditional organizational models and hierarchy, and that customer-relationship management is still a concept waiting to evolve.

¶3 To maximize a library's impact and resources, libraries must change the way they do business. Librarians have two choices. They can wait until their library hits the wall, at which point they will have no choice but to react to change. Or they can move away from the "safe harbor" and scan the horizon for proactive opportunities.<sup>2</sup> This second option requires plotting a course that will take advantage of the challenges that change brings.

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1. See DIRECTORY OF MARK TWAIN'S MAXIMS, QUOTATIONS, AND VARIOUS OPINIONS, at <http://www.twainquotes.com/discovery.html> (last visited Feb. 8, 2005).

2. See KEN BLANCHARD & TERRY WAGHORN, MISSION POSSIBLE: BECOMING A WORLD-CLASS ORGANIZATION WHILE THERE'S STILL TIME 20–21 (1997).

¶4 There are a number of initiatives that law librarians can take to maximize the impact and resources of their libraries. In this article I elaborate on the following suggestions:

- Utilize library collections and personnel effectively.
- Collaborate with CLE and other law school entities.
- Lead technological advances.
- Get on the law school agenda.

### Utilize Library Collections and Personnel Effectively

¶5 Dennis Dillon has written recently about the demise of the book: “Walk through the stacks and begin saying your goodbyes to the shelves of printed books. It may not be this year, this decade, or even before you retire—but drastic changes in the ways libraries and scholarly publishers operate are coming, and their effects will extend throughout the academy.”<sup>3</sup> This is not news to librarians, but the condition of library collections in 2005 merits some consideration. As the onward march toward electronic material superiority lengthens its stride, librarians will ask what titles should continue to be purchased? What materials should only be accessed in electronic format? What balance should be struck between paper, microform, and electronic products? What costs might be expected? Should membership in regional and national library consortiums be secured in an effort to conserve resources and expand customer services?

¶6 Since information format or medium really doesn’t matter, librarians will be charged with the responsibility of managing an ever-changing digital collection. The challenge—and opportunity—this presents is to take limited acquisition dollars and build a collection that meets the research needs of faculty, the curricular needs of students, the practice needs of alumni, and the information needs of the general public. Marketing and instruction are important corollaries to any electronic license agreement, as we have rediscovered after purchasing WestlawPro and Shepard’s online for public access.

¶7 Effectively leading a library team is an important component of managing library resources and collections. Library organizational structures will need to bend and flex enough to allow for the liberation of all library personnel. As librarians and library support staff begin to assume enhanced responsibilities, the emphasis on library process, rather than function or task, becomes more important. Employees in control of their own workplace goals and objectives will need to upgrade their workplace skills in order to successfully manage customer relationships.

¶8 One customer service initiative that ties library collections and personnel together is the installation of a virtual reference desk. At the Louisiana State

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3. Dennis Dillon, *College Libraries: The Long Goodbye*, CHRON. HIGHER EDUC., Dec. 10, 2004, at B5.

University Law Center, a virtual reference desk was brought online in spring 2003, after participation with the Library of Congress in a digital reference pilot program the previous year.<sup>4</sup> Virtual reference desks allow the maximum use of library resources by providing a method to push library digital products to clients at remote locations.

### Collaborate with CLE and Other Law School Entities

¶9 Collaboration counts. Indeed, there are few enterprises more valuable than partnering with other law school constituencies as a way to maximize the input and resources of our libraries. Generally, law school continuing legal education (CLE) departments are willing to work with law library personnel on any number of initiatives. This particular relationship is usually win-win since outreach efforts serve and benefit law school alumni. The goodwill that can result from well-prepared library CLE programs will often spawn law library gifts and donations.

¶10 During the past decade, I have been associated with a number of library CLE programs. From January to April 1996, a four-credit CLE program, "Kentucky Lawyers Online: The Internet and the Practice of Law," was presented to attorneys in Lexington, Prestonsburg, and Bowling Green, Kentucky, by members of the University of Kentucky College of Law Library. In 2002, a CLE program dealing with legal research was prepared by LSU's Hebert Law Library team for Louisiana lawyers. From 1998 to 2002, librarians from the Young Law Library at the University of Arkansas presented CLE programs for Arkansas practitioners in Fayetteville, Fort Smith, and Hot Springs, Arkansas.<sup>5</sup> Since 2004, a Young law librarian has served as a VersusLaw CLE trainer for the Arkansas Bar Association. Continuing legal education presentations enable law librarians to highlight library collections and showcase the expertise and skills of librarians.

¶11 Another successful collaborative project was completed in 2003 by a University of Arkansas Young law librarian who partnered with the Law School CLE Department and the College of Education and Health Profession's Educational Technology Program to design a Web-based CLE course titled "Legal Research on the Web."<sup>6</sup> This course featured sixteen lessons and interactive practice assignments. Even though the Arkansas State Bar Association has refused to certify Internet or online CLE programs, the fact that the University of Arkansas

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4. For a detailed description, see E-Reference Services: Collaborating to Make the 24/7 Connection, program presented at 95th Annual Meeting of the American Association of Law Libraries, Orlando, Fla. (July 21, 2002) (presentation by Herbert E. Cihak) (audiotape available from Mobiltape Co.); Experiencing the Virtual Reference Desk, program presented at CALI Conference for Law School Computing, Durham, N.C. (June 19, 2003) (presentation by Herbert E. Cihak) (webcast available at <http://www2.cali.org/conference/2003/agenda.htm#THU-2-230>).

5. See W. David Gay & Jim Jackson, *Creating and Using Web Resources to Train Attorneys: An Experience with the State Bar*, LEGAL REFERENCE SERVICES Q., 2001, no. 1-2, at 57.

6. See William Brescia et al., *Designing and Developing Web-Based Continuing Legal Education*, LEGAL REFERENCE SERVICES Q., 2004, no. 2-3, at 171.

Young Law Library staff has stepped up to the plate to assist Arkansas lawyers with a professional development need has elicited favorable feedback.

### Lead Technological Advances

¶12 What role should the library play in law school information technology programs? The answer is simple: the law school library is positioned to lead the IT revolution at most law schools, and in so doing can maximize a library's input and resources. Dean John Makdisi, of St. Thomas School of Law, has acknowledged this point and added this insight: "Law library directors are certainly the leaders in most law schools when it comes to understanding the world of technology. They are the ones who usually are the most technologically proficient and the most aggressive in pushing for change in the use of technology."<sup>7</sup> At a minimum, a close working relationship with the IT department should be established. However, law schools can benefit from integrating IT and library operations under the library umbrella. Integration avoids the duplication of IT functions and prevents conflicts in IT law school priorities. The integrated model also ensures that there will be a certain level of law school coordination and cooperation since IT issues cross departmental boundaries. Probably the biggest integration benefit, though, comes from the fact that many librarians already possess IT expertise and are familiar with customer service expectations.

¶13 University of California Law School Dean Mary Kay Kane outlined some areas in which library directors could play a leading role in law school technology. Dean Kane suggested that one area to be explored was "the development of enhanced training for faculty on the use of technology for research purposes. The development of a regular training program for faculty research, rather than responding to individual inquiries, would benefit both the faculty and the library staff."<sup>8</sup> If librarians keep informed about faculty research interests, they will be in a position to provide more scholarly research support by suggesting sources of legal and nonlegal information available in licensed electronic databases and for free on the Internet. Librarians also can offer law faculty assistance in moving technology into the classroom by providing instructional support for presentation software.

¶14 Librarians can lead technological advancements in law schools by lending their expertise to the design of electronic classrooms. Collaboration with law school and campus entities on distance education initiatives is another opportunity to consider, along with the development of campuswide information portals. At the University of Arkansas, we decided to address the dearth of instructional support for electronic information products by adding an instructional services librarian.

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7. John Makdisi, *Improving Education-Delivery in the Law School of the Twenty-First Century: The Vital Role of the Law Librarian*, 95 LAW LIBR. J. 431, 431, 2003 LAW LIBR. J. 32, ¶ 2.
  8. Mary Kay Kane, *Technology and the Law School Librarian of the Twenty-First Century*, 95 LAW LIBR. J. 427, 429, 2003 LAW LIBR. J. 31, ¶ 9.

This librarian has been asked to plan, develop, schedule, and present information technology programs and train staff, faculty, and students in the use of electronic resources. The importance of this new position is highlighted by the fact that the immediate supervisor is the director of the law library.

### Get on the Law School Agenda

¶15 Suffolk University Law School Dean Robert H. Smith has warned that “there is a real risk that the law librarian and the law library will not be part of the dean’s agenda.”<sup>9</sup> Yet, no law library can maximize its impact and resources unless it has been seated at the dean’s table. While some deans may view the law library as a dark hole that continually slurps up the law school cash reserves, many others are supportive of the vital role that a good library plays in the overall health of the law school. Get on the dean’s agenda by holding regularly scheduled meetings with the dean and his or her trusted advisors. Utilize a program like Meeting-Maker to keep track of what’s going on in the dean’s life so that your outreach efforts will be appropriately timed. Make sure that library personnel attend law faculty meetings and participate in law school community receptions and activities. Think of ways in which the law library team can assist the dean. In short, do whatever is humanly possible to make your dean look good and help him or her succeed.

¶16 No matter how hard we try, law librarians cannot always match wits with our deans. But trying to follow the vision charted by a dean is an essential ingredient in the recipe for a successful library-dean union. At Arkansas, our law library has suffered from insufficient collection growth space. When a new law school building addition was announced, plans called for more than 5000 additional square feet to be available for the library. Librarians wanted to use the new space for library stacks and offices, but law school administrators and law school benefactors favored using much of it for a student reading room. A win-win resolution was reached as the reading room concept was expanded to include a new computer instructional lab, plenty of student tables and chairs, and a coffee kiosk/snack bar. New library stack space was gained by installing compact shelving in a basement area.

### Conclusion

¶17 Can a law library’s impact and resources be maximized? You bet! Just try a four-step approach: (1) utilize library collections and personnel effectively, (2) collaborate with law school CLE departments and other natural constituencies, (3) lead the technological charge, and (4) get on the law school agenda. But change for any organization is never easy, as pointed out by Kevin Kelly, author of *Out of*

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9. Robert H. Smith, *The Librarian’s Risk of Irrelevance (in the Eyes of the Law School Dean)*, 95 LAW LIBR. J. 421, 422, 2003 LAW LIBR. J. 30, ¶ 6.

*Control*:<sup>10</sup> “It’s generally much easier to kill an organization than to change it substantially. Organisms by design are not made to adapt . . . beyond a certain point. Beyond that point, it’s much easier to kill them off and start a new one than it is to change them.”<sup>11</sup> The future of our law libraries can be bright if librarians will heed the need to change, learn to adapt, and use every means at their disposal to be wise stewards of their resources.

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10. KEVIN KELLY, *OUT OF CONTROL: THE NEW BIOLOGY OF MACHINES, SOCIAL SYSTEMS, AND THE ECONOMIC WORLD* (1994).
  11. *Quoted in* TOM PETERS, *THE CIRCLE OF INNOVATION: YOU CAN’T SHRINK YOUR WAY TO GREATNESS* 68 (1997).