

J. Myron Jacobstein—Law Librarian Extraordinaire, Scholar, Collaborator, and Dear Friend*

Roy M. Mersky**

¶1 J. Myron Jacobstein died on March 25, 2005. The “unhappy” duty of conveying the sad news to his law library colleagues was a distraction at a time when my heart was sorrowful. As I began to receive acknowledgments, the pain was eased somewhat as I read responses to my sad news. I realized that there was not anyone in the country who was admired by, and a friend of, so many law librarians. This piece will be my chance to say thank you to a dear friend. I will record some historical data about his life and career, reiterate some facts about his professional influence, and, finally, chronicle a few tales of an “odd couple,” Mike and Roy.

¶2 J. Myron Jacobstein, a.k.a Joseph Meyer Jacobstein and “Mike” to friends, was born in Detroit, Michigan. He died after a long illness on March 25, 2005, at the Reutlinger Community for Jewish Living in Danville, California. He was eighty-five years of age. His wife of fifty-five years, Belle, passed away less than a month after Mike’s death; they were survived by a daughter and son-in-law, Ellen and Bruce Gilmore, a son and daughter-in-law, Bennett and Debbie Jacobstein, and grandchildren Brian, Emily, and Aviva.

¶3 Mike began his college education at Wayne State University. When Pearl Harbor was bombed, he left college to serve in the Army Air Corps. After his discharge, Mike returned to Wayne State where he earned a bachelor’s degree in 1946. He graduated from Columbia University with a master’s degree in library science in 1950. Mike’s career in law librarianship did not begin auspiciously. His first law library position was that of a cataloger at the University of Chicago Law School. Mike’s tenure there was brief. He was dismissed for poor cataloging skills by Miss Elizabeth Benyon, assistant law librarian, known nationally as the author of *Classification, Class K, Law*.¹ At this point in his professional career, Mike wisely decided that his talents lay not in technical services, but rather in reference and administration. Fortified by this revelation and undaunted by his impatience with cataloging rules, he returned to the classroom at Chicago-Kent College of Law and received his J.D. there in 1952. Upon graduation from law school, Mike accepted the assistant law librarian position at the University of Illinois under the directorship of Bernita J. Davies.

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1. ELIZABETH V. BENYON, CLASSIFICATION: CLASS K, LAW (1948).

¶4 Mike left Illinois to become the assistant law librarian at Columbia Law School, where he worked under the guidance of Miles Price, one of the giants of our profession. In 1959, Mike left Columbia to become the director at the University of Colorado Law Library. He became Stanford's law library director in 1963, and I assumed the directorship that he vacated at Colorado. Mike led the Stanford Law Library until his retirement in 1987. Dean Larry Kramer extolled Mike's contributions to Stanford. "Mike was the pioneer in creating Stanford's law library. Although the number of volumes in the library tripled under Mike's leadership, he was not simply concerned with its size. He created an atmosphere dedicated to service and people."

¶5 It was while Mike was at Columbia that our careers first converged. I was the chief of readers and reference services at Yale. We met at a New York law librarians meeting at New York University and began to share experiences related to working in large academic law libraries and dealing with the diverse needs of our faculties.

¶6 During our tenures at Columbia and Yale, both faculties were deeply involved in interdisciplinary teaching and scholarship. We discovered a common frustration in trying to provide the materials necessary for interdisciplinary research. Although both Yale and Columbia subscribed to many nonlaw periodicals for the occasional law-related articles they contained, none of these periodicals was indexed in any of the standard legal periodical indexes. We felt our faculties lacked access to important scholarly materials because of a gap in the research tools. We decided to index these periodicals ourselves. News of our project reached other law schools, and we agreed to provide copies of our indexes to several other libraries. Eventually the demand for our indexes was so great that we began charging for subscriptions, and the *Index to Periodical Articles Related to Law* was born.² The index is still being produced, with a new coeditor, Don Dunn; he and I are working now on the fiftieth anniversary cumulative volumes.

¶7 Our friendship and professional relationship developed, and Mike and I met once a year at the Association of American Law Schools conferences to work on our publishing projects. In 1956 we drove together from New York to Philadelphia for the annual AALL conference. I was envious of Mike because he shared a room at the convention hotel with Louis Piacenza, the UCLA law library director who had previously been with him at Columbia. I stayed at the YMCA.

¶8 As our projects became more involved, we began to meet regularly at the annual conferences of both AALL and the Association of American Law Schools. Our budgets were limited so we shared rooms. We fought about many things, including the temperature of the air conditioning. Despite our different preferences in room temperatures, we worked well together and enjoyed our friendship and collaboration on publications. After Mike left Columbia, we never lived closer

2. INDEX TO PERIODICAL ARTICLES RELATED TO LAW (Roy M. Mersky & J. Myron Jacobstein eds., 1958-).

than a thousand miles to each other, and that distance apart was probably the single most important factor in allowing our friendship to survive.

¶9 In those early days we shared a devotion to cigars. Each of us would buy one special cigar to commemorate the meeting and save it for the closing banquet. As our personal finances improved, so did the quality of our cigars. In fact, we evaluated and remembered each meeting, not for its intellectual content, but by the price of the cigars we smoked.

¶10 I unabashedly admired Mike's professional aptitudes and remarkable scholarly expertise, but admittedly our temperaments clashed. He was a brilliant visionary—funny, warm, kind, caring, and gentle—but certain other maddening traits made our working relationship tempestuous. One of our first major disagreements (in addition to room air conditioning) began with the publication of the *Index to Legal Periodicals Related to Law*. He insisted that our names would be listed alphabetically on the cover. I insisted that since the publication was my idea, my name should be first. I won this argument, and the *Index* is familiarly known in the profession by the initials: M/J Index. Of course, Mike won in the end. When we began producing *Fundamentals of Legal Research*,³ it became known as Jacobstein and Mersky's *FLR*.

¶11 Our tendency to blame each other is legendary. Mike particularly delighted in pointing out to me cataloging or other types of bibliographic errors that he attributed to my staff, apparently forgetting his earlier experiences and deluding himself into thinking that he was an expert cataloger and bibliographer. He never gave up this crusade, though my staff was seldom wrong. One claim was that a law library—at which I was the director—had mistakenly cataloged a law review reprint as an original monograph. I wrote him back, explaining our rationale and demanding a certain dollar amount as reimbursement for the time it took me to investigate the circumstances surrounding his complaint. He wrote back immediately, accusing me of overestimating the value of my time and enclosing a 22¢ stamp, which he considered payment in full. In deference to his seniority, I let him get the last word on this episode.

¶12 Although we produced seven major revisions of *Fundamentals of Legal Research*, we always disagreed about the goal of the book. Mike wanted it to be a simple, basic teaching tool; I envisioned a complete resource for legal bibliography and research. Since we were complimented for writing a good teaching book, I finally was persuaded to relegate more and more of the bibliographic information to footnotes in each successive edition, a tradition that carries forth with my new coauthor, Don Dunn.

¶13 Our interest in interdisciplinary research prompted us to establish a series of continuing education institutes for law librarians. Sponsored by the National Science Foundation and held during the summers from 1969 to 1971, these institutes explored such topics as genetic engineering, economics and the law, and anthropology and the law long before they became established law school subjects. Librarians who

3. J. MYRON JACOBSTEIN & ROY M. MERSKY, *FUNDAMENTALS OF LEGAL RESEARCH* (1977).

attended these institutes told us that they never forgot the intellectual content and challenges of the programs.

¶14 I admired Mike's intellectual curiosity, love of books, commitment to law librarianship, integrity, and devotion to family. His drive to learn made him a pioneer in investigating the latest technology for information storage and retrieval, of which he was always skeptical. One example he liked to give was that you could put in a search for Venetian blinds and you would get back things on blind Venetians (Mike actually sold Venetian blinds at one time). Mike loved books and read voraciously. He collected first editions of Upton Sinclair and introduced me to English mystery writers before they became a popular literary genre. Mike was very active in many professional organizations, and served as president of AALL in 1978–79. He was prominent in the movement that led to the creation of the special interest section concept for AALL. In 1987, he received AALL's distinguished service award. The Council on Library Resources named Mike a fellow for 1972–73, for a study of the impact of interdisciplinary studies on academic libraries, a grant given to leaders in the profession. He was active in both American Bar Association and Association of American Law School activities, serving frequently as a member of accreditation inspection teams. C. Delos Putz, professor and former dean of the University of San Francisco Law School, remembered Mike's support of that law school during an ABA inspection. Mike's concern and efforts to resolve some of the school's important problems were instrumental to the law school's future success. As Professor Putz wrote, "Professor Jacobstein would not have given his support had the facts not warranted it. But having been persuaded of the merits, he was willing to follow through, to ensure that the ABA would 'do the right thing.' I have always believed that he had a large influence on the outcome of a controversy which was key to the future of the USF Law School."

¶15 Throughout his career, Mike was an important friend, teacher, and mentor to many young law librarians, both on his staff and on the staffs of other libraries. Over the years, many tributes were paid to Mike, orally and in publications. Family was paramount to Mike. He was proud of Belle, his children, and their families. He took pride in the fact that Bennett chose librarianship as his profession and that Ellen became a law librarian. It was fitting that Mike gave so much to others and that in return he received affection, loyalty, and respect of colleagues, students, and family.

¶16 So with this piece, I thank J. Myron Jacobstein for our friendship and a rewarding professional collaboration. Laughter and arguments always marked our relationships. While our differences were real and the issues on which we differed were important to each of us, we differed amiably and always remained friends. So as in Fred Rodell's farewell to his friend Judge Clark in the *Columbia Law Review*, "I doubt that I shall ever wholly accept the fact that he is dead, since for me he never can be. . . ." ⁴ That's the way I feel about you, Mike. Not goodbye, dear friend, *bonne nuit*.

4. Fred Rodell, *For Charles E. Clark: A Brief and Belated but Fond Farewell*, 65 COLUM. L. REV. 1323, 1323 (1965).