

Difficult Situations in Public Service:

Tips from the Trenches

by Donald Arndt

In working with the “public” — whether patrons in an academic setting or lawyers at a firm — awkward, frustrating, unpleasant or otherwise problematic situations can arise. How we respond to the patron can make the difference between worsening the situation or resolving it in an agreeable fashion. From dealing with stressed-out students during exam week to fulfilling the last-minute research requests of lawyers, law librarians have devised practical, creative strategies for dealing with some of the challenging issues that pop up in law libraries.

The Odoriferous Patron

Ron Day, head of reference at the University of Pennsylvania’s Biddle Law Library, encountered a pro se researcher with a severe body odor problem about a decade ago. She was conducting legitimate legal research in the library, but her body odors were so offensive that entire reading rooms would clear out when she came in. Her heavy perfume did not mask the root problem. It seemed wrong to ban her from the library since she was sincerely engaged in researching her own legal action, trying to prevent herself from being evicted from her apartment because of her body odor. Yet her presence in the library’s public areas was impeding law students’ ability to study and conduct research there, which is the primary mission of an academic law library, after all.

What to do? The library solved the problem by placing an empty staff office at her disposal and retrieving library

materials for her use in that space. Both staff and patrons were reasonably satisfied with this compromise. Such win-win solutions are always the ideal result.

Exam Time Breeds Conflict

Sometimes, however, win-win solutions are not possible. Bill Mulherin, former associate director for public services at Biddle Law Library, had a few interesting encounters with outside users at exam time. The library was open only to faculty and law students during exam weeks, but that didn’t keep others from wanting access. In fact, they were quite insistent about it.

One pro se patron argued his case in language that included the following memorable quotes: “Any puny attempt you might make to keep me out of the library during exams will be doomed to failure. ... Sen. Heinz once opposed me, and now he’s dead.” (The patron was referring to Pennsylvania Sen. H. John Heinz III, who tragically perished in a plane crash in 1991.) At a later time, during a nonexam period, this same patron went a little berserk in the stacks, pulling out a knife and angrily slashing computer printouts that he found in a library trashcan. The Philadelphia police manacled the patron and escorted him from the building. Threatening behavior calls for action to protect the safety of staff and other patrons.

An example of obnoxious — but not life-threatening — behavior was the Wharton M.B.A. student who listened in a pink-faced rage to Mulherin’s explanation of why he wouldn’t be allowed in the library, reasons including limited seating and law students having priority. Then he demanded that Mulherin personally conduct a census of how many law students were physically present in the library at that time and report back to him immediately. Mulherin’s response in both of those situations was a calm, yet firm, “no.” Sometimes that’s the only feasible solution.

If possible, however, try to defuse the situation by suggesting alternative means acceptable to the patron. Calmness and empathy are key. When dealing with difficult users, Mulherin always keeps in mind the John Cleese training video, “If Looks Could Kill,” for one of its learning objectives: behavior breeds behavior. “You, as the person at the desk, have more control over these encounters than you think you do. You have more influence over the outcome than does the person who started the confrontation,” Mulherin said.

I had similar encounters with dental students during exam time when I was associate director at the University of Nebraska’s Schmid Law Library. As with Biddle, the library was physically and aesthetically better than others on campus. And the dental students kept coming back despite nasty clashes with exam-stressed law students, who knew that the library policy gave them dibs to the facility.

The first time I approached these dental students in the group study room that they had appropriated, they were prepared. They spewed legal arguments at me, rationalizing that it was a public building and they had a right to be there. After listening to their case, I flatly told them that their arguments wouldn’t sway me.

But I followed that up with an alternate solution, explaining that I hated to see anyone walk away feeling unfairly treated. We had a separate building that contained three video viewing rooms, one of which had no windows. I offered to put them in that room, on the condition that they wouldn’t impinge on our students, who were studying and did not need to view videos. At the same time, the law students wouldn’t be able to look through a window, see them and get upset that dental students were in the building. (It had become a Hatfield/McCoy conflict by that point.) The dental students were satisfied with this alternative, and I had no more complaints — until the next semester’s exam time rolled around.

The same group of dental students were back in the public law library space the next semester, and our law students were up in arms. I approached the dental students once again. When they saw me coming, one of them closed his books and got up from the table. “You don’t need to be involved in this. We’ll just leave,” he said in an exasperating manner. The rest of the group followed him out of the library. I have no proof, but I believe that had I not been reasonable and compassionate the first time around, with an alternative to offer them, it wouldn’t have been so easy the second (and last) time around. As John Cleese and Bill Mulherin would say, “Behavior breeds behavior.”

When Class Assignments Befuddle

My wife, Theresa, an academic medical librarian, neutralized a potentially sticky situation between faculty and students when she helped some students complete an ill-considered class assignment. When

Theresa worked at Penn State's Delaware County campus, she learned that undergraduate students were frustrated by their inability to find specific 19th-century books. Most of these books were neither available locally nor at the main Penn State library, and interlibrary loan could not accommodate the assignment deadline. Interceding for the students, my wife approached the relevant faculty member. He admitted generating the list from the catalog of the university at which he had formerly worked — after all, he said, don't all research libraries have identical collections?

The problem became an opportunity to educate the faculty member about local holdings and to offer future assistance in preparing assignments that the library's resources could support. Not all faculty are receptive to librarian assistance, so Theresa suggested keeping a file of regular "problem assignments" with strategy notes attached. For example, call numbers of the obscure text where the answer can be found. This file is built by photocopying student copies of coursework and helps librarians assist the students faced with frustrating and obscure assignments.

I recently had a similar experience with several legal writing faculty who crafted an assignment involving legislative history research stemming from a 1968 wiretapping statute, i.e., the 90th Congress. The library had become a government depository only during the 97th Congress. So it didn't have any of the reports, documents, hearings, prints, floor debates and other information requested by the students. Emergency interlibrary loan solved it for the time being, but better coordination is called for ... starting next semester.

And Faculty Cause Headaches

Encounters with faculty can also be unpleasant. A dean once threatened to fire one of the library research assistants because the dean didn't get the research results he had requested. The research assistant had spent the summer creating an extensive database in answer to the dean's request. Though the dean acknowledged that it was valuable in many respects, it wasn't what he had asked for.

So the library director and I went to see the dean and started from square one, conducting a reference interview to find out exactly what he wanted. He explained, we questioned, he clarified. I returned a week later with the research and briefed him. While it wasn't the answer he wanted to hear, he said that it was exactly what he had requested.

Lesson learned: Make sure you understand the assignment. And don't put your people on the firing line until they are seasoned veterans. Of course, that begs the question, how do they become seasoned without seasoning? I don't know the answer to that. It's certainly a fine line. Kelly Browne, head of reference at the University of Connecticut Law Library, suggested that when dealing with faculty, one should display confidence, not take insulting behavior personally, and respond as quickly and professionally as possible.

Calling Users to Account

I came across a peeping Tom in the stacks once. As I was walking down an aisle at right angles to the stacks, out of the corner of my eye I saw a man lying on his side by a study carrel. I didn't think much of it — a little odd — but I continued to peruse the

accountability all too well after several encounters with difficult patrons. "Dealing with them always takes a little bit away from what it means to be a librarian," the county/court librarian said. Whenever someone causes problems in his library, he looks for the person to whom the difficult patron reports. "In our situation, nearly everyone is accountable to someone," he said. That strategy cures many ills. Some people will push the envelope as far as they can. The edge of the envelope defines their actions, and when that edge is hard, they stop pushing. "Difficult people are often that way because they can be — or because they find victims ready to take it," the county/court librarian explained. "Once called to answer for their behavior, they back off. Overly solicitous librarians are just begging to be abused."

All I Ask Is the Impossible, or to Treat My Request As If It Were the Word Of God

Life in private law libraries has its share of difficult users, too, according to a solo firm librarian, who prefers to remain anonymous. The attorneys in her firm often procrastinate, dumping their research projects on the librarian without giving her enough time to do a competent job. "In a firm with 25 attorneys," she said, "you can be facing five or six projects with same-day deadlines."

Her strategy? Prioritize! Find out exactly what has to be accomplished by the end of the day. And although personally irksome, she also has to pay attention to the firm's pecking order — with a certain amount of sensitivity though. She never points out to those lower on the food chain the obvious fact of it. Rather, she explains to the user that another attorney needs his or her project completed as soon as possible, too. She leaves it to the attorney to draw the conclusion that they don't

rate the level of service they're demanding. This way, she gets all the ducks in line without ruffling their feathers too much.

Another problem she cited has to do with routing-list bottlenecks. Journal issues and newsletters get old and moldy sitting in one attorney's in-box, to the detriment of colleagues. To solve this problem, she asks that attorney if he or she would mind being



aisles. Around the stack, on the other side of the carrel, I saw a woman sitting there wearing a skirt. I demanded that the young man apologize to the woman in question. He did so and then left the library with his tail between his legs. Accountability is a powerful thing.

One county/court librarian, speaking on condition of anonymity, understands

placed at the bottom of the routing list. Not surprisingly, this doesn't usually work as well as her Plan B: asking him or her to circle his or her name if there isn't time to read the publication the first time it comes around, with the assurance that it will be re-routed to the circled name at the end of the chain.

This just in: academic law library patrons who want you to do everything for them. For free. Now. Don Buffaloe, research services librarian at the Pepperdine University law library, received a call from an undergraduate student when he was at the reference desk asking him to name, off the top of his head, every Supreme Court case having to do with a specific topic. Sound familiar? Buffaloe told her that if she came into the law library, he'd be happy to show her how to research it.

She wasn't at all happy with this counsel, but it is the textbook response.

What I love is the patron who comes into the library at five minutes before quitting time with an awesome research problem. No, seriously. One time I got a pair of professional hockey tickets for staying a few hours late to help with such a project. That would be the exception, however.

Practical Responses in a Nutshell

Here is some advice on dealing with difficult service situations:

- Maintain your professional demeanor, even when the patron is upset or angry. Remember "behavior breeds behavior".
- Seek a win-win solution; if possible, find alternative means to meet the patron's desired end.

- Sometimes you just have to say no.
- Treat people with respect; aim to be fair.
- Be proactive with regular patrons — e.g., faculty, firm lawyers — to head off future problems.
- Display confidence; don't invite abuse.

Plenty of articles cover the theoretical aspects of customer service. But I hope that sharing these personal war stories of how practicing law librarians actually handled patron problems provides practical solutions for dealing with difficult situations.

Donald Arndt (darndt@utnet.utoledo.edu) is associate director and head of public services at the University of Toledo Law Library in Ohio.