

Marian Gould Gallagher's Imprint on Law Librarianship— The Advantage of Casting Bread upon the Waters*

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Ms. Mulhern describes some of the aspects of the life and career of Marian Gallagher, former law library director of the University of Washington, seeking to demonstrate how she continues to influence the operation not only of the library named in her honor but of law libraries throughout the country.

¶1 Her striking portrait welcomes those who walk into the library that bears her name. It captures not only the attire and demeanor of a professional, but also the enigmatic smile and sparkling eyes of a fun-loving, poker-playing person¹ who lived life to its fullest. Some pass by without a glance or without wondering who the subject of the portrait might be or why it hangs there, larger than life. But others see her and smile back; a few even pause, as I often do, to consider all that she did to earn so many awards and accolades and, perhaps most important, the love and respect of her peers in law librarianship and legal education.

¶2 For more than forty years, Marian Gould Gallagher, the subject of this portrait, was a pioneer in librarianship, always leading by example and working to the highest standards. Gallagher was seen by those fortunate enough to know her as not only “fearless and strong” but also humorous and humane.² Through her work as a legal educator and a law librarian, she charted a course for the future of law librarianship that will cause her to be long remembered as someone who made a difference, both professionally and personally, in the lives and careers of her students, colleagues, and friends.³ Her tireless efforts are still clearly evident in the University of Washington’s Marian Gould Gallagher Law Library, as well as at other law libraries in the United States and abroad that have been staffed and directed by her students.⁴ A close look at Gallagher’s life helps explain how a

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1. A close look at the portrait reveals four buttons on her sleeve, each with a different playing card suit, a tribute to the many years the subject enjoyed playing poker with her friends on the law school faculty.
2. Robert C. Berring, *Reflections on Mentors*, in *LAW LIBRARIANSHIP: HISTORICAL PERSPECTIVES* 185, 191 (Laura N. Gasaway & Michael G. Chiorazzi eds., 1996).
3. Morris L. Cohen, *Marian Gallagher: A Memorial Dedication*, 65 *WASH. L. REV.* 731, 731 (1990).
4. See *Marian Gould Gallagher: A Profile* 3 (1972) (unpublished manuscript, on file at Gallagher Law Library) (indicating that graduates of Gallagher’s law librarianship program held positions across the United States, and in Canada, New Zealand, the Philippines, and Korea); Laura M. Goldsmith, *History of the University of Washington Law Librarianship Program*, 82 *LAW LIBR. J.* 239, 278 (1990) (in-depth retrospective of the program); Ann Rae & Baltour Halévy, *Diana Mary Priestly: An Appreciation*, 90 *LAW LIBR. J.* 123 (1997) (discussing the outstanding contributions made to Canadian law libraries by Priestly, a 1953 graduate of Gallagher’s law librarianship program).

single person had such impact on the profession of law librarianship and became a role model for so many.

¶3 Much of what Gallagher accomplished could have been done through ordinary hard work and diligence, but to all those who knew her personally her life was much more. Those fortunate enough to have been the “beneficiaries of her good spirits”⁵ recognized that Gallagher was a very special person, full of energy, enthusiasm, humor, and compassion. Her professional excellence and the respect of her peers are reflected in the numerous honors, appointments, and awards Gallagher received during her lifetime of professional service.⁶ She is the only person to twice receive service awards from the American Association of Law Libraries (AALL).⁷

¶4 Along the way, Gallagher demonstrated that being a professional did not mean losing the personal touch.⁸ Her social skills, diplomacy, and manners were all of the highest quality. A peer on the University of Washington law school faculty noted at her retirement that “[i]n thinking about Marian’s performance as member of the faculty and law librarian I am mildly surprised at concluding that it is not really exceptional—rather it has always been extraordinarily fine. . . .”⁹ A fellow member of the Washington State Bar described Gallagher as a person with “total professional competency . . . ; a keen intellect, unfailing courtesy and consideration, and a delightful wit.”¹⁰

¶5 It is next to impossible to do justice to Gallagher’s endeavors and achievements in a short biographical article. Nevertheless, this piece seeks to capture some of the aspects of her life and career that endure and continue to inform the operation of not only the library named in her honor, but also the numerous law libraries and organizations that benefit both from her influence on the profession generally and from the leadership of her former students.

Early Life and Education

¶6 When Marian Gould was born in August 1914, she joined a family of strong parents and a sister living in the small town of Everett, Washington.¹¹ Growing up in Burlington, Washington, she developed an independent attitude, strength of

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5. Charles E. Odegaard, *Recollections of Marian Gould Gallagher*, 65 WASH. L. REV. 735, 736 (1990).
 6. Gallagher is one of only 750 individuals who will be recognized in the YALE BIOGRAPHICAL DICTIONARY OF AMERICAN LAW (Nika Hasegawa ed., forthcoming 2006), the first publication to provide comprehensive biographical sketches of the leading figures in the history of American law.
 7. Gallagher received service awards from AALL in 1966 and 1984. See *infra* ¶ 38.
 8. Barbara Bintliff, *Four Mentors and a Role Model*, 91 LAW. LIBR. J. 193, 194 (1999).
 9. Harry M. Cross, *Reminiscences on Marian Gallagher*, 56 WASH. L. REV. 359, 359 (1981).
 10. Beverly J. Rosenow, *Marian Gallagher, Professional: Librarian, Scholar, Teacher*, 56 WASH. L. REV. 361, 361 (1981).
 11. *Marian Gould Gallagher*, in MARIAN GOULD GALLAGHER LAW LIBRARY: AN ORAL HISTORY 1, 4 (Mary Ann Andersen ed., 1988) [hereinafter *Gallagher Interview*] (commenting that the population was a scant 1102 when she left).

character, and strong ties to both her family and the northwest that would stay with her throughout her life.

¶7 In 1903, her mother, Grace Smith, had come alone by train to Sedro Woolley, Washington, from Monmouth, Illinois, to take a job as the principal of the high school. After a journey of several days, she discovered that she had to walk through ankle-deep dust to get to the only hotel in town. Once she got there she was told the town's sole public bath was down the street in the barbershop. Then she learned that the hiring team had mistakenly affixed someone else's picture to her resume and they weren't sure she could manage the job.¹² Despite serious reservations about the position, lacking sufficient funds to return to Illinois, she stayed on. Only after she started as the school principal was she told that the year before all the teachers had been hazed out by a bunch of unruly students. Grace was equal to the task, however, and her former students "adored" her,¹³ just as students would feel about of her daughter Marian a generation later. Grace Smith stayed in Washington the rest of her life, meeting her husband there and raising two daughters.

¶8 Marian Gould's father, John Hughes Gould, was another strong-willed individual. A self-made businessman, he worked as a logger, banker, bookkeeper, and hardware salesman before ending up with his own hay, grain, and feed business. He wrote a book about the feed business and in so doing learned enough to manage his business successfully through the Depression.¹⁴ One significant factor in Marian's upbringing was her father's belief that women should not do anything different from men¹⁵ and thus needed to learn to fend for themselves. This conviction was reflected in the gifts he gave his daughters, including things like a BB gun and boxing gloves.¹⁶ Later in her life, Marian's father counseled her *not* to learn to type, otherwise she would be "stuck" when it came time to work.¹⁷

¶9 In 1931, Marian and her sister Katharine traveled to Whitman College in Walla Walla, Washington, for Marian's first year of university education. After one year at Whitman, they both transferred to the University of Washington in Seattle to be closer to home. Despite her short stay at Whitman as a student, Marian Gould kept her ties with the school and received the Whitman College distinguished alumna award in 1981.¹⁸ The two sisters earned their bachelor of arts degrees from the University of Washington in Seattle in 1935. When it came time for the graduation ceremony, Marian came down from the family home in Everett with her father and sister. The family was never big on ceremonies and Marian was never one to

12. *Id.* at 2–3.

13. *Id.* at 4.

14. *Id.* at 5.

15. Bobbe Bridge, *Profile: Marian Gallagher*, B. BULL. (Seattle-King County Bar Ass'n), Apr. 5, 1985, at 5.

16. *Gallagher Interview*, *supra* note 11, at 6.

17. *Id.* at 14.

18. Bridge, *supra* note 15, at 5.

take herself too seriously, so while her sister went off to the graduation ceremony with her beau, Marian and her father went swimming!¹⁹

¶10 Marian's decision to attend law school was a pragmatic one. She had originally planned to major in political science and foreign language with an eye toward a foreign service career. Finding that foreign languages were not her strength, she changed directions and started law school course work during her undergraduate years.²⁰ She managed her early law school jitters partly by virtue of what she called a "sort of soothing exercise." When she got nervous, she would sit quietly and look around her and "just watch all the people go by and keep track on both hands of which ones I would not want to be. Because I discovered in law school, you could look around, and you could always find somebody who wasn't any smarter than you were."²¹ Despite her initial nervousness, Marian found that she generally enjoyed law school. Marian was one of just three female graduates, in a class of about a hundred, when she received her LL.B. degree in 1937.²²

¶11 In her humble and unassuming manner, she underemphasized the minority status of women and asserted that there was no discrimination at the law school. She did note, however, that the difficulty came with looking for jobs.²³ In her view, successful women lawyers "had to be patient and aggressive and work very hard and suffer a lot of indignities just by being ignored."²⁴ Reflecting on her response to the competitiveness of the men in her law school class, she remarked, "I'm afraid I was not very aggressive. I'm still not very aggressive. And I didn't feel I needed liberating. I just accepted that ordinarily you'd have to compete with only men."²⁵

¶12 And compete she did, consistently performing well and being noticed. Marian Gould was a member of Phi Alpha Delta; was elected to the law school's chapter of the honorary scholastic society, the Order of the Coif; and went on to receive the distinguished alumna award from the law school in 1980.²⁶ Without fixed plans for the future, she was recovering from law school by summering at Guemes Island in Skagit County, as she had throughout her childhood, swimming, fishing, and eating clams.²⁷ When her parents came up on Sunday evenings for their weekly visit, her mother would routinely ask, "Don't you think you should be looking for something to do?" This comment, she recalled, would ruin her week until about Thursday.²⁸

19. *Gallagher Interview*, *supra* note 11, at 12–13.

20. *Id.* at 12.

21. *Id.* at 17.

22. *Bridge*, *supra* note 15, at 5.

23. *Id.* at 5.

24. *Gallagher Interview*, *supra* note 11, at 19.

25. *Id.* at 18.

26. *Bridge*, *supra* note 15, at 5.

27. *Marian G. Gallagher*, in *REFLECTIONS ON LAW LIBRARIANSHIP: A COLLECTION OF INTERVIEWS* 81, 81 (Marjorie A. Garson et al. eds., AALL Publication Series, No. 29, 1988) [hereinafter *Gallagher Reflection*].

28. *Id.* at 81.

¶13 Although she had received notice of the upcoming initiation to the Order of the Coif, she didn't believe that she had been selected for this honor, and she nearly stayed at Guemes during the ceremony. Her "modesty and inaccuracy of expectation almost led her to miss her initiation into the Order of the Coif."²⁹ But a letter from Dean Judson Falknor convinced her to return to Seattle for the ceremony, and it was from there that she started down her career path.

¶14 Marian Gould had won Dean Falknor's support during law school when she worked as his assistant. Based on that experience, he urged her to return to the school to work as assistant to Arthur Beardsley, the director of the law library.³⁰ She accepted the position and, except for a short stint at the University of Utah, Miss Gould would spend the majority of her professional career at the University of Washington's law library where she did her job "brilliantly" for more than thirty-seven years!³¹

¶15 Miss Gould was admitted to the Washington State Bar in 1937 and that same year began her law librarianship career working as assistant to Arthur Beardsley, the director of the University of Washington Law Library from 1937 to 1939. Although she got into librarianship "by accident," she took right to it from the start and thought it was such great fun that she should look into it.³² While working for Beardsley, she was enrolled in a "regular" library degree program and simultaneously earned her B.A. in librarianship in 1939.³³ Miss Gould's studies would serve as part of the inspiration for the law librarianship program that Beardsley started the following year when he realized that there might be rapid turnover of law library trained assistants.³⁴

¶16 In earning a library degree, Miss Gould was setting herself apart, as there were few who had both law and library degrees in the 1930s and 1940s. For the most part, lawyers without any library training were staffing law libraries.³⁵ Soon after receiving her library degree, Miss Gould took a one-year leave of absence from the University of Washington to direct the law library at the University of Utah, an institution that had come to recognize its need for a professional law librarian.³⁶

¶17 Miss Gould was to have a welcome at the University of Utah that was not unlike the one her mother had had thirty-six years before when she had arrived in Sedro Woolly. Once again, those in charge of hiring thought that they had hired someone else. In addition to her law school duties, she had been assigned to teach contracts at the engineering school. But when the engineering school realized that

29. Cross, *supra* note 9, at 359.

30. *Gallagher Interview*, *supra* note 11, at 28.

31. George Schatzki, *The Law Librarian: Marian Gallagher*, 56 WASH. L. REV. 354, 354 (1981).

32. *Gallagher Interview*, *supra* note 11, at 28.

33. *Id.* at 29.

34. Goldsmith, *supra* note 4, at 247.

35. *Gallagher Interview*, *supra* note 11, at 35.

36. *Gallagher Reflection*, *supra* note 27, at 83 ("in many schools [at that time], the dean was actually in command of the library").

the new law librarian was a woman, she was informed that women were not permitted on its faculty.³⁷ Even though she never did teach at the engineering school, she enjoyed great success as an assistant professor and law library director in Utah. She loved it there and extended her stay from one year to five.³⁸ While there she met and married fellow attorney Wayne M. Gallagher.³⁹ Marian Gallagher thoroughly enjoyed her “one-man” library in Utah, and later said that she would have stayed indefinitely except that she missed Puget Sound and things like the moon over the water.⁴⁰ She returned home to Washington in 1944.

Professional Activities

Local/University of Washington

¶18 From 1944 until her first retirement in 1981, the University of Washington’s law library was the focus of Gallagher’s professional attention. During that period she was director of the law library, a key member of the law school faculty,⁴¹ director and teacher of the law librarianship program, and a professor in the library school. One of the first hurdles she faced at the law library was restoring order to the budget.⁴² This became something of a family affair, as she had her mother come in to give her a hand. She and her mother did such a good job straightening things out, they took on the law school operations budget as well.⁴³ The *Washington Law Review* also benefited from Gallagher’s business sense and expertise. She served as its business manager from 1956 to 1980. She enjoyed getting to know the students and they appreciated her efforts. Upon her retirement in 1981, the law review named its second-year writing competition in her honor.

¶19 In 1944, Gallagher also became the steward of the law librarianship training program, which Arthur Beardsley had started in 1940. Gallagher, who believed that legal training was important for assistant librarians as well as law library directors, taught the law librarianship course in her spare time. In this way, the program did not add costs to either the law school or the library school budgets. She worked personally with eighty law library students who went through the program in her forty years of instruction, teaching all the classes and mentoring and advising the students.⁴⁴ Gallagher also served as an adjunct professor in the

37. *Gallagher Interview*, *supra* note 11, at 28, 43.

38. *Id.*

39. Goldsmith, *supra* note 4, at 250; *see also Gallagher Interview*, *supra* note 11, at 46. Wayne Gallagher died in a house fire in 1953 while Gallagher was out of the house. She never remarried. E-mail from Viola Bird, Assistant Librarian, University of Washington Law Library, retired, to author (Jan. 18, 2005, 20:54:12) (on file with author).

40. *Gallagher Interview*, *supra* note 11, at 42.

41. Gallagher served in 1944–48 as an assistant professor of law; 1948–53, associate professor of law; 1953–81, professor of law; and finally from 1981 to 1989 as professor emeritus.

42. *Gallagher Interview*, *supra* note 11, at 50.

43. *Id.* at 6–7, 50–51, 166.

44. *Gallagher Interview*, *supra* note 11, at 146–47. For a list of the graduates of the program through October 1987, see MARIAN GOULD GALLAGHER LAW LIBRARY: AN ORAL HISTORY, *supra* note 11, at 523 app.

University of Washington School of Librarianship (by which she was honored as distinguished alumnus in 1970), teaching twenty-two library classes between 1971 and 1978.

¶20 Gallagher was granted tenure on the law faculty in 1948 and became a full professor in 1953. During the ten years from 1953 to 1963, she was the only woman on the University of Washington law faculty. Her minority status, coupled with her loyalty to the University of Washington, resulted in numerous appointments to university committees where her tremendous energy and talents were recognized repeatedly.⁴⁵ After serving as advisor to the Mortar Board, she was made an honorary member in 1978. She claimed to have been appointed to the university bookstore board as the “token woman” but she did so well that she served as president.⁴⁶

¶21 From 1967 to 1974, Gallagher served as the chair of the committee for a new law school building.⁴⁷ In her words, this was “sort of a revolving door committee. Every time they cut the budget, somebody on the faculty would get mad and quit. I’m the only one who stuck around. It was a marvelous way to get acquainted with all the construction and architectural types.”⁴⁸ Her tenacity paid off; the law school moved from the old to the new Condon Hall in 1974, where the law library was the centerpiece of the building.

¶22 This “new” Condon Hall was built in the 1970s style of concrete and glass. Although it may not be particularly pleasing to the eye by current standards, it won many architectural awards in its day. The law library reading rooms were comfortable, popular spaces. By and large Gallagher’s domain, the new law library, was a great success; but it spanned several floors and security presented a variety of problems, so much so that they were the source of great amusement at a roast the faculty had in her honor at her retirement.⁴⁹ One thing Gallagher refused to let the architects do was to design an office to suit her work habits and preferences, saying it’s “no use building for the habits of one person.”⁵⁰

¶23 Her appointment to the University of Washington President’s Ad Hoc Committee of Faculties to Study the Problems relating to the Education of Women proved especially challenging. Gallagher candidly recalled, “We thought we could get this polished off in six months,” but it took three years, largely because “I didn’t understand the problem.”⁵¹ Her perspective reflected her upbringing and her father’s deeply held belief that women and men weren’t different. The committee invited heads of various departments in to determine the difficulties of accepting

45. Marian Gould Gallagher: A Profile, *supra* note 4, at 2.

46. *Gallagher Interview*, *supra* note 11, at 171–72.

47. *Id.* at 87.

48. *Id.* at 169.

49. Videotape: Marian Gould Gallagher Tribute, 1981–1989 (on file with Gallagher Law Library, University of Washington).

50. *Gallagher Interview*, *supra* note 11, at 91.

51. *Id.* at 122.

women into their programs. Another member of the committee, the head of the physics department, had the reputation of being notoriously prejudiced against women and would not let them in as graduate students. He went so far as to tell Gallagher that “no woman could get anything out of returning to school.”⁵² This helped her to realize that there were disparities and barriers to entry that made it impossible for women to get the chance to compete with men, as she had become accustomed to doing herself.

¶24 Gallagher initially retired as law library director and professor of law in 1981. Shortly after “retiring,” she went to consult with the law librarian at the University of California, Hastings Law School, where she served as visiting professor of law and distinguished librarian.⁵³ Six months later she returned to the University of Washington to finish instruction of the single student who remained in the 1981–82 class of the law librarianship program after her successor, Robert Berring, left to take the directorship position at the University of California, Berkeley.⁵⁴ She then cotaught four quarters of the program in 1982–83 with Wes Cochran who was then assistant law librarian.⁵⁵ She retired again, only to return once more, this time to work on the *Current Index to Legal Periodicals*.⁵⁶ The year 1984 marked her third and final retirement from the University of Washington.

Regional

¶25 Gallagher’s professional work extended well beyond the University of Washington and academia. She went to all the meetings and was an active member of both the Washington State Bar Association and the Seattle Bar Association. She enjoyed the meetings because it was a chance to get together with many of her colleagues and classmates.⁵⁷ She traveled afield as well and enjoyed attending the Western States’ Bar conferences with another friend, Alice Ralls.⁵⁸ Her close relationship with the bar was one of the things that helped to give the University of Washington’s law library a statewide reputation.

¶26 Gallagher was well known in Washington state government. In 1949, she was appointed to the Statutory Code Committee and coauthored a report on the proposed revision of the state’s statutory code.⁵⁹ For many years she presented a short course on legislative process to the freshman legislators in Olympia, described as an amusing “combination of wit and wisdom.”⁶⁰ Her efforts and visibility paid off later when her library began to receive funds from the legislature.

52. *Id.* at 171.

53. Bridge, *supra* note 15, at 5.

54. *Gallagher Interview*, *supra* note 11, at 147; Goldsmith, *supra* note 4, at 273.

55. *Gallagher Interview*, *supra* note 11, at 147.

56. Bridge, *supra* note 15, at 5.

57. *Gallagher Interview*, *supra* note 11, at 165.

58. *Id.* at 177.

59. Marian Gallagher & Alfred J. Schweppe, Report on Proposed Revised Code of the State of Washington, to the Legislature of the State of Washington (1949).

60. Odegaard, *supra* note 5, at 735.

Some of her other contributions to state government included serving on the Washington State Governor's Commission on the Status of Women (1964–70), the Washington State Advisory Council for Libraries (1971–78), and the Washington Library Association.

¶27 During the 1960s, the federal government was providing funds to states for library development. Although there were funds for academic, public, school, and medical libraries, there were no funds for law libraries, much to Gallagher's chagrin.⁶¹ She worked to eliminate this discrepancy for years on both state and national levels but never really got the funding she thought law libraries needed to provide service to everyone. Maryan Reynolds, the state librarian, recruited Gallagher to join the advisory committee for creating a state library cooperative. Reynolds was a moving force behind the Washington Library Network (later the Western Library Network), which she and Gallagher worked hard to launch. Just one of Gallagher's contributions was to research statistics to demonstrate the need for funding to permit resource sharing and to lobby the legislature for such funding.⁶² Through the connection with the Western Library Network, the University of Washington libraries got state funds for the equipment to join the network, to automate, and to create a joint automated catalog.⁶³ Gallagher's service to the Washington Library Association earned her an emeritus life membership in 1981.

National

American Bar Association

¶28 Gallagher served for years in myriad capacities on national boards and committees, always with her trademark combination of professionalism and fun.⁶⁴ Her national reputation was hard earned and well deserved. Law librarians, lawyers, law students, and public patrons of law libraries today benefit from Gallagher's years of significant service to the American Bar Association (ABA).⁶⁵ She demonstrated remarkable endurance, serving the ABA Section of Legal Education and Admissions to the Bar as a member of its Accreditation Committee from 1975 to 1979, and its Council from 1979 to 1983. Serving on the Ad Hoc Committee on Revision of Standards provided an opportunity to revise law library standards to ensure access to legal information for all. She was one of the first women and the first librarian to participate in site visits as a member of the ABA Law School Accreditation Committee. Between 1975 and 1979, she made accreditation visits to seven different law schools. During this same period, Gallagher also was a member of the Section's Nominating and Standards committees.⁶⁶

61. *Gallagher Interview*, *supra* note 11, at 129.

62. *Gallagher Reflection*, *supra* note 27, at 100.

63. *Id.* at 128–30.

64. Penny Hazelton, *Memorial: Marian Gould Gallagher*, 82 *LAW LIBR. J.* 399, 400 (1990).

65. J. Myron Jacobstein, *Marian Gallagher: A Tribute*, 65 *WASH. L. REV.* 737, 738 (1990).

66. Marian G. Gallagher Faculty Data (n.d.) (on file at Gallagher Law Library, Univ. of Washington).

¶29 The importance of the American Bar Association's surveys, statistics, and rankings grew as she worked with committee members to improve distribution of data that law libraries rely on for budgeting purposes. Gallagher believed in an independent law school library and was opposed to the integrated model that joined the law library with the rest of the university library system. One of Gallagher's goals was to improve circulation of all statistical information as a way to raise the status of law libraries and to support budget requests, with an overall goal of maintaining law school control over law libraries.⁶⁷ Despite increasing financial pressure toward integrated libraries on university campuses, the independence of law libraries became established as part of the ABA Standards for Approval of Law Schools⁶⁸ and was recognized in an Association of American Law Schools executive order.⁶⁹ Improved technology enabling resource sharing and electronic data retrieval together with increased uniformity in cataloging practices make today's law library physically different from that of Gallagher's day. But the need for sufficient autonomy to maintain high standards in collection development and service survives to this day.

¶30 Years later, despite her admitted embarrassment at discussing the awards she had earned, she did note that she was "mighty flattered by . . . being the first woman who was made an American Bar Fellow from the State of Washington."⁷⁰

American Association of Law Libraries

¶31 AALL benefitted from Gallagher's energy and knowledge for most of her professional career. When she joined the Association, it was a small organization dedicated to developing and increasing the science and usefulness of law libraries. Her predecessor, Arthur Beardsley, had been president in 1939–40, and she served as president in 1954–55. An active member from the 1940s until her retirement, Gallagher wore many hats in AALL, including contributing to AALL's *Law Library Journal* throughout her career, serving on ten different committees, moderating and participating in panel discussions, giving speeches, and often serving as the mistress of ceremonies at Annual Meetings. Her witty repartee was a staple at many an AALL convention.

¶32 Gallagher enjoyed her term as AALL president. Making light of the responsibility, she noted: "It was really easy then. I don't know if they even had 500 members. It was a lot more fun too. You knew everybody. And now it's just impossible."⁷¹ She felt the same way about much of her committee work. In the

67. Marian G. Gallagher, *The Law Librarian's Education and the Autonomous Library*, 47 LAW LIBR. J. 114, 117–18 (1954).

68. The standards currently require that a "law school shall have sufficient administrative autonomy to direct the growth and development of the law library and to control the use of its resources." SECTION OF LEGAL EDUC. & ADMISSION TO THE BAR, AM. BAR ASS'N, STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS 2004–2005, standard 602(a), at 45 (2004).

69. *Gallagher Interview*, *supra* note 11, at 52.

70. *Gallagher Reflection*, *supra* note 27, at 114–15.

71. *Gallagher Interview*, *supra* note 11, at 176.

1950s, prior to widespread use of long distance telephone and copying technologies, committees tended to be smaller. The committee size was often limited to the number of carbon copies that could be made in typing a single document (about seven).⁷² Although today we think very little of the ability to create hundreds of copies of a document in minutes, Gallagher would see correspondence evolve from handwritten copies, to typed documents, to carbon copies, to the hectograph⁷³ of her law school days, to the purple “ditto” (mimeograph) machines used in the law library in the 1940s, to the current technology of copy machines and computers.⁷⁴ She likely would have grown with the organization and could preside over it as easily today as she did then.

¶33 In 1953, Gallagher became the first editor of “Questions and Answers,” a regular feature in *Law Library Journal*; she continued to edit and author this column for the next five years.⁷⁵ The column provided a forum for discussion of the problems that arise in the daily operation of law libraries. Before the days of e-mail correspondence and electronic discussion lists, it was an important mechanism for information sharing among librarians.⁷⁶ In 1960, at Gallagher’s urging, her assistant librarian, Viola Bird, took over writing another column for *Law Library Journal*, “Current Comments.” This was truly a joint effort. Gallagher regularly received newsworthy items in the mail which she passed along to Bird for inclusion in the column, which Gallagher would subsequently edit.⁷⁷

¶34 One of Gallagher’s projects during her AALL presidency was to initiate publication of a *President’s Newsletter*. The first issue appeared in November 1954 as an “experimental” newsletter to report on committee and Executive Board activities. Prior to this newsletter, such information came only through the “President’s Page” which appeared in the quarterly issues of the *Law Library Journal* and during Annual Meetings.⁷⁸ The *President’s Newsletter* became the *AALL Newsletter* in 1970, and in 1996 it was transformed once again into a magazine format under the title *AALL Spectrum*.

72. *Gallagher Reflection*, *supra* note 27, at 96.

73. Between twenty and fifty copies could be made using a hectograph or gelatin duplicator printing process. The process used a master document that was created using special inks that came in the form of pens, pencils, carbon paper, or typewriter ribbons. The master image was then transferred to the inked gelatin surface; copies were made by pressing paper against it. When a pad had ceased to be useful, the ink could be sponged off the top of the gelatin and the pad reused for the next master. Mimeograph machines were mechanized hectographs.

74. *Gallagher Interview*, *supra* note 11, at 22–23.

75. Rosenow, *supra* note 10, at 363 n.8. “Questions and Answers” was similar in format and intent to a forerunner feature, “Reference Question Clearing House,” which first appeared in *Law Library Journal* in 1940 under the editorship of Margaret Hall.

76. Mary Whisner, *Encounters with Sources*, 93 *LAW LIBR. J.* 355, 358, 2001 *LAW LIBR. J.* 18, ¶ 12.

77. E-mail from Viola Bird, Assistant Librarian, University of Washington Law Library, retired, to author (Apr. 25, 2005, 14:48:26) (on file with author); Viola Bird, in *MARIAN GOULD GALLAGHER LAW LIBRARY: AN ORAL HISTORY*, *supra* note 11, at 180, 202–03.

78. *AM. ASS’N OF LAW LIBRARIES PRESIDENT’S NEWSL.*, Nov. 1954, at [1] (explaining the need for a newsletter with more frequent reports of Association activities).

¶35 Long after her presidency, Gallagher continued as an active member of AALL, serving on numerous national committees and boards, including the Joint Committee on Cooperation between AALL and the Association of American Law Schools,⁷⁹ the Committee on Liaison with the Library of Congress (1967–69), and the Committee on Relations with Publishers and Dealers. As chair of the latter, she began publication of the *AALL Clearinghouse Bulletin*, predecessor to the *CRIV Sheet*, a current publication of the Committee on Relations with Information Vendors.⁸⁰

¶36 Gallagher and her staff took on *Current Publications in Legal and Related Fields* in the mid-1960s when she heard that the school that had been compiling it planned to stop. Betty Wilkins, the assistant law librarian, agreed to take on the responsibility of compiling and editing this current awareness publication which was issued monthly and included brief descriptions of all the legal materials that had been published since the last issue.⁸¹ Gallagher took the project on out of necessity; she felt that it was important that librarians be made aware of all new legal publications. The intent all along was that the law library would only continue to compile the publication until someone else took it over. It was at the University of Washington law library for more than seven years.⁸²

¶37 She continued to serve AALL throughout her career, and in 1966 she was one of three members to receive a special citation for distinguished service to the Association.⁸³ In 1984, she was honored as the first recipient of the AALL Distinguished Service Award, which was established as a permanent award to recognize extended and sustained distinguished service to law librarianship and to AALL. The award was subsequently renamed the Marian Gould Gallagher Distinguished Service Award in 1990.

Presidential Appointments

¶38 Gallagher was frequently the only law librarian and the only woman appointed to presidential and other national committees. Such work was important in enhancing the status of law librarians.⁸⁴ One significant role she filled was as a member of the President's National Advisory Commission on Libraries, having been appointed by President Lyndon Johnson in 1967–68. She was one of twenty

79. See e.g., *Proceedings of the Fiftieth Annual Meeting of the American Association of Law Libraries, Held at Colorado Springs, Colorado, June 24–27, 1957*, 50 LAW LIBR. J. 296, 332 (1957) (remarks of Marian G. Gallagher, reporting on the committee's efforts toward eliminating the term "one-man law library" from law schools).

80. Hazelton, *supra* note 64, at 400.

81. *Gallagher Interview*, *supra* note 11, at 69; *Betty Wilkins*, in MARIAN GOULD GALLAGHER LAW LIBRARY: AN ORAL HISTORY, *supra* note 11, at 213, 227–29 [hereinafter *Wilkins Interview*].

82. *Wilkins Interview*, *supra* note 81, at 228.

83. The other recipients were Elizabeth Finley and Sidney Hill. The special citations were presented at the Awards Luncheon of the 59th Annual Meeting, July 5, 1966. See *Law Librarianship Panel and Awards Luncheon*, 60 LAW LIBR. J. 41 (1967) (summarizing remarks by presenters and replies of recipients).

84. Rosenow, *supra* note 10, at 363.

educators charged with the responsibility of conducting a comprehensive study of the nation's libraries to make recommendations to ensure an effective national library system.⁸⁵ The commission worked with Congress "to obtain support for a bill establishing the importance and relevancy of law libraries."⁸⁶ Gallagher's work on this commission was one of the avenues that led to AALL's current ability to influence federal library and information policy. Her work led to a subsequent appointment as a member of the Library of Congress Advisory Group on Law and Social Sciences (1976–77).

¶39 Gallagher was amused by the circumstances of her repeated appointments to the Advisory Committee of the White House Conference on Library and Information Services. Initially, President Ford appointed her to serve for 1977–78, then President Carter fired all of Ford's appointees, but she was immediately reappointed for 1979–80 by Senator Warren Magnuson (D., Wash.), who was then president pro tempore of the U.S. Senate.⁸⁷ She was the only law librarian on this White House committee, which consisted of two-thirds members of the public and only one-third library representatives.

¶40 As a member of this White House committee, Gallagher became envious of the technologically advanced national libraries for physicians and engineers.⁸⁸ She particularly envied the structure and resources of the National Medical Library. But she resigned herself to the fact that there would never be a national law library. Gallagher believed this was because (i) the legal profession by and large had developed its own excellent resources and retrieval mechanisms, (ii) the perceived need for the dissemination of medical information was greater than the support for distribution of legal information, and (iii) attorneys failed to exercise effective leadership in making the need for a national library known to the government.⁸⁹ Despite her tireless efforts, the growing awareness of social justice, and the increase in the public's need for legal information, she was unable to secure what she considered adequate federal funding for law libraries or to build support for the creation of a national law library.⁹⁰ But she was able to raise awareness of the issues and to secure funding to begin the first law library networks, including the Washington Library Network. As a result of the advisory committee's work, a National Commission on Libraries and Information Science was established and continues to this day, dedicated to improving the nation's library and information services.

85. Marian Gould Gallagher: A Profile, *supra* note 4, at 2.

86. Timothy L. Coggins, *AALL and Its Government Relations Program: Part I*, in *LAW LIBRARIANSHIP: HISTORICAL PERSPECTIVES*, *supra* note 1, at 309, 351.

87. *Gallagher Reflection*, *supra* note 27, at 88.

88. *Gallagher Interview*, *supra* note 11, at 68.

89. *The Library of Congress and its Influence on Law Librarianship*, 69 *LAW LIBR. J.* 554, 570 (1976) (remarks of Marian Gallagher, panelist)

90. *Gallagher Reflection*, *supra* note 27, at 91.

Personality

¶41 The administration of a large library required “fortitude and diplomacy plus skills as diverse as legal bibliography and research and budget preparation and presentation,” all of which Gallagher had.⁹¹ Those who knew, worked with, or wrote about Gallagher agree that she was tremendously competent, “an excellent organizer, [who] excelled at creating systems and procedures, and was very skilled in working with people at all levels. . . .”⁹² Gallagher was generous with her talents and her time. When she would see a student looking for something in the library, she would stop and help, not simply with a cursory direction, but with a complete lesson.⁹³ Gallagher encouraged professional service and involvement by the rest of her staff by letting them use the library’s funds for travel while she paid her own way to conferences and meetings.⁹⁴

¶42 Gallagher was not “all work”; family, friends, and sports were among her passions. She liked to have fun at work and play, and didn’t have time for people who took themselves too seriously.⁹⁵ She stood out as being funny, pragmatic, and accessible all at the same time. Hers was a large, capable, tactful, and humorous personality amidst a faculty that was small in number. She would use her wit to advantage in speaking and writing, and enjoyed others who did so as well.⁹⁶

¶43 Because Gallagher had surrounded herself with qualified, competent staff and was a skilled delegator, the law library ran smoothly even when she traveled.⁹⁷ She worked hard to hire and keep her library staffed with good people whom she thought “deserving.” At work she was generous with praise, eminently respectful, and took care never to take any of her employees to task in front of others. She either spoke to them privately or spoke to their supervisors first.⁹⁸ In exchange, her staffers were tremendously loyal to her. Turnover of key employees in the law library was remarkably low during her tenure as director.⁹⁹

¶44 Gallagher was also able to hire friends to work with her and yet remain friends.¹⁰⁰ One was also a former student, Viola Bird, who was the assistant librarian for twenty years. The connecting door between her office and that of Bird’s was always open.¹⁰¹

91. Rosenow, *supra* note 10, at 361.

92. Penny Hazelton, *Marian Gould Gallagher: Who Is She Anyway?* 65 WASH. L. REV. 739, 739 (1990).

93. Interview with Reba Turnquist, Collection Development Librarian, Gallagher Law Library, Univ. of Wash., and Vickie Moor, Administrative Assistant to Director, Gallagher Law Library, Univ. of Wash., retired, in Seattle, Wash. (Jan. 19, 2005).

94. Patrick E. Kehoe, *Mentors Four*, 91 LAW LIBR. J. 229, 230 (1999).

95. Hazelton, *supra* note 92, at 741; *see also* Hazelton, *supra*, note 64, at 400.

96. *See* Schatzki, *supra* note 31, at 354.

97. Kehoe, *supra* note 94, at 230.

98. Interview with Turnquist & Moor, *supra* note 93.

99. Cross, *supra* note 9, at 359.

100. Interview with Turnquist & Moor, *supra* note 93.

101. Kehoe, *supra* note 94, at 230.

¶45 Her love of life was evident in the “sparkle in her eye.” A golfer and legendary Washington Huskies football fan, Gallagher was no “effete sports fan” either, but a true enthusiast. According to Bob Berring, she gave up her Seattle Sonics season tickets only after they moved to a larger arena, because “[i]t’s no fun if you can’t smell the sweat.”¹⁰²

¶46 Sadly, her marriage to Wayne Gallagher ended suddenly with his death in 1953. Having lost her father just three years earlier, Gallagher lived alone for a couple of years but then moved back to Seattle to live with her mother.¹⁰³ Gallagher wasn’t often alone. She played poker regularly with three other law school faculty¹⁰⁴ and attended as many Husky football games as she could, enjoying their victories to the fullest.¹⁰⁵ She actively participated in the University of Washington Quarterback Club (serving as president was “great fun”).¹⁰⁶

¶47 Of her “huge circle of friends,” the closest may have been Helen Hoagland with whom she became great friends after Wayne Gallagher’s death.¹⁰⁷ Perhaps one reason for her “long and intimate friendship” with Hoagland was because they were both “deeply dedicated to the University.”¹⁰⁸ They both loved golf and regularly played in a foursome together.¹⁰⁹ These two fast friends had some political sway. As administrative assistant to the university president, Hoagland knew how to get her message to the top. Once when Gallagher had a particularly busy stretch at the library, Hoagland got so upset about missing their Saturday golf dates that she encouraged Gallagher to request a budget increase from the university president for an acquisitions librarian. “Presto,” she had authorization to hire an acquisitions librarian.¹¹⁰

¶48 Gallagher and Hoagland traveled to many Rose Bowls together, along with the UW administrators. Gallagher was particularly fond of the football team banquets at the Rose Bowl and the annual train trip to Washington State University with the Board of Regents. “[I]t’s one thing to go to a football game, but it’s another to go with Helen Hoagland, who is secretary to the Board of Regents and administrative assistant to the president. So we sat in the president’s box on the fifty-yard line and were included in all the social events. . . .”¹¹¹ Gallagher especially loved the Rose Bowl trips during which they had five or six days to get acquainted with the other people in their group. Gallagher took advantage of those opportunities to network and politic for the law library, but mostly she recalled them as “great fun.”¹¹² On one occasion she had use of a

102. Berring, *supra* note 2, at 190.

103. *Gallagher Interview*, *supra* note 11, at 46.

104. E-mail from Viola Bird, *supra* note 39.

105. Odegaard, *supra* note 5, at 736.

106. *Gallagher Interview*, *supra* note 11, at 169.

107. Odegaard, *supra* note 5, at 736; *Gallagher Interview*, *supra* note 11, at 167.

108. Odegaard, *supra* note 5, at 736.

109. *Gallagher Interview*, *supra* note 11, at 167.

110. *Id.* at 118.

111. *Id.* at 167.

112. *Id.*

“flashy white convertible with a great big Husky on the side. That was before I had any convertibles of my own. . . .”¹¹³ According to friends, after this trip Gallagher *always* drove a white convertible, nothing small or understated, but a “boat.” It was something she thoroughly enjoyed and it set her apart from the crowd.

¶49 She never took the company of university presidents for granted and seemed genuinely surprised that they respected her. She spent many hours with President Odegaard and, despite what started as his opposition to the continued independence of the law library, she was able, with the support of the other law school faculty, to convince him “that this was one of those times that it is best to leave a good thing alone.”¹¹⁴ Recalling that President Schmitz personally walked up to the third floor of the law school building to deliver her Christmas present, she noted that “[p]residents are really *important* people,”¹¹⁵ never intimating that she was as well. It appeared that Gallagher was surprised by her political clout, but one of her many highly successful former students says, “If she were around today, she’d be a college president.”¹¹⁶

¶50 Gallagher was an innovative and creative problem solver. When she was determined to make a change, she would marshal her creative and persuasive skills, present a thorough case, and get results. For example, when she wanted to hire Viola Bird but was apparently stymied by the university’s nepotism rules (Bird’s husband was on the faculty of the speech department), Gallagher got statistics about the number of law library positions that were filled by people holding both law and library degrees. Using this data, Gallagher lobbied hard for an exemption and was able to hire Mrs. Bird.¹¹⁷

Consummate Professional

¶51 Gallagher was a consummate professional, possessing expertise, competence, “a keen intellect, unfailing courtesy and consideration, and a delightful wit.”¹¹⁸ Her ability to mix professionalism with a unique personal touch was evident not only in her roles as library director, faculty member, and director of the law librarianship program, but also in the committee work that she performed with skill and aplomb. She was fastidious about her correspondence, answering all her mail personally and promptly. One former dean of the law school reflected that Gallagher was a “bright, thorough, efficient person who gets her job done brilliantly.”¹¹⁹

113. *Id.* at 168.

114. Odegaard, *supra* note 5, at 735.

115. *Gallagher Interview*, *supra* note 11, at 140.

116. Telephone interview with Dan Henke, Law Library Director and Professor Emeritus, Univ. of Calif. Hastings School of Law (Jan. 21, 2005).

117. *Gallagher Interview*, *supra* note 11, at 183.

118. Rosenow, *supra* note 10, at 361.

119. Schatzki, *supra* note 31, at 355.

¶52 In explaining what she looked for in applicants to the law librarianship program, Gallagher may have been unintentionally describing herself. To achieve her high standards she sought candidates who were

industrious, alert, charming, attentive to detail, refined, imaginative, unafraid of briefing for a judge or getting filthy shifting books, dependable, receptive to taking and following orders, able to direct underlings to inspired heights, incorruptible, sincerely interested, attractive (and if women, not interested in persons who think a woman's place is in the home), amusing, cheerful, imperturbable, diplomatic and Summa Cum Laude.¹²⁰

Penny Hazelton, current associate dean for library and computing services and director of the Gallagher Law Library, noted that "Gallagher was all of this and more."¹²¹

¶53 Gallagher's personal flair and passion for fun made her well known in many circles. While she would never have thought of her friendships and contacts as "work," she "networked" long before the term was coined and the practice became *de rigueur* in business circles. Her outgoing nature, concern for others, and service ethic kept her in the forefront in numerous professional circles. As her appointment to significant national committees from the White House, to the ABA and AALL demonstrated, her influence went far beyond the University of Washington. In fact, by the time she first retired in 1981, her national reputation was so solid that she was known as the "one woman law librarian placement center."¹²²

Speaker

¶54 One of the ways that Gallagher's influence and standing spread was through her national public speaking. It is fascinating to consider such a renowned speaker starting her professional career with what she referred to as "terrible stage fright" so severe she was unable to speak in public. This may have been due to her thinking that she was "a bit of a squeaker."¹²³ In typical fashion, she addressed the matter head on. Shortly after returning to Washington, she enrolled in a Toastmistress class.

¶55 Gallagher worked hard at the Toastmistress assignments and through them developed her keen sense of comic timing. In the early 1950s, for a Toastmistress assignment on "curtains," she rigged up a cardboard box to represent a window and proceeded to speak about what you could tell about your neighbors from their curtains. She made three or four changes to the box as she described different types of neighbors. The last was very shabby and untidy, and describing how such neighbors were obviously a blight on the neighborhood, she asked: "What can one do about it?" After a well-timed pause, she suggested, "Move" and brought down the house.¹²⁴

120. Marian G. Gallagher, *The Law Librarianship Course at the University of Washington*, 5 J. LEGAL EDUC. 537, 539 (1953).

121. Hazelton, *supra* note 64, at 400-01.

122. Marian Gould Gallagher: A Profile, *supra* note 4, at 4.

123. *Gallagher Interview*, *supra* note 11, at 17.

124. E-mail from Viola Bird, *supra* note 39.

¶56 Eventually, Gallagher became renowned for the fun she had with her speeches, whether it was an after-dinner presentation or a good-humored presentation to the freshmen lawmakers in Olympia. President Odegaard described the “playful humor” in her campus presentations.¹²⁵ “The uneasiness she claims to experience is concealed behind a show-stealing charm and wit.”¹²⁶

¶57 Her “manner of thoughtfully choosing words and delightful timing ma[d]e her a much sought after speaker.”¹²⁷ Her engagements not only encompassed a wide geographical range, but they also spanned a broad range of audiences and events. She was invited to speak to sorority houses, rotary clubs, regional library associations, and bar associations; she also spoke at law school dedications all over the country.¹²⁸ She recalled giving a speech in the Berkshires when it took her two days to reach the meeting;¹²⁹ quite a testament to the scope of her reputation and her dedication.

¶58 Despite an unrelenting schedule, she was “ever radiant and eloquent.”¹³⁰ Gallagher claimed that “there wasn’t any substance to most of [my speeches]. Except when I got out into library commissions, where it was my duty to look around and tell them what was going on. Otherwise they really had no substance.”¹³¹ But, in fact, her speeches were legendary for their combination of substance and humor.¹³²

¶59 Unfortunately, most of Gallagher’s papers, including the drafts of her speeches, were destroyed or lost. The Gallagher Law Library does have a transcript of a short talk she gave as the mistress of ceremonies at the closing banquet of the 1980 AALL Annual Meeting in St. Louis. The speech, based on the famous *Palsgraf v. Long Island R.R. Co.* case,¹³³ long a staple of first-year law school torts classes, demonstrates her ability to turn a phrase, her knowledge of the case itself, and her wry humor.¹³⁴

¶60 Berring recalled how the “magic flowed” the first time he heard Gallagher speak, at a meeting of the Chicago Association of Law Libraries in 1975. “She was the best after dinner speaker I had ever heard. Funny, intelligent, sly—Mrs. G. was amazing to hear. She educated and entertained, with an urbane earthiness that was accessible to everyone. Her humor was never cruel; her points were never scored at the expense of others.”¹³⁵ Berring also recalled sitting at an AALL convention just before one of Gallagher’s speeches and turning to his neighbor to ask whether

125. Odegaard, *supra* note 5, at 736.

126. Marian Gould Gallagher: A Profile, *supra* note 4, at 3.

127. *Id.* at 4.

128. *Gallagher Interview*, *supra* note 11, at 179.

129. *Id.*

130. Jack Ellenberger, *Some Immutable First impressions of AALL*, 88 LAW LIBR. J. 33, 34 (1996).

131. *Gallagher Interview*, *supra* note 11, at 177.

132. E-mail from Viola Bird, *supra* note 39.

133. 162 N.E. 99 (N.Y. 1928).

134. *See infra* Appendix for transcription of the speech.

135. Berring, *supra* note 2, at 190.

he was having a good convention. The fellow replied, "This is the high point of the convention for me. I would travel to any meeting to hear Gallagher."¹³⁶ He was not the only person who felt that way.

Author

¶61 Gallagher's writing was "scholarly but unstilted,"¹³⁷ reflecting both the breadth of her knowledge and her wit. She used words sparingly and was a master of the turn of the phrase. She wrote magnificent letters and was known for writing wonderful memos and personal correspondence.¹³⁸

¶62 Much of her professional writing had a practical bent; she published book reviews¹³⁹ and made practical and succinct contributions to legal research texts and bar journals. For instance, she authored an "Introduction to Law Libraries" for *Legal Problem Solving*, a legal research text written by a law faculty colleague, Marjorie Rombauer.¹⁴⁰ Another chapter on legal encyclopedias was written for Cohen's *How to Find the Law*.¹⁴¹

¶63 As an advocate of the law librarianship profession, Gallagher invested considerable energy in recruiting; this sometimes took the form of writing about her law librarianship course. Typically these articles were concise, informative pieces emphasizing the quality and practicality that she herself embodied.¹⁴² Gallagher's expertise also was shared in panels presented at AALL conventions, which were frequently published in the *Law Library Journal*. The publication of her research guides, newsletters, columns, articles, panels, and reports "changed the tide of legal education in the United States,"¹⁴³ often because her new or innovative idea reflected a straightforward method for improving the library's service or systems.

¶64 One of Gallagher's early contributions to *Law Library Journal* was a brief overview of the things that one might expect a library school to teach.¹⁴⁴ This short selection is packed not only with a practical list of topics such as cataloging, awareness of bibliographic resources, the meaning of the budget, and dealing with serials, but also reflects her signature wit in the description of courses as the "care

136. *Id.*

137. Marian Gould Gallagher: A Profile, *supra* note 4, at 4.

138. Interview with Turnquist & Moor, *supra* note 93.

139. *E.g.*, Marian G. Gallagher, Book Review, 47 *LAW LIBR. J.* 57 (1954) (reviewing A CATALOGUE OF THE LAW COLLECTION AT NEW YORK UNIVERSITY, WITH SELECTED ANNOTATIONS (Julius J. Marke ed., 1953)); *see also* Marian G. Gallagher Faculty Data, *supra* note 66 (containing bibliography listing seventy-eight pieces Gallagher wrote between 1945 and 1978).

140. Marian G. Gallagher, *Introduction to Law Libraries*, in MARJORIE DICK ROMBAUER, *LEGAL PROBLEM SOLVING: ANALYSIS, RESEARCH, AND WRITING* 66 (2d ed. 1973).

141. Marian G. Gallagher, *Legal Encyclopedias*, in *HOW TO FIND THE LAW* 264 (Morris L. Cohen ed., 7th ed. 1976).

142. *See, e.g.*, Marion Gallagher, *Law Librarianship Training at the University of Washington*, 55 *LAW LIBR. J.* 216 (1962).

143. Bridge, *supra* note 15, at 5.

144. Marian G. Gallagher, *Introduction to Library Science with Practical Problems*, 50 *LAW LIBR. J.* 457 (1957).

and treatment of money” and “prevention of stagnation.” At the end of the article she laments,

It would be pleasant to be able to observe that library training leaves one a satisfactory and reliable correspondent. We are not able to observe any established pattern. There are some lawyers, and some librarians, and some with neither or both kinds of training who always can be depended upon to respond to civil inquiry, and there are some whose habits make a prompt answer as likely if you tack the letter to a tree outside your window. For this problem there seems to be no solution. It is something you will not learn in library school.¹⁴⁵

It seems even the Gallagher program could not break some habits.

Teacher

¶65 Gallagher was renowned for her teaching ability. She was an expert in legal bibliography and taught it and legal method to law school classes for many years.¹⁴⁶ When one of her fellow faculty members went on leave, she also started teaching evidence. She enjoyed the course, and when she stopped, the students petitioned for her to continue teaching it.¹⁴⁷ The faculty also encouraged her, but she confessed there were too many other things she wanted to do.¹⁴⁸ Her focus remained legal bibliography and the law librarianship classes. Of course, her teaching went on outside the classroom, as Viola Bird, a 1953 graduate of the law librarianship program, indicated: “She was ever my teacher . . . oh, how much I learned from her! You have no idea what a privilege it was to work for her for twenty years. I know and how much I owe her.”¹⁴⁹

¶66 Educating faculty at other law schools about her philosophy toward teaching legal bibliography was another of Gallagher’s missions. She fervently believed that a solid foundation in legal bibliography was the key to the success of any lawyer. Rather than teaching the elements of legal bibliography in a separate course, she believed they should be found throughout the law school curriculum.¹⁵⁰ In her experience, the best motivation for learning legal bibliography was to have it incorporated in the substantive law school course work. She was mindful, however, that the success of such a program required dedicated faculty with outstanding ability to provide continuity and leadership. She felt that the University of Washington not only had such a faculty, but that its members were willing to call on the law school librarians as needed.¹⁵¹ She concluded, however, with words that ring as true today as they did forty years ago: “Some people are not suited to legal research, that’s why we have law librarians.”¹⁵²

145. *Id.* at 460.

146. *Gallagher Interview*, *supra* note 11, at 25–26.

147. *Id.* at 27.

148. *Id.*

149. E-mail from Viola Bird, Assistant Librarian, University of Washington Law Library, retired, to author (Apr. 24, 2005, 21:24:19) (on file with author).

150. *Law School Libraries*, 58 *LAW LIBR. J.* 387, 405 (1965) (remarks of Marian G. Gallagher, panelist).

151. *Id.*

152. *Id.* at 407.

Law Librarianship Program

¶67 Perhaps one of the most significant things Gallagher did during her career was to direct the University of Washington law librarianship program. The program was always practical and, while strongly focused on academic library positions, her emphasis on the highest standards, management, and administration left students prepared for leadership positions in academic, public, or private law libraries.¹⁵³

¶68 She taught much of the program herself in “small, informal classes chock full of information.”¹⁵⁴ Meeting in her office, Gallagher began with a “semi-lecture” and presented probing questions that, as Wesley Cochran noted, were intended to “zing” inattentive students.¹⁵⁵ Cochran and many of her students found it a “tremendous experience.”¹⁵⁶ Just as the law students in her research classes had, many of the law librarianship candidates found that “learning from Gallagher was fun.”¹⁵⁷ The classes in advanced legal bibliography, selection and processing of law library materials, and law library administration were tailored to small groups of students who had already earned their law degree. In keeping with her belief that legal research was best taught in context, she gave each student a practical research project to tackle.¹⁵⁸ “The whole course was imbued with Gallagher’s wit, professionalism and practicality.”¹⁵⁹ Her manner followed a Confucian ethic; she had the ability to inspire students to teach themselves. When one of her former students, Robert Berring, who went on to become a renowned law library director, told Gallagher that she was a great Confucian, she replied, “no, I’m a Sonics fan.”¹⁶⁰

¶69 Even though the program played a huge part in shaping the profession of law librarianship,¹⁶¹ there were numerous struggles to keep it afloat throughout her tenure. University administrators were particularly concerned that it could not be sustained without Gallagher’s guidance. Despite the university’s abandonment of a separate “Masters in Law Librarianship” degree in 1981, she was able to lay the groundwork for continuing a program for JDs only.¹⁶² The program continues today as a one-year program with a small class admitted each year. It incorporates specific course work from the general MLIS curriculum as well as classes tailored specifically to training law librarians. Although it has evolved to meet current needs, the law librarianship program maintains the same goals and high standards that prevailed during the forty years of Gallagher’s stewardship.¹⁶³

153. Berring, *supra* note 2, at 189.

154. Hazelton, *supra* note 92, at 741.

155. Goldsmith, *supra* note 4, at 268.

156. *Id.*

157. Hazelton, *supra* note 92, at 741.

158. Berring, *supra* note 2, at 189.

159. Hazelton, *supra* note 92, at 741.

160. Berring, *supra* note 2, at 191.

161. *Id.* at 189.

162. See generally Goldsmith, *supra* note 4 (providing in-depth history of the University of Washington law librarianship program from its beginnings under Arthur Beardsley through 1990).

163. *Id.* at 277–78.

Director of the Law Library

Budget

¶70 Although Gallagher established a national reputation for her professional activities in law, legal education, and law librarianship, she was plagued by a constant struggle to secure adequate funding for the University of Washington Law Library.¹⁶⁴ Reflecting on this late in her career, she said, “I’ve sometimes felt that life was just one budget request after another.”¹⁶⁵ In 1972, in a fund-raising effort, she alerted alumni to the consequences of repeated budget cuts by detailing the deterioration of the library’s national ranking through the previous decade, a situation that could change only with increases in state budgets and directed giving.¹⁶⁶ Despite the ongoing budget struggles, Gallagher maintained the quality and high standards to sustain a first-class research library.

¶71 Through her decades of leadership, her energies and service paid off. Although she would spend much of her career fighting for increased funding, she nevertheless commented that “we were lucky because our deans and our faculty have been interested in the law library.”¹⁶⁷ During her tenure, she “was fortunate in never having had a dean that didn’t feel that the library was important to the law school, or who had to be urged to support the library.”¹⁶⁸ This support was particularly important when it came to the unending requests for funds. But one wonders how any dean could resist supporting a library when the services were so uniformly excellent.

Collection Development

¶72 The University of Washington law library benefitted greatly from the considerable attention Gallagher devoted to matters of collection development. Although she was known for personally reviewing each new addition to the collection, her written book selection plan was one of the first to be developed for an academic law library.¹⁶⁹ The policy was intended to assist in the evaluation and selection of library materials, specifically for staff who wanted to be included in book selection (“one of the most exciting parts of being a law librarian”) but did not have the requisite self-confidence or expertise.¹⁷⁰ In 1990, the Gallagher law library staff updated and revised the collection development policy originally crafted under Gallagher’s guidance. More than a hundred copies of the revised policy have been purchased since it was first added to the library’s publication series in 1992,¹⁷¹

164. Cohen, *supra* note 3, at 732.

165. *Gallagher Interview*, *supra* note 11, at 127.

166. Marian Gallagher, *A Rinky-Dink Outfit*, U.W. SCH. LAW ALUMNUS, Summer 1971, at 5, 6.

167. *Gallagher Interview*, *supra* note 11, at 110.

168. *Id.* at 131.

169. *Gallagher Interview*, *supra* note 11, at 96.

170. *Id.* at 97.

171. E-mail from Penny Hazelton, Professor & Associate Dean for Library and Computing Services, Univ. of Wash. School of Law, to author (Jan. 30, 2006, 10:44:37) (on file with author).

perhaps due in part to a new ABA standard requiring libraries to have a written collection development policy.¹⁷²

¶73 In an article published in 1970, Gallagher traced law library collection development from the early stages where responsibility fell to the patron/administrator (“hit-or-miss”) to the “leave-it-to-the-professionals” era.¹⁷³ She concluded by noting that “the fallout from the information explosion” demands professionally trained law librarians who can design collection development policies that best match user needs with the available materials while staying within budget constraints.¹⁷⁴

¶74 Arthur Beardsley had been a great collector, devoting much of his energy to finding classic law books and filling gaps in the collection.¹⁷⁵ By the time Gallagher returned to the University of Washington in 1944, the library under Beardsley’s guidance had amassed the eighth largest collection in the United States (based on number of volumes).¹⁷⁶ Gallagher spent her career adding to that collection while maintaining its quality at the highest possible level. Under Gallagher’s leadership, the law library tripled in size; more than 300,000 volumes in the 1970s, it was the largest law library in the Pacific Northwest and one of the top research resources in the country.¹⁷⁷

¶75 Beardsley started the library’s renowned Chinese, Japanese, and Korean collection with a gift of a modern Japanese law collection from the Japanese-American Society just before World War II.¹⁷⁸ Through Gallagher’s wide network of colleagues and some innovative ideas, she continued collecting and cataloging the Chinese, Japanese, and Korean materials. One technique Gallagher adapted during tight budgetary times was to exchange issues of the *Washington Law Review* for Asian law materials.¹⁷⁹ In the wake of the war, the library had one of the primary Asian law collections in the country¹⁸⁰ and was able to loan books to the Army to take back to Japan for use during the Occupation.¹⁸¹ Later, Gallagher encouraged Japanese speaker Suzie Lee to come to work for the law library. She not only organized the cataloging of the Japanese collection, she also assisted in the continued growth of the Asian law collection.¹⁸² Because of its proximity to Russia, Gallagher thought it sensible to develop the foundations of a Russian collection, which she did

172. SECTION OF LEGAL EDUC. & ADMISSION TO THE BAR, AM. BAR ASS’N, STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS 2004–2005, standard 606(d), at 47 (2004) (“A law library shall maintain a written plan for development of the collection.”).

173. Marian Gallagher, *Book Selection in Law Libraries—Who’s in Charge Here?* 63 LAW. LIBR. J. 14, 18 (1970).

174. *Id.*

175. *Gallagher Interview*, *supra* note 11, at 93.

176. *Id.* at 32.

177. Rosenow, *supra* note 10, at 361.

178. *Gallagher Interview*, *supra* note 11, at 93.

179. *Id.* at 101–02.

180. Rosenow, *supra* note 10, at 361.

181. *Gallagher Interview*, *supra* note 11, at 93.

182. *Id.* at 101–04.

through a Canadian book dealer, cooperation with other University of Washington libraries, and volumes brought back personally by attorneys and Viola Bird over the next decade.

Service to Library Users

¶76 One of Gallagher's fundamental beliefs was that legal information should be available to anyone who wanted it and that law libraries were meant for their users and not the staff. Although this is now often taken for granted, Gallagher was well ahead of her time in this thinking.¹⁸³ For instance, the number of outside registered law library users grew from 300 in 1974 to 9000 in 1981, the year she retired.¹⁸⁴ Rather than accepting personal credit for the phenomenal increase in library use during her tenure, Gallagher attributed the growth to the foundation in public relations and outreach established by Beardsley,¹⁸⁵ greater visibility of law matters in society as whole, the growth of interdisciplinary courses at the University of Washington, the move to a building just across the street from a dormitory, and use of the library by law students from the newly created University of Puget Sound Law School.¹⁸⁶ While all of those factors undoubtedly contributed, her faculty colleagues, graduates of the law school, and members of the bar believed "that the receptivity and willingness of the staff of the University of Washington Law Library, reflected by the leadership of Mrs. Gallagher, [was an] equally important factor" in the law library's growth.¹⁸⁷

¶77 Gallagher's dedication, coupled with an outstanding staff to whom "service was paramount," was essential to the increase in use of the law library.¹⁸⁸ Together she and her staff created a "living place, a people place, an environment of warmth and learning."¹⁸⁹ Quite unlike the fabled law librarian who was seen chasing down faculty to return the last four missing volumes to "their rightful place on the library shelves," Gallagher loaned books.¹⁹⁰ She believed that a recurring need to request the return of the item was a signal that an additional copy was needed.¹⁹¹ Her goal was to *facilitate* the use of legal information. She met the needs of faculty and students alike by having a large reference collection and buying things that they needed.¹⁹²

¶78 Sometime in the mid-1940s, Gallagher took over production of the *Current Index to Legal Periodicals* (CILP), a weekly subject index of articles, case notes,

183. Jacobstein, *supra* note 65, at 737.

184. *Gallagher Interview*, *supra* note 11, at 40; Bridge, *supra* note 15, at 5.

185. *Gallagher Reflection*, *supra* note 27, at 89.

186. Bridge, *supra* note 15, at 5.

187. *Id.*

188. Hazelton, *supra* note 64, at 399; *see also* Rosenow, *supra* note 10, at 361.

189. Bridge, *supra* note 15, at 5.

190. Jacobstein, *supra* note 65, at 737.

191. *Cooperation in Law Library Service—A Panel*, 49 LAW LIBR. J. 413, 426 (1956) (remarks of Marian G. Gallagher on "What a University Library Can Do for Practitioners and Practitioners' Libraries").

192. *Gallagher Interview*, *supra* note 11, at 132.

and comments. She originally typed CILP herself and distributed it to her faculty colleagues as a service. The publication of CILP often required the help of many on the law library staff and is just one example of the excellence of the library staff, their willingness to be helpful to their patrons, and their legendary loyalty to Gallagher.¹⁹³

¶79 Gallagher and her staff provided exceptional service to faculty, law students, and members of the legal community and, to the extent of the staff's abilities, these services were also extended to the public.¹⁹⁴ The law library's "direct lending by mail extend[ed] to lawyers and court officials throughout the Northwest: to Oregon, Idaho, British Columbia and Alaska."¹⁹⁵ Gallagher wrote sections of the *Washington Administrative Code* to keep the University of Washington law library open to the public. Her endeavors were followed by Betty Wilkins's success in having the administrative code amended.¹⁹⁶ Nonetheless, Gallagher noted the irony of receiving an emeritus membership in the Washington Library Association largely for her work in opening the law library to the public when there were members of the faculty and the bar who resented that mission.¹⁹⁷

Conclusion

¶80 Marian Gould Gallagher touched many lives. She developed and maintained a premier research collection at the University of Washington Law Library and set a standard for excellence in library service, not only for members of the law school community and the bench and bar, but for the public as well. Explaining her advocacy for service to those outside the law school, she noted the number of lawyers who were legislators and thus might support a public law library, explaining that "[t]here is no better example of the advantage of casting bread upon the waters."¹⁹⁸ Gallagher cast many loaves in her lifetime.

¶81 Roland Hjorth, a former dean of the law school and faculty colleague, noted that if Gallagher had come along fifty years later she would have been the president of a major university.¹⁹⁹ Others who remember her most fondly are her law librarianship students. That is as she hoped it would be.²⁰⁰ And perhaps it is the statement of one of her students, Tom Heitz, who went on to become the librarian at the National Baseball Hall of Fame Library, that says it best: "Had Marian

193. Cross, *supra* note 9, at 359.

194. *Cooperation in Law Library Service—A Panel*, *supra* note 191, at 426 (remarks of Marian G. Gallagher).

195. *Id.* at 428.

196. *Gallagher Interview*, *supra* note 11, at 72.

197. *Id.* at 36.

198. *Cooperation in Law Library Service—A Panel*, *supra* note 191, at 429 (remarks of Marian G. Gallagher).

199. E-mail from Roland Hjorth, Dean Emeritus, Univ. of Wash. Law School, to author (Feb. 6, 2005, 16:31:51) (on file with author).

200. *Gallagher Reflection*, *supra* note 27, at 115.

Gallagher been a baseball player and made the contributions she has made to law librarianship, I have no doubt she would have a place in Cooperstown alongside Ty Cobb, Babe Ruth, Honus Wagner, Christy Mathewson, Nap Lajoie, Cy Young, Walter Johnson. . . . Fortunately Marian chose law librarianship rather than baseball, although I believe she would have been a great centerfielder.”²⁰¹

¶82 Gallagher was a law library director, teacher, speaker, committee member, active volunteer, colleague, friend, and confidant. Her pragmatic, hands-on approach, ready laugh, and adherence to the highest standards of professionalism will be long remembered. The combination of professional and personal contributions she made will long inform and sustain law librarianship and law libraries worldwide.

Appendix

Palsgraf v. Long Island Railroad

*A Speech by Marian Gould Gallagher at the 1980 AALL Annual Meeting*²⁰²

My purpose today is to introduce you to a new concept in the law, called “laymen’s language.” A number of my faculty colleagues have learned to *read* laymen’s language, but I’m the only one who speaks it. It would be presumptuous, of course, to say that I speak it fluently, but I can say without undue modesty, that I speak it like a native. It makes quite a difference. Those of my colleagues who don’t speak it say things like:

If no hazard was apparent to the eye of ordinary vigilance, an act innocent and harmless, at least to outward seeming, with reference to her, did not take to itself the quality of a tort because it happened to be a wrong, though apparently not one involving the risk of bodily insecurity, with reference to someone else.

This can be translated into laymen’s language as “Poor Mrs. Palsgraf.”

If you nonlawyers are to profit from the translation, you ought to know a lot more about Mrs. Palsgraf than this tells you. You ought to have read all the briefs, including the trial briefs, and interviewed all the witnesses and had lunch with Justice Cardozo’s clerk. But here we don’t have time to do that, so I summarize briefly. I’ll give you only the *material* facts.

In the 1920s, her name was Helen. Come to think of it, her name might have been Helen in the 1890s, because in the 1920s she was old enough to carry her own money and buy railroad tickets. But then, of course, in the 1890s she might

201. Letter from Tom Heitz, Librarian, National Baseball Hall of Fame, to AALL Awards Committee (Dec. 9, 1983), *reprinted in* 2 SAN DIEGO DAILY: NEWSL. OF 77TH ANNUAL MEETING OF AM. ASS’N OF LAW LIBR., July 4, 1984, at 1.

202. Marian G. Gallagher, Address at the Closing Banquet of the 1980 AALL Annual Meeting, St. Louis (June 25, 1980) (transcript available in the Marian Gould Gallagher Law Library, University of Washington.) *See supra* ¶ 59 for discussion of this speech.

not have been Mrs. Palsgraf. She bought a ticket to Rockaway Beach. That seems like an odd place to want to go, but it doesn't matter because she didn't get there anyway. She was standing on the platform at the railway station waiting for the train to Rockaway Beach when another train came into the station. Nobody seems to know where it was going, which gives you an idea of what kind of railway it was. It didn't stop long enough to give anybody a chance to get aboard with any dignity, and that tells you something more about the railroad. Either its trains ran so far behind schedule that they didn't have time to sit around in the station, or else it was one of those one-track outfits, and look out—here might come the train for Rockaway Beach.

Anyway, as befits a train that nobody seems to know or care where it was going, not very many people were interested in it. To quote Justice Cardozo: "Two men ran forward to catch it."

What I'm quoting from Justice Cardozo, as you will see, can pass almost for laymen's language—an astonishing thing which I think most people never noticed about Justice Cardozo. He's the fellow who said, "Those of us whose lives have been spent on the bench have learned caution and reticence, perhaps even in excess. We know the value of the veiled phrase, the blurred edge, and uncertain line." But in this unusual case he forgot what he had learned about caution and reticence and said something that can almost pass for laymen's language.

Note how he zeroed in on the truly material facts. He said *two* men ran *forward* to catch the train. Those of you already familiar with this case realize that had these men been running backward, they'd have missed the train and the whole upsetting thing would never have happened.

Back to Cardozo: "One of the men reached the platform of the car without mishap, although the train was already moving. The other man, carrying a package, jumped aboard the car, but seemed unsteady as if about to fall. A guard on the car, who had held the door open, reached forward to help him in, and another guard on the platform pushed him from behind." Well, that's one good thing about the railroad, everyone was trying to help. But you see what I mean about not letting anybody get aboard with any dignity. Besides that, the clumsy idiots made him drop his package.

It wasn't much as packages go—wrapped in newspaper, and small. But it contained fireworks, which went off as fireworks sometimes do when run over by trains, and the explosion was a lulu. This railroad was the kind of outfit that left things standing around on platforms, and the explosion knocked over a standing-around scales which conked Mrs. Palsgraf and this is why she sued the railroad.

But Justice Cardozo said, as I told you before, "if no hazard was apparent to the eye of ordinary vigilance, an act innocent and harmless, at least to outward seeming, with reference to her." We're not even sure she got her money back on the ticket to Rockaway Beach, and this is why we say "Poor Mrs. Palsgraf."

You know those two anonymous fellows who ran forward to catch the train—nobody ever heard from them again. Not even the one who was tossing packages

around. I've often wondered what his wife said to him when he got home. Maybe, "tomorrow is the day all little Samantha's friends are coming to celebrate her 5th birthday, and you, you knucklehead, have to go and lose the sparklers."

That illustration serves another purpose, which is something I call the Palsgraf Game. In this game, you take all your friends and imagine them as the characters in the Palsgraf case. . . .

[Here the manuscript ends, but it is reported that at this point Gallagher did her Mistress of Ceremonies duties. She would introduce the officers of the AALL and others at the head table giving them all roles in the Palsgraf case. This part of the speech was apparently done ad lib, and tailored for different occasions, but uniformly well received.]