

The Appellate Court Library Standards: An Overview*

New Appellate Court Libraries Standards were approved by the State, Court, and County Law Libraries Special Interest Section (SCCLLS) on June 26, 1988, and by the Executive Board of the American Association of Law Libraries on June 30, 1988. They are the official Appellate Court Library Standards of the Section, and replace the Supreme Court Law Library Standards adopted by the SCCLLS on June 25, 1978.

The Appellate Court Library Standards Committee of SCCLLS, established in 1984, had determined by early 1985 that the existing Supreme Court Law Library Standards needed to be rewritten.

Why the Standards Were Changed

The 1978 Supreme Court Law Library Standards referred only to the appellate court library or libraries for the *highest* appellate court within a state or province. By 1984, an increasing number of court systems throughout the United States were asking for information as to how libraries of both their highest and their intermediate appellate courts could be organized as part of a single library system to reflect better the overall structure of their court system. Also at about this time, the chief librarians of the highest appellate courts in some states were being asked to assume responsibility for managing libraries of intermediate appellate courts. From these observations, the Appellate Court Library Standards Committee concluded that the scope of the new standards should be widened to include libraries of both the highest and intermediate appellate courts in the United States.

Another factor contributing greatly to the need for a comprehensive revision of the Supreme Court Law Library Standards was the absence of references to computer technology. In 1978, little computer technology beyond some computer-assisted legal research was contemplated for the highest appellate court libraries. By 1984, inquiries from librarians and those responsible for administering appellate court law libraries regarding the use of computer technology in their libraries had increased dramatically. Due to the virtual torrent of requests for such information, the Committee became convinced by 1988 that it had a professional obligation to address this need.

The Committee worked to devise standards that would encourage a spirit of cooperation among all groups involved with appellate court libraries: judges, court administrators, librarians, and library users. It is clear from comments received during the writing of the new standards that judges and court administrators sometimes make plans having a direct impact upon their libraries without consulting the librarians. Librarians, too, have been guilty of this failure to communicate. One

* Prepared by David G. Badertscher, Principal Law Librarian, New York Supreme Court Library, New York, New York.

of the primary objectives of the new standards is to encourage judges, court administrators, and librarians to work together to plan for the continuing development of their libraries.

The Revision Process

It is especially gratifying to be able to say without reservation that the development of these new standards resulted from the truly collaborative efforts of many people. The primary responsibility resided with the Appellate Court Library Standards Committee formed to review the existing standards and to recommend appropriate changes to the SCCLLS. Throughout the preparation of three preliminary drafts and the final version, the entire membership of the Section was asked for comments and suggestions.

The National Center for State Courts played a prominent role in the development of these standards through the good offices of its librarian, Erik Low, who served in the dual role as a member of the Committee and as the Committee liaison to the National Center from 1984-1988. His role proved vital to the Committee's work because it enabled the National Center to provide research support to the Committee regarding current projects related to appellate court library development throughout the United States. The National Center also proved especially helpful in another aspect of the Committee's work. Periodically, the National Center receives a request from a state court system to examine the state's appellate court libraries within the context of library services needed for the entire court system. Areas examined during these consultations usually include collection development, services provided, library technology, and library administration and management as they relate to the court system as a whole. While the new standards were being developed, the National Center received several such requests. Through the good graces of the National Center and its librarians, the Committee was able to receive valuable feedback on its proposals from judges, court administrators, and librarians from appellate court libraries throughout the United States. This information was incorporated into the various drafts of the Standards until the final version was prepared in 1988. Few standards have been reviewed so thoroughly prior to their adoption.

How the Standards Are Organized

The new Standards are organized in basic outline form, beginning with a preliminary statement. The topics addressed reflect the concerns conveyed through the various methods of inquiry referred to above. All appellate court libraries should meet the minimum conditions outlined. Since these are basic standards, some appellate court libraries, such as those serving larger and more active appellate courts, may need to exceed some of the requirements (for example, size and scope of library collections) before they can even begin to meet the service needs of their courts. The Committee has left that up to the librarians involved, working in concert with the judges and court administrators in their particular jurisdictions.

The Future

As the needs of state appellate courts increase, it is assumed that the needs of their libraries will also increase and that changes in these standards will need to be made to accommodate these increased needs. For the near future, plans are being made to add commentary to the various sections so that the intent of the standards will be clear to the user. Work on these commentaries should begin in late 1989.

Appellate Court Library Standards

The State, Court, and County Law Libraries Special Interest Section of the American Association of Law Libraries adopted the following standards for the highest and intermediate State Appellate Court libraries in the United States on June 26, 1988. These Standards were also approved by the Executive Board of the American Association of Law Libraries on June 30, 1988. They supersede the Supreme Court Law Library Standards which were adopted on June 25, 1978, by this Section.

I. Governance

- A. An Appellate Court Library should be managed by a full-time qualified law librarian.
- B. The relationship of the head law librarian to his or her superiors and the position of the library within the structure of state government should be defined by law.
- C. The head law librarian should meet with his or her superiors and receive directions from them on a regular basis.
- D. The head law librarian should submit an annual report to his or her superiors.
- E. From its inception, planning that concerns all areas of the Appellate Court Library, including the following, should involve the head law librarian either as director or advisor: (1) Growth and development of the collection, including bibliographic and physical control for facilitating access (2) Participation in library or other information networks (3) Personnel to assist users, service the collection, and perform all administrative functions required of the library (4) Development and staffing of branch libraries and chambers collections (5) Physical facilities (6) Management of library operations.
- F. The head law librarian should be kept fully informed of court policies and procedures through regular attendance at judicial staff meetings.
- G. Appellate Court Libraries should participate in cooperative activities with neighboring libraries and regional networks. Examples of activities that might be of benefit include sharing of resources, union lists, interlibrary loans, cooperative acquisitions, and shared cataloging.

II. Budget

- A. The budget of an Appellate Court Library should be separate and distinct from the budgets of other court operations. The budget should contain adequate funds to ensure the provision of the professional and support staff necessary to maintain an acceptable level of library service. The budget should include funding for a complete, up-to-date collection, including monies for non-book materials and databases. In addition, the budget should provide funding for new acquisitions and services. The budget should also provide maintenance funds for supplies and equipment to support the library staff and services.

- B. The budget is to be prepared, presented, and managed by the head law librarian with assistance, as needed, from the staff.

III. Personnel

- A. All law librarians should have a graduate degree in library or information science. A law degree meets the requirements if the librarian possesses substantial law library experience. Demonstrated skills and experience may be substituted when essential for the performance of specialized computer related library functions. In addition, the head law librarian should also have substantial experience in the management of libraries.
- B. The salaries of the head librarian and all other library personnel should be commensurate with their education and experience, and the extent of their responsibilities.
- C. The head law librarian should appoint and evaluate the other library staff members.
- D. A library with 60,000 volumes should be staffed by a head law librarian and at least three professional assistants, qualified through training and experience in areas such as acquisitions, cataloging, reference including database searching, administration, and any other necessary professional functions. Sufficient clerical and secretarial personnel should also be made available to the library to support these functions and to assist the head librarian.
- E. The head law librarian and all library staff should be covered by civil service or a comparable plan in the state for career employment.
- F. The professional staff should be encouraged to participate in professional organizations and continuing education programs in the field.

IV. Physical Plant and Facilities

- A. The Appellate Court Library should be conveniently located in the same building as the court.
- B. Shelving should be arranged in a manner that allows easy access to the collection. There should also be enough shelving to allow for five to ten years growth of the collection.
- C. Facilities should be provided for the storage of nonprint and fragile materials under adequately protective conditions.
- D. There should be suitable and adequate equipment, work space, and comfortable seating for library staff and users of the collection. Proper lighting and temperature control including heating, ventilation, air conditioning, and humidity control should also be provided.
- E. Conference rooms, photocopying facilities, and typing facilities should be provided within the library.
- F. Adequate provisions should be made for the installation and use of computer terminals, word processors, microform readers and reader-printers, audiovisual equipment, and any other devices needed to improve library services. At least one computer terminal, with a printer, to be used solely for database searching, should be located within the library.

Computer terminals and printers needed for cataloging and other library operations should also be located within the library.

V. Information Services

- A. Each library should identify its main user groups for the purpose of providing essential levels of service to these groups.
- B. The library should augment its resources through interlibrary loans and other cooperative services as needed.
- C. Maps, signs, library guides, and other tools to assist users in finding their way about the library should be provided. Library policies concerning patron access to online information should be formulated and conspicuously posted at terminal locations.
- D. The library should provide current awareness services to its users.

VI. Technical Services

A. Acquisitions

- (1) Written policies for collection development, including criteria for the selection and discarding of materials and the acceptance and disposition of gifts, should be formulated by the head law librarian in consultation with staff and users, and submitted to the library's governing authority for approval.
- (2) The head law librarian should be authorized to select materials to be added to the collection in accordance with the collection development policies.
- (3) All materials should be current with respect to continuations, supplements, and replacements. Sets should be complete. Multiple copies should be available where heavy usage requires them. All superseded material stored in the library should be clearly indicated as such and should be retained only if it continues to serve as a useful source of information for users of the library.
- (4) The library should have available the selection tools appropriate to its needs, including those listed in Part VII of these standards.
- (5) The library should include provisions for the acquisition of microforms, audiovisual materials, online databases, and other non-book materials.

B. Cataloging

- (1) The collection should be cataloged and classified in a system that enables staff and users to retrieve desired material efficiently. National standards for bibliographic records should serve as guidelines.
- (2) The library should also maintain a holding (inventory) file and any other files necessary to maintain bibliographic control over the collection.
- (3) Library catalogs and other files should be generated in machine-readable formats whenever possible.

VII. Collection

(The following list of materials are recommended as the basis for a strong appellate court library collection. The list may be used as a checklist for collection of

evaluation purposes, but should not be used to limit the scope or growth of a collection that meets or exceeds the standards.)

A. Publications of the Appellate Court Library's Home State

1. State Case Materials
 - All published court decisions
 - Appellate court records and briefs
2. State Constitutional Materials
 - All constitutions
 - All constitutional convention proceedings
3. State Legislative Materials
 - Current annotated code
 - Legislative service
 - All superseded codes
 - All session laws
 - All House and Senate journals
 - All House and Senate reports
 - All legislative manuals
4. State Executive Department Materials
 - All Attorney General opinions
 - State administrative codes
 - Municipal and county codes
5. State Judicial Materials
 - Current court rules
 - All superseded court rules
 - Annual reports of the state court administrator
 - Judicial Council reports
 - Judicial Conference reports
 - State-of-the-judiciary messages
 - Judicial directories
 - Benchbooks and manuals for court personnel
6. State Finding Aids and Other Secondary Resources
 - Digests
 - Legal encyclopedias
 - Shepard's Citations
 - Significant treatises, form books, and practice books
 - Bar Association reports
 - Legal periodicals and newspapers

B. Publications Concerned with Federal Law

1. Federal Case Materials
 - U.S. Reports*
 - U.S. Supreme Court Reports, L. Ed.*, 1st and 2d,
and/or *Supreme Court Reporter*
 - Federal Cases*
 - Federal Reporter*, 1st and 2d
 - Federal Supplement*
 - Federal Rules Decisions*