

THE HIDDEN WORLD OF LAW LIBRARIES

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Law librarianship is often not discussed in library technician or librarian programs; it is a career that law librarians seem to fall into. Law librarians sometimes call it the “accidental” library career. This presentation provides an overview of many types of law libraries: law firm, law school, courthouse, law society, legislative libraries, provincial and federal justice departments - to name a few. Law libraries come in different sizes too, some are solo positions and some have multiple members in their departments. This presentation will address the different kinds of jobs available in these libraries. Working in what is often a small library environment, it is very important to network, for help with tough research questions or lending texts.

TYPES OF LAW LIBRARIES

1. Law Firms

Larger law firms have their own dedicated libraries. A typical firm library is usually a fairly attractive space, walls lined with bookshelves full of texts not very many people use anymore. The major clients are articling students and junior associates.

Law firm libraries provide access to print and electronic resources. As much as possible, the library tries to ensure electronic resources are available on lawyers' desktops, but sometimes the licenses are too expensive to be available firmwide. Some libraries have dedicated computers for access to a particularly expensive resource; clients must come to the library to access that product, or the librarian does the research for the client.

It's a law librarian's job to teach the newer associates and students how to use the resources the firm has, but to find the material needed for the partners. This comes down to practicality - the junior associates will potentially be working long after the librarian has gone home, so they need to be able to find things on their own, while the senior partners typically don't use their time to research.

Whether on your own or working as part of a team, the law library is responsible for more than just legal research. A lot of firms have expanded their library services to include competitive intelligence, business analysis, and conflict searches. If you choose to apply to a law library without a background in legal research, don't despair - having skills in business and market research is also highly sought after.

2. Academic Law Libraries

University law schools have huge libraries both in physical square footage and number of volumes in their collections. The law school's collection is also considered accessible for the

general public, although they have to use materials on site. Law schools require a library in order to be accredited, so certain standards must be met. Other undergraduate institutions may also have a legal collection, to support Criminal Justice and Corrections programs. Law school libraries also serve the larger legal community through interlibrary loan and supplying articles from journals.

3. Law Society/Courthouse Libraries

As part of their service to their members, the provincial law societies have developed extensive libraries. These are quite often called the “Great Library”. These libraries also cater to the general public, some more than others. The B.C. Courthouse library system is a great model - its service to the general public is phenomenal, both virtually and in person. Check out courthouselibrary.ca to see access to legal information in action.

4. Government Law Libraries

Both federal and provincial Departments of Justice offer law libraries for their staff, both the lawyers and the judges. Legislatures also offer law libraries, serving politicians and the general public. In Manitoba these are operated in conjunction with the provincial archives. The legislative library’s focus is on the activities of the legislature, Hansard, bills, laws, and those kinds of records.

5. Public Libraries

Some public libraries have a legal section, with materials aimed at the general public. They can also be a great resource for historical legislative materials, particularly municipal and genealogical records. The public library can be helpful when trying to research old news stories.

6. Prison Libraries

Corrections Canada operates a dwindling number of prison libraries serving their population. Their materials will run the gamut from popular fiction to the Annotated Criminal Code.

TYPES OF LAW LIBRARY JOBS

In some ways law libraries are different from all other types of libraries; in other ways, they’re exactly the same. This section highlights some of these.

1. Collection Development

Collection development and Acquisitions differ in a law library. While academic libraries still use jobbers, most smaller organizations purchase directly from the publisher. There are only two main legal publishers in Canada, as well as several smaller publishers who typically publish specialty products, so the field is not that competitive. It’s extremely important to maintain good relationships with your vendors to provide the best service for your clients. Lawyers need to be on top of the latest legal developments as well as have access to historical records, all at a cost effective rate.

Lawyers also rely on other practitioners to keep current in specialty areas. Some of the formats print resources come in are looseleaf texts, monographs, or an annotated annual. The

looseleaves are purchased on a subscription basis, and receive updates which need filing, some as many as 12 updates per year. These form the backbone of a print collection.

It is a challenge to purchase the right resources at the right price when there is very little competition. Sometimes Amazon.ca is the best source, especially when purchasing American resources that may have duty added on.

There are also comprehensive and specialty legal databases. They are powerful and complex tools. Students will attend training from the vendors to become better searchers. Everyone on staff is learning too, as databases evolve. Commercial databases add features to their service or they can have outages too. The reference librarian becomes the “super searcher”. Depending on the size of your library, library technicians may help search, but they may not have daily exposure to the databases.

2. Reference - Legal Research

Legal research is almost a given in most law library jobs. This can run from the very simple search for a decision (where the librarian is given the citation), to the much more challenging “find me a case on such and such”. Other times, a librarian may be asked to find background materials on a particular argument, or find out how legislation existed in a particular point in time. Developing reference interview technique is important too. Try to get as much information as possible about what you’re being asked to look for, so that you can fully answer the question.

3. Cataloguing

Most legal organizations are not large enough to warrant the powerful OPACs used by public libraries. For instance, very few use circulation or hold modules. There are many smaller integrated library systems that are favoured by law libraries, and in fact, some smaller firms might make do with a catalogue created in Excel. There is also very little original cataloguing. There is a Library of Congress classification system that has been modified for Canadian law libraries, called KF modified, but not even all law libraries use it. Again, smaller libraries may create their own classification system.

4. Other Fields

As touched on earlier, law libraries have branched out beyond legal research and being a repository for books, more from survival than anything else. Technology has vastly decreased the number of people required to perform the maintenance tasks of a library, but it doesn’t mean there are no jobs. What it does mean is that a library technician needs to have skills beyond information management. Some of these skills are Knowledge Management, Business Intelligence and Marketing, and Information Management and Technology. Again, it’s important to broaden your library skill set in order to be competitive for these jobs.

5. Teaching

Teaching informally is a practise that library technicians become involved in with a small library and few resources. One just pitches in to help out. “Let me make it happen” is typically a response in the private sector. A lot of teaching is done on a practical real world basis. Law librarians teach students what they need to know while they are drafting their legal memos. Students are apprentices in their law career. After they finish law school, they have a foundation to build their knowledge on.

Technicians work with the students who may not have had exposure to looseleaf services or law reports. The law is a specialty field with its own type of book formats. Looseleaf services are valuable for research as leading lawyers write about how the law is applied in real world situations. In the other format, court cases are printed in law reports. It is a special format that is technically a serial. Editors decide a case is noteworthy and they are republished commercially with some extra content called head notes. Some of the big legal publishers are Carswell (Thomson Reuters), LexisNexis and Wolters Kluwer CCH.

There is a lot of focus on information literacy skills with the students, too. It can be as basic as searching the index or table of contents or as involved as teaching them how to navigate the templates in the specialty databases. Often the student may want to search with keywords, which may or may not be a successful strategy.

In a corporate library there is a blurring of lines between reference and teaching as the more reference work you do, you can see patterns developing where a gap might occur and you need to create teaching tools. Part of the challenge is to show students the tools and strategies, such as when to use a looseleaf and when to search a database. There is a lot they can do for themselves and it is the librarian's job to empower them to be thoughtful researchers.

6. Collaboration

Teamwork is an essential component yet overlooked within law firms. When you work for a firm of more than 25 lawyers, working in groups becomes a big part of firm life. There are students, junior and senior lawyers -- and they all have varying roles. They work together as a team when they have a legal problem. Whether you are a solo or part of a team in the library, there is a role for collaboration. Whether with the IT department, or marketing, there is someone you can join forces with to provide better service for your firm.

For example, a project leader will coordinate with IT to implement a new OPAC. Library staff work as a team to evaluate their needs for a new OPAC. The project leader will also choose the best communication method, being sensitive to the vendor's location. Working as a team then all library staff will feel they have a stake in developing a new OPAC.

PRINT AND DIGITAL RESOURCES - THE FUTURE OF LAW LIBRARIES?

Like librarians everywhere, law librarians had great hopes that moving to a digital library would mean greater access to resources. Some advantages of switching to electronic resources are space saving, reducing the physical footprint of the library and the accompanying overhead cost, more efficiently using resources as more than one person can simultaneously access the electronic version, and receiving an update more timely than a print book. On the other hand, formats and licensing issues are a long way from being worked out. Some e-versions of looseleaf texts, for instance, are available to all members who use it at a particular site. That's fine for a law firm, where IP authentication can be easily identifiable, but much more difficult for a law society library, where its members can't be authenticated. Other texts are simply not available in an e-book format.

One of the things that is true is that legal has been very print and text-based in the past. That extends to the habits of lawyers. They don't tend to read a book from cover to cover. Instead they will pull a quote or use a chapter from the text. It will be incorporated into a legal document

which is filed at court. So this has significant consequences of preferring print over electronic as they need not just a citation but a pinpoint citation to the exact place in a text. As electronic versions become more available, the citation can vary, but citation for print is both stable and familiar as the profession has been using this for a very long time.

Some groups of lawyers have a special need for print as their work can stretch back in time historically where there was only print. Tax lawyers are one such group.

Traditionally, paper has been dominant as you have all seen television lawyers with walls of books behind them. Cases are published in books called law reporters. But then databases and the Internet enabled an explosion of access to cases electronically. Likely newer law libraries can be built on an electronic foundation.

It was hoped that by now we would be totally electronic and rely less on paper but cases and laws are only part of the picture. They are considered primary material. Because legal research is both complex and relies on precedent, textbooks or secondary material play heavily in the research framework.

So there is both greater quantity and improved access to current information, but advocating for a client also depends on what has happened in the past and often key background information can be found only in textbooks. While more and more is published in databases and ebooks, they can be cumbersome to use.

The databases and e-books are costly too as publishers struggle to make a profit and provide a product. Sometimes moving away from print can cause the library budget to balloon. Often a database has licensing fees based on quantity of lawyers. In reality out of a group of 10 lawyers in a department, they won't all be researching with the tool. The librarian and the vendor need to negotiate on the fairest price.

Expectations of e-books are high because we are used to them for popular reading, but things are different on the legal front. So far it is an emerging model as publishers have not produced electronic versions with all the functions needed. Publishers are struggling to provide an acceptable product that lawyers or librarians want to buy. Gradually the law library will move towards more digital resources, but there seems to be a place for print in it. It will be interesting to have this discussion again in five years' time

We have both had interesting careers in law libraries. There are many challenges ahead, however, as the reliance on print drops and the physical footprint of the library decreases. Law library technicians, like library staff anywhere, must continuously work at showing the value they can provide to their parent organization. We help our lawyers win their cases, and find new business.

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