1935

Report of the Committee on Education for Law Librarianship

Frederick C. Hicks
Yale Law School

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get one's interest down to business after having heard some papers, and we can not transact our business and then have the papers afterwards. It would not be quite fair to the speakers who have been invited to address us. How does tomorrow morning at ten o'clock suit?

MR. SMALL: I make a motion that we recess to convene at ten o'clock.

MR. BEARDSLEY: Mr. Chairman, in regard to the Report of the Committee on Education for Law Librarianship, if you will accept that Report at that same time it will be quite agreeable to me. I am sorry but I shall have to leave on the morning train.

PRESIDENT JAMES: This is important and what you have is important. It could be moved, I suppose, that this matter of the amendments to the By-Laws, which we are now considering, be postponed until tomorrow morning and be made a special order of business and that this meeting recess until ten o'clock tomorrow morning, at which time further consideration of the By-Laws shall be made a matter of special business. I suppose that could be done and then we might give a few minutes and listen to what Dr. Beardsley has to say with regard to this Report and vote on the matter tomorrow morning. Much to our regret, Dr. Beardsley will be away.

Let us postpone the discussion of this amendment until tomorrow morning and, for the rest of the time that we desire to remain in session, hear the Report of Mr. Hicks' Committee and its discussion through Dr. Beardsley. I shall be glad to have somebody make the motion that I did not make.

MR. JOHNSTON: I will make that motion.

[The motion was seconded by Mr. Holland.]

PRESIDENT JAMES: It has been moved that we recess until tomorrow morning at ten o'clock to meet in some room to be designated in this hotel to continue the discussion as to amendments of the By-Laws and to transact such other business as has not been transacted this evening, and that until this meeting adjourns, for the rest of the time that we are in session, we hear the Report of Professor Hicks' Committee, given to us by Dr. Beardsley.

[The motion was put to a vote and carried.]

Dr. Beardsley, the floor is yours.

DR. BEARDSLEY: Professor Hicks is, of course, the Chairman of the Committee on Education for Law Librarianship and early in the year he submitted to the various members of the Committee a request for suggestions. I submitted a rather comprehensive program which I felt, while rather exhaustive in its character, was essential to the ultimate solution of our problem of education for law librarianship.

[Dr. Beardsley here summarized the Report, the full text of which follows.]

DR. BEARDSLEY: The following report has been compiled from proposals and suggestions made by members of the committee.

Soon after the Committee was appointed, the Chairman wrote each member asking for suggestions on what form the activities of the Committee should take.
Among the replies was one from Dr. Arthur S. Beardsley, Law Librarian, University of Washington, which, embodying a comprehensive plan, should be presented to the Association in its entirety, including his introductory remarks and concluding notes.

**DR. BEARDSLEY'S PROPOSAL**

In studying the question of Education for Law Librarianship three principles seem to me to be outstanding, viz:

1. There is a need for better professional training in law librarianship.
2. There is a need for an opportunity of apprenticeship in law library service.
3. If the standards of our professional training are to be raised, the initiative must come from the law librarians themselves.

**The Problem Presented**

I am presenting my ideas on this problem and some suggestions relating to their consideration. I am assuming that we all agree as to the need for better training for those who enter the profession of law librarianship, and the strengthening of the means by which experience is gained. In this we probably all agree, but as to the means which should be used, or plans which should be followed, there may doubtless be a wide contrariety of opinion. I do not know, and I suppose none of us do, just what the correct answer should be; and so I am presenting these ideas more as suggestions for consideration rather than a solution, hoping that they may provide the basis for some constructive program.

If a survey should be made of the educational background of the law librarians represented in this association, it might easily disclose that:

1. Some law librarians have had no college training whatever;
2. Some law librarians have had no law training;
3. Most of them have had no professional library training; and
4. Many have had no experience in library work before their appointments as law librarians.

The absence of any one of these factors, or all of them by a law librarian does not mean that the law librarian in question may not, nor cannot, be a success professionally. Probably such a survey would show, (1) that some of our successful law librarians lacked a general college education, (2) that some law librarians do not possess a training in law, (3) that few have law library experience or practice work before appointment, and (4) that very few law librarians have been generally trained in the principles of library science.

It is my personal view that (1) legal training (as evidenced by a degree in law) is essential and indispensable, and (2) that a general library training is desirable although perhaps not indispensable.

Should not this association go on record as establishing as a minimum standard of professional training the law degree? Should not this association also endeavor to promote a plan whereby prospective law librarians may be able to acquire a training in the principles of general library science or a composite course of general library and law library technique? Furthermore, just as the student in general library schools is required to do practice work in some library, and
medical graduates an internship in some hospital, and even in some cases law graduates an apprenticeship in a law office, should not this association foster some plan whereby graduates of courses in law library training should have an opportunity to serve an apprenticeship in some of our largest law libraries?

The question of training the librarian and thereby improving his professional qualification is closely allied to the idea of classification of law libraries much in the same way as law schools are now classed, viz: Class A, Class B, etc. A plan of library classification serves as a stimulus to higher library service and one avenue through which this could be done would be by improving the professional qualification of its librarian.

The following plan is suggested for consideration not as one embodying perfection, but in the hope that it will provoke the thought and study which will lead to a program of professional training sponsored and endorsed by this association as the minimum which should be required of its members.

**The Plan Outlined**

The plan herein suggested may be divided into two parts, as follows:

- **Part I** Classification of Law Libraries.
- **Part II** Certification of Law Librarians.

### **PART I**

<table>
<thead>
<tr>
<th>Class</th>
<th>Library</th>
<th>Librarian</th>
</tr>
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<tbody>
<tr>
<td>A</td>
<td>75,000 volumes or over.</td>
<td>law and library trained.</td>
</tr>
<tr>
<td>A</td>
<td>75,000 volumes or over.</td>
<td>law trained.</td>
</tr>
<tr>
<td>B</td>
<td>50,000-75,000 volumes.</td>
<td>law and library trained.</td>
</tr>
<tr>
<td>B</td>
<td>50,000-75,000 volumes.</td>
<td>law trained.</td>
</tr>
<tr>
<td>C</td>
<td>under 50,000 volumes.</td>
<td>law and library trained.</td>
</tr>
<tr>
<td>C</td>
<td>under 50,000 volumes.</td>
<td>law trained.</td>
</tr>
<tr>
<td>D</td>
<td>size immaterial</td>
<td>untrained either in law or library science.</td>
</tr>
</tbody>
</table>

### Notes on Part I.

1. Any study of this problem should be based upon a study of existing libraries. Admittedly time has not permitted this to be done.
2. I do not know how many, if any, of the large law libraries would be placed in Class D by this plan of grouping.
3. The classification of each law library should be listed along with the other law library data in the Standard Legal Directory.
4. The plan provides for a change in classification through growth in size and/or improvement in professional training of its librarian.
5. The plan could provide for including in the classification of the law library the professional training of the heads of departments as well as the librarian.
6. The plan is obviously based upon the plan of rating of law schools which is used by the Association of American Law Schools.
Certification of Law Librarians

The plan calls for certification of law librarians by the Executive Committee of the American Association of Law Libraries on some such basis as the following:

A. Two classes of law librarians:
   Professional, and
   Trained.
B. Professional law librarians to be those who have had both law and library training.
C. Trained law librarians to be those who have had law training only.
D. Certification to be made by examination, except that
   1. The Executive Committee might certify at once those who belong to either class, and
   2. Provided that no certification shall be made for either class after a fixed date, except by examination.

Notes on Part II.

1. The ideal objective is to provide that all law librarians should be trained both in law and library science.
2. The idea of certification is becoming more and more common as the various states enact statutes providing for the certification of librarians generally.
3. The plan places the law training first, as shown by the groupings, with a premium on those libraries whose librarians are library trained as well.
4. Credit can be given for many years of experience in the plan of certification if this is to be desired.
5. The standards of the profession can only be raised through the united efforts of the American Association of Law Libraries in co-operation with, and supported by, the Boards of Law Library Trustees and the Association of American Law Schools.
6. The American Association of Law Libraries could recommend to the American Library Association Board of Education for Librarianship the installation in several of the approved library schools of courses specially designed for the training of law librarians, either for straight professional training or some training combining general library training and law library training.

   This would, (1) provide the professional training desired of law librarians, and (2) would provide the opportunity for present libraries to raise the classification of their library.
7. Some plan of approved apprenticeships in the larger libraries would be of value notwithstanding the organization of training courses in law librarianship.
8. Possibly some plan could be devised for visiting librarianships (most of us could profitably spend six months in practice work at one of such libraries as Harvard, Yale, Michigan, etc.)
9. The American Association of Law Libraries could well formulate, as a corollary to this program, a recommended minimum salary schedule according to class grouping; and at the same time, make certain recommendations as to the number of hours per week that law librarians should be employed.

ARTHUR S. BEARDSLEY

The members of the committee are in agreement with Dr. Beardsley that he has correctly stated the need and that something should be done about it. They, however, individually express doubts on various points—for example, whether the time is ripe for a formal classification of law libraries, or for certification of law librarians either by the Association or under state laws; whether standards can ever be set up applicable to all law librarians, either on the basis of size of libraries, or qualifications of librarians. One member thinks that "the quality of a good law librarian depends largely on factors that cannot be measured and certified." Others think that classification might be possible within groups of like libraries, such as those of law schools, and of bar associations, etc. On the question of the relative importance for law librarians of law training and technical library training or experience, there is diversity of opinion. All agree that both are desirable, but some place law training first and some, library technique. All agree that a good cultural background is essential.

The classification of law libraries and the certification of librarians are matters requiring extensive further consideration. While that is being done, some other steps could be taken if they meet with the approval of the Association. The following recommendations summarize suggestions by present and former members of the committee and by others whose advice has been sought. They are activities which can be carried through by the Association, one at a time, or together, especially if the proposed expansion plan of the Association's work is approved at the Denver meeting. The idea underlying these recommendations is that the Association's first duty is to help persons already in law library work, and that its second duty is to aid those who desire to enter the field.

1. The Executive Committee of the Association might attempt to induce a few library schools in different parts of the United States to give summer courses specifically on law librarianship. As a beginning, a course in only one school should be attempted. This course should be publicized both by the school and by the Association, and the latter should take the chief responsibility of providing a sufficient number of students to make the summer course possible. If successful, a similar course might be given in the following year in a school convenient to another part of the country. By this means, the demand for such courses would be tested, the possible result being that such classes would be regular annual features of several summer schools. It is submitted that the initiative for this whole development must come from the Association.

2. The Executive Committee, through its Executive Secretary, might attempt to make arrangements with a number of law libraries of different types in several sections of the country so that individual persons already holding law library positions may become student visitors in those libraries for definite periods of time, on payment to the library visited of a fee, the amount of which
would be determined by the Executive Secretary of the Association. The payment of the fee would be a guarantee of the serious purpose of the student visitors, and would partly compensate the respective libraries for the time and attention given to the visitor, and for the consequent interruption of the library's work.

3. The Association might sponsor the publication of a manual of law library economy which could be used as a text in library schools and by individual students, and which also would be a reference book for all law librarians on matters of library practice.

4. The Executive Secretary should have on hand, for distribution to inquirers, a list of works on elementary law and on law librarianship. As a suggestion for such a selection, Miss Elizabeth Forgeus submits the list subjoined as an appendix to this report.

APPENDIX TO THE REPORT

May 22, 1935

Mr. Frederick C. Hicks, Chairman
Committee on Education for Law Librarianship

Dear Mr. Hicks:

I suggest the preparation by the Association of a reading list which would be a selection of books useful to the beginner in a law library. The list should contain certain books serving both as an introduction to law and to library methods. I append a list which I have selected, not offering it formally, but simply to illustrate my idea of the ground such a list should cover.

There would be, no doubt, many differences of opinion on the selection of titles, especially on the books of elementary law. In subjects where there are a number of books covering the same ground, one or more could of course be selected, as, of the one volume law dictionaries, Ballentine or Black; of the legal research books, Brief Making or Eldean or Hicks. A final list would probably be most helpful grouped in this way. I have omitted books known to be out of print. Kaiser is included because there seems to be no later work which covers the same field. Woodruff’s and Morgan’s introductory books, though old, seem to me among the best, for brevity and clarity.

For library methods applied to law libraries, we are at present almost wholly dependent on articles scattered in the files of the Law Library Journal. Of cataloguing manuals, Akers and Hitchler are simple introductions; Fellows and Mann, more elaborate. No manual on general classification has been included, but Miss Mann’s book includes classification and will serve as an introduction to the subject. For law classifications, the recent articles by Miss Jack, Mr. Dabagh and Mr. Hicks in the Law Library Journal, should be consulted. The Association is aware of the inadequacy of the 1911 Library of Congress tentative subject-heading list, but it could not be omitted.

Miss Parma in her discussion of the Report of the Committee on Education for Law Librarianship at the 1932 meeting, suggested the preparation of recom-
mended reading lists, and it would seem to be a simple and practical thing to have such a list compiled, as an immediate aid to inquirers.

Very truly yours
ELIZABETH FORGEUS

LAW AND LEGAL RESEARCH


Law Library Journal. A file to date.


LIBRARY ECONOMY

Ordering

Cataloging and Classification

Akers, S. G. Simple library cataloging. 2d ed. Chicago, American Library Association, 1933.
Mann, Margaret. Introduction to cataloguing and the classification of books. Chicago, American Library Association, 1930.

Binding and Care of Books

Care and binding of books and magazines. Chicago, American Library Association, 1928.

Interlibrary Loans


DR. BEARDSLEY: Now, the purpose of this Report was an effort to improve our individual standing. Most of us felt that we could very well afford to spend time visiting larger libraries, or we could spend time to study their methods; that we ought to have courses in library economy; courses in practical work, with a view that, while we cannot at the present time insist that our employees be either wholly law trained or library trained or both, it is desirable at some future time, probably, to set certain definite standards of training for those who from that time on should come into the law library profession. The Committee thought that on the whole a legal education was essential and that library training on the whole was desirable. Some individual members thought that both were essential but for the time being the Committee believes that a legal education is of primary importance and library training of secondary importance.

It was with a view, then, of making a start in that direction that the Committee thought the Executive Committee be empowered to work out some plan for summer courses as a starter in some of the library schools, and also that the matter of visiting librarians, or practice work in large libraries, be worked out for those who might wish to study in some of the larger libraries.

That, Mr. Chairman, is the Report and I move its adoption. I think the Committee ought to be retained, or a substitute Committee appointed, for the continuation of the work for next year.
PRESIDENT JAMES: We are very grateful to Dr. Beardsley and to the Committee, preeminently to Dr. Beardsley, for the plan which he has so carefully outlined which is mimeographed in full in the Report of the Committee. The motion before you is that the Report be adopted and that the Committee be continued. Is there any further action necessary?

DR. BEARDSLEY: The motion includes those provisions which I have read and I think the Committee ought to be continued, possibly, for further study of this question during the next year.

PRESIDENT JAMES: The motion is that the recommendations of the Report be adopted and that the Committee be continued for further study during the next year.

[The motion was seconded by Mr. Thorne.]

MR. JOHNSTON: I am just wondering if the word "adopted" is the word which the Doctor wants us to use. I am satisfied from what he said here tonight that the members of the Committee were not entirely clear in their own minds and there has been some disagreement.

PRESIDENT JAMES: I think I should have said, the Report be "received" and the Committee continued.

DR. BEARDSLEY: I think I, myself, used the word "adopted" as Mr. Johnston suggests. The Report should be received.

PRESIDENT JAMES: Then I take it that the motion is that the Report be received and that the Committee be continued for another year for further study of these very important questions which have been raised in the Report. I am sure we do not mean by that that the recommendations of the Committee are not to be carried out by the Executive Committee if we receive the Report and continue the Committee for further study.

DR. BEARDSLEY: If I may clarify my motion, then, Mr. Chairman: The Committee recommends that the Report be received and that the recommendations of the Committee be adopted, and that the Committee be continued for another year for further study.

[The motion was seconded by Mr. Baxter.]

MR. HOLLAND: It seems to me that, if we adopt this Report as it is now, some very important matters have been brought up here which we will as an Association approve by simply adopting the Report. I am not sure that I personally would like to go on record as approving all the suggestions that have been made in this Report.

DR. BEARDSLEY: Mr. Chairman, the Report was rather extensive in its character and it contained many provisions which the Committee as a whole finally thought unwise to propose at this time; namely, those provisions relating, possibly, to classification of libraries and to certification, but the Committee is unanimous in its opinion that a start ought to be made in the direction of
training and improving our standing in the profession of law library work and as an aid in that direction as recommended.

President James: May I perhaps clarify the matter by referring in detail, it will only take a moment, to the recommendations. I think Mr. Holland is under the impression that the recommendations go farther than they actually do.

[President James read the four recommendations as given in the Report.]

Those are the recommendations and the only recommendations that I take it the Committee is making.

Mr. Holland: I would like to inquire, Mr. President, if the word "might" there would impose a duty upon the Executive Committee and the Executive Secretary of carrying out the recommendations.

President James: I would take it that way, that this is a reference to the Executive Committee of these things which the Committee recommends the Executive Committee do if the Executive Committee, in its judgment, thinks it wise; and I think many of them are most excellent. I quite agree with you; I should have some hesitancy about accepting wholeheartedly all of the recommendations of the Committee.

Mr. Holland: It seems to me, Mr. President, that a number of these recommendations are so far-reaching and radical.

President James: I do not think these are and they are all that are recommended by the Committee. The one recommendation, that the Executive Committee take these matters into consideration and do them if, in its judgment and wisdom, it thinks it wise to do so; that would take into consideration the determination of the Executive Committee of the wisdom of the recommendations and of the practicability of the recommendations.

Mr. Baxter: Does that give the Executive Committee the power to publish this paper?

President James: This is a Report to this Association and, of course, it will be published in the Proceedings.

Mr. Baxter: I mean to publish the manual.

President James: No, it is simply here a question for the Executive Committee. I think we all feel the need of a manual of some sort. I am not fixed in my own mind as to what it should be but I think it might be a good thing if we get the right kind.

Mr. Holland: Can the Executive Committee proceed with the Report here as if it had been adopted fully by the Association, and speak for the Association? What is the power which the Executive Committee will have?

President James: It seems to me that under Dr. Beardsley's motion these matters are referred to the Executive Committee for consideration and action if, in the opinion of the Executive Committee, it deems it wise and practicable. I do
not see why the Executive Committee should not give its collective judgment on these things.

MR. JOHNSTON: I think what probably is in the minds of all of us is that the Report be received and placed on file and that the recommendations be adopted with the proviso that the Executive Committee may put such of them into effect during the coming year as it sees fit.

PRESIDENT JAMES: The motion has been seconded in the form it has been stated by Mr. Johnston. Is there any further discussion?

[The motion was put to a vote and carried.]

Before we adjourn, and I assume we will take our recess immediately after this, I want to request three members of the Association as a Committee to meet and present to us at ten o'clock a plan, which will have the support of that Committee, with reference to this matter of dues which we were discussing. I am going to ask Miss Lathrop to act as Chairman of that Committee, the other two members to be Mr. Roalfe and Mr. Baxter.

MISS LATHROP: I cannot accept the Chairmanship.

PRESIDENT JAMES: You represent a point of view that is of greatest importance. I am not going to impose the Chairmanship on Mr. Roalfe. I am going to ask Mr. Baxter if he will be Chairman with Miss Lathrop and Mr. Roalfe as members. It may be taken that that Committee is appointed.

I will declare the meeting recessed until tomorrow morning at ten o'clock.

[The meeting recessed at eleven o'clock.]

FRIDAY MORNING SESSION—JUNE 28, 1935

The meeting was called to order at ten-fifteen o'clock by President James.

PRESIDENT JAMES: This meeting is the business meeting of the Association which was recessed from last evening, and the further consideration of the amendment to By-Law, Section 1, is before you as a special order of business. I appointed a Committee, at the conclusion of the session of last evening, to consider the difficulties which had been raised with reference to institutional membership, and I will ask Mr. Baxter if he will make a statement as to the result of the deliberations of that Committee.

MR. BAXTER: Mr. President and members: Your Committee, appointed to consider the amendment to By-Law, Section 1, Subsection (c), report that they unanimously recommend the adoption of the said By-Law as presented by the Executive Committee; that is, to adopt it just as it was presented last night.

We were in consultation with several of the members of the Association last night and it seemed that the impression was that, under this amendment, they would be compelled to join as institutional members if they had a certain number of members on their staff. That is not so. They still reserve the right to continue their individual membership and it has nothing to do with the institutional membership.