The Empirical Research Law Librarian Part 1: Making the Case and Filling the Role

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Over the course of the last decade, the Reference Department of the Lillian Goldman Law Library at Yale Law School has seen an increase in requests for assistance with data collection and empirical analysis. These requests have become progressively more sophisticated and technical while our patrons have become more knowledgeable and skilled. Until recently, when a student or faculty member expressed interest in gathering data and engaging in empirical research, the reference librarians would guide the researcher to appropriate places, such as the Sourcebook of Criminal Justice Statistics or TracFed or ICPSR data portal, and then send the researcher to the Yale University StatLab[1] for additional research assistance and support. Alternatively, members of our faculty who were trained and experienced empiricists often hired a team of research assistants capable of working with the data once they had found it.

Several years ago, Yale Law School quietly hired a statistician who supported the data collection and analysis needs of our faculty. This person quickly became involved in in-depth empirical research projects with a few faculty members who did not have corresponding research support teams. Thus, though highly skilled and capable, the statistician did not have the time to work with all faculty members interested in empirical research. His services were not offered to students. The statistician was supervised by a competent administrator who ran aspects of law school business operations but was not otherwise engaged in faculty or student research support. When the Law Librarian learned from faculty colleagues of this position, and of its unintended shortcomings, he saw an opportunity to bring the statistician under the purview of the library's reference team. Of course, the position would need to be redesigned to fit within the library and to ensure access by all faculty and students.

Creating the Position

The first step in creating a new position was to brainstorm what this position might look like: what duties s/he would have, how time would be shared, how services would be offered to patrons. We preliminarily decided we wanted this person to be a fully integrated member of the reference team whose specialty was empirical research. We agreed that this person's time would primarily be spent assisting faculty and students with various aspects of data collection and empirical analysis while emphasizing the need to avoid the pitfalls that overcame the previous statistician.

Next, the Law Librarian took this idea to the law school business manager currently overseeing the statistician. Our business manager thought it was an excellent idea and expressed concern that the position as it was then designed was not ideal for several reasons including the lack of access to all faculty and any students. The Law Librarian took the case to the Dean of the Law School who was supportive and agreed that the Law Library was a logical place from which the empiricist could reach both faculty and students. The Law School had funded the statistician's position using an endowment overseen by a team of faculty members who select worthy programs from submitted grant proposals. Thus, when the position was transferred to the Law Library, we were fortunate that the grant was already in place, and the line was simply transferred to the Law Library. Thus, no new salary line was necessary to create this new position within the Law Library.[2]

Once the transfer was approved, a search committee within the Law Library was formed, made up of librarians who were most knowledgeable about datasets, statistics, and faculty empirical research interests. We surveyed other U.S. law libraries and discovered that although several institutions worked with empiricists and statisticians, no library employed a reference librarian specializing in empirical legal research. For example, the Duke and University of North Carolina law libraries share the services of an Empirical Research Analyst. This person's primary role is to serve faculty, and the focus of her work is on data analysis after the data has been collected and coded by the faculty member's research assistants. Harvard Law School employs a Statistician and an Empirical Research Fellow; both primarily serve the faculty. They help to design surveys, consult on statistical formulae, and co-author papers with faculty.

The Duke-UNC and Harvard models are similar to the work of Yale Law School's prior statistician. The Yale Law Library wanted to go a slightly different direction: we wanted to house this position within the Law Library, we wanted this person to be a reference librarian with traditional reference librarian duties, and we wanted this person to work with both students and faculty. We felt that locating the position in reference would increase the visibility of the service and ensure that emerging empirical researchers would be supported. We also believed that a librarian would be better equipped to select library materials and answer legal reference questions than many statisticians.

The search committee also spoke with the young man who was currently employed as Yale Law School's statistician. Our goals in interviewing the statistician were to understand his role in research support, the demands of his job, the extent of his outreach and access to faculty and students, and his job satisfaction. What we learned was that although he liked his work, he felt stretched thin, had time to work with only a few faculty members on in-depth research projects, and was under severe time-constraints. He was incredibly helpful in conveying the pitfalls to avoid and in suggesting the potential benefits of a better-situated and more structured position.

Human Resources Hurdles

We then enlisted the assistance of both Yale Law School's and Yale University Libraries' (YUL) human resources departments. We obtained the Law School statistician's job description, which conveyed that this was an entry-level research

support position graded at the lower level of our professional ranks. We worked closely with YUL human resources to draft a job description capturing the required and the preferred qualifications we wanted to see in candidates, including education level and specific skill sets. We were careful to require high enough education and skills to maintain the position among the ranks of the managerial and professional staff, while not requiring unrealistic skills and education for this non-traditional law library position. We were more flexible than usual on educational qualifications in hopes of casting a net wider than just within the library community. For example, we did not require or even prefer a juris doctor as we always have for reference librarian positions.[3] Thus, our required qualifications included the following:

*   Education: Master's degree in Library Science or an advanced degree in a relevant subject area.
*   Knowledge: Demonstrated knowledge of the concepts, pedagogy, research, and scholarly trends in empirical research and ability to communicate effectively with faculty and students about textual, numeric, and spatial data resources. Demonstrated knowledge of spatial software for data analysis. Familiarity with Database design.
*   Preferred experience with data scraping, common metadata standards, html and another programming language, and database design.

Our ultimate goal was to hire a professional with the appropriate skillset and maturity who would be able to handle the pressures of working with a brilliant and demanding yet appreciative faculty and student body.

Posting and Hiring for This Novel Position

Once we and YUL Human Resources were satisfied with the job description, we posted it in the traditional library job outlets as well as places we hoped were frequented by statisticians and empiricists.[4] Applications poured in ... actually, they trickled in ... to our online application system. We knew we would not receive as many applications as we do for traditional law library positions; however, we only received a handful of applicants and wondered if we had too narrowly tailored the job description. Nonetheless, two of the applicants seemed exceptionally strong though in very different ways. We decided to request a phone interview of our top two candidates. The phone interview is always our first stage

in the interviewing process; a phone interview enables us to clarify with a few narrowly tailored questions the applicant's job skills and potential, and gives us a sense of the applicant's personality and character. Prior to the phone interview, the search committee met and created a list of questions to ask each of the candidates. We sought faculty input to help us formulate a few of the empirical skills questions. Following are some of the questions we asked during the phone interview:

*   Role play: How would you explain the difference between data and statistics to a faculty member or student who is not familiar with this area?
*   Tell us about your experience using GIS data and applications.
*   What are the chief concerns of a Human Subjects Committee?
*   How do you like to represent confidence intervals in probabilistic data (T-test, P, Std Dev?) and how do you explain that measure to a novice researcher?

After two promising phone interviews, we invited each candidate to campus for a full-day interview, our standard practice. In addition to meeting with each department, we give candidates a topic and ask each to deliver a 20-minute presentation followed by a question-and-answer period. For this position, we asked the candidates to explain to us a research project they had worked on or a current topic of interest that required gathering and analyzing data. We asked them to pitch it to a group of law librarians who are not empiricists or statisticians. The search committee asked a series of questions of the candidates during the time allotted for the candidate to meet with the committee at the end of the day.

Each candidate interviewed well and we were convinced that either candidate could be successful in the position. Still, our preferred candidate had the more relevant education and experience (PhD, MLS, numerous statistically based social science publications, field research experience, current junior faculty member on a tenure track at a major university), gave the clearer of the two presentations (which demonstrated to us her innate ability to work with patrons of any level of skill), and was favored by our staff generally.

The next step in our interviewing process is to conduct thorough reference checks on both finalists. After positive feedback, we made an offer to our preferred candidate, a contract was negotiated, and our new Empirical Research Librarian arrived in September 2012. She hit the ground running and we haven't looked back!

Notes

1. The StatLab offers statistical consulting, computer code trouble shooting, and empirical workshops.

2. The Law Library received funds to support this position for three years. At the end of the three years, the Law Library intends to either submit another proposal for grant funding for another three years or, preferably, request a new, permanent salary line for the Law Library.

3. Yale University and Local 34 review new job descriptions closely and in accordance with the Fair Labor Standards Act (FLSA) to ensure that new positions are correctly graded. In fact, Yale University requires the completion and submission of an FLSA Exemption Questionnaire. Bernadette Cioffi of YUL Human Resources was invaluable in helping us navigate the labor guidelines to make this position exactly what we wanted.

4. In addition to posting this job description to the traditional library outlets such as AALL (and all internal, relevant caucuses and listservs), ALA, SLA, and ALR, we also posted to IASSIST, H-NET, and the Empirical Legal Studies blog.

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