

COMMONLY ASKED QUESTIONS AND ANSWERS ABOUT THE VALUE AND WORK OF LAW LIBRARIANS

More and more often, law librarians are being asked to justify their usefulness and expenses in the context of the firm's profitability and financial position. An important part of communicating your value to the law firm is your ability to answer these tough management questions.

This document lists questions that firms often ask their law librarians and suggests possible answers. Because each library and firm situation is different, this Q&A highlights:

"Key points" you should make when answering each question.

"Provide to management" resources and information specific to your firm that you can use to support your position.

"Additional background," a bibliography on the topics discussed here and elsewhere in the Toolkit.

You should use this Q&A not only as a reference for what to say in difficult situations, but as a guide for all your communication with management. Recognizing that these questions are important to managers, consider the "key points" as key messages for your written and verbal communications with management. Weave this important information into your everyday exchange with the attorneys and managers of your firm, and they will better understand what you do in your daily work and how it benefits them and the firm.

QUESTIONS AND ANSWERS

Q1. Why does our firm need a law librarian?

Key points:

- Librarians get the right information to the right person at the right time at the lowest cost.
- The librarian engages in a continual process of long-range planning, prepares and controls financial resources, and oversees the organization's information needs, making sure the most cost-effective research materials and online resources are secured and used to support the firm's work.
- Librarians are expert researchers, trained and experienced in finding, evaluating, and presenting information.
- Recent studies have shown that each attorney/paralegal may lose as much as eight hours of work per week to inefficient searching, and most non-library professionals are not satisfied with their search results.¹
- A librarian can interpret and respond quickly to attorney requests. "Interpretation of complex needs must be done before they can be met with available resources."²

¹Delphi Research Asks: Does Search Contribute to Productivity?, DelphiWeb.com, 2004. Downloaded 3/8/06 at http://www.delphiweb.com/knowledgebase/newsflash_guest.htm?nid=953.

² Matarazzo & Prusak. The Value of Corporate Libraries – Findings from a 1995 Survey of Senior Management, Special Libraries Association, 1995, p. 10.

- Librarians identify the best sources for a given request. Librarians have expert knowledge of the content of information resources and an intimate knowledge of the firm's library collection.
- Librarians perform corporate, financial, market, medical, news, and other non-legal research. Many law librarians provide non-legal research directly to clients for a fee.
- Librarians manage, collect, index, and organize information to meet attorneys' unique needs.
- Librarians determine the educational needs of attorneys and legal staff. Librarians provide training and guidance on the use of legal resources in all formats.
- Librarians prepare resource and reference materials such as bibliographies, pathfinders, and training handouts (using a variety of formats).
- Librarians train attorneys and staff on how to use online resources efficiently and effectively.
- The librarian evaluates the need for new technology and implements required changes.
- Librarians provide the interface between knowledge/content and the technology needed to access it.

Provide to management:

- Statistics of information requests serviced by the library.
- Examples of research problems solved for positive results.
- Statistics on costs saved from online research services contracts.
- Costs for the firm's database searches and what librarians have done to control them.
- Correlations between information services provided and significant business events and firm successes.
- Statistics on cost recovery projects.
- ILL statistics demonstrating cost savings.
- Statistics on titles canceled and dollars saved.
- Copies of training materials prepared by librarians.
- Information detailing the training and instruction librarians have had, or conducted, in areas that save the firm money.
- Library annual report.
- Additional background appropriate to your firm.

Q2. How can a law librarian save the firm money?

Key points:

- Librarians understand not just the cost but the value of services.
- Librarians implement innovative services for cost recovery and profit making.
- Librarians save the firm's money and client's money by researching efficiently and quickly, usually with a lower billing rate than attorneys. Thus attorneys can use their time to focus on what they do well — advise and counsel clients, interpret and analyze the law, and make legal appearances.
- Librarians cooperate with their colleagues at other firms to borrow and share resources through interlibrary loan, thus expanding information available to their firms without increasing costs.
- Many law firms spend over a million dollars per year on online resources. The librarian evaluates the quality of resources and negotiates with publishers for the most favorable prices or contracts.

Q3. What are appropriate services offered by a law librarian?

Key points: *A law librarian provides a wide range of professional law library managements, including but not limited to:*

- Professional library management.
- Research and reference.
- Financial expertise.
- Marketing and business development.
- Education.

Q4. What is professional law library management?

Key points: *Library management by a professional law librarian who:*

- Provides vision and world class knowledge services.
- Manages and evaluates the print collection, electronic resources and databases, service contracts, library staff and services.
- Defines responsibilities and writes position descriptions for library personnel.
- Selects, supervises, and evaluates library staff.
- Plans and conducts library staff meetings.
- Provides staff development and continuing education for library personnel.
- Develops and manages cost-effective, convenient resources and information services that are aligned with strategic direction of the firm.
- Lends expertise to Knowledge Management (KM) initiatives.
- Monitors trends (including pricing trends) and provides current awareness services for attorneys and management.
- Creates and maintains an accurate inventory of the firm's library inventory including print, electronic resources, and materials in other formats.
- Creates and uses appropriate collection development policies to maintain a suitable collection of resources for the firm.
- Creates and selects catalog records ensuring access to firm resources.
- Maintains library catalog.
- Maximizes space utilization.
- Tracks MCLE compliance.
- Routes newspapers and periodicals.
- Prepares and analyzes library reports and statistics.

Provide to management:

- Statistics on collection size, number of titles routed, number of attorneys/staff receiving routing services, number of hits on library intranet site, number of intranet research sites maintained.
- Library annual report.
- *Competencies of Law Librarianship* (AALL web site)
<http://www.aallnet.org/prodev/competencies.asp>.

Q5. Our attorneys do their own research. What can a librarian add?

Key points: *A professional law librarian:*

- Provides skilled and customized reference services on legal and non-legal topics.
- Uses latest technologies to deliver information, including email reference service, chat, instant messaging, blogs, handhelds and other mobile devices.
- Tracks legislative bills (federal and/or state).
- Provides electronic access to court and government web sites.
- Borrows and lends library resources through interlibrary networks.
- Manages all or part of the content on the firm's intranet. Provides major web content.
- Creates/publishes electronic newsletter(s).

Provide to management:

- Concrete examples of research successes.
- Statistics on interlibrary loans.
- Statistics on number of hits on library intranet site, number of intranet research sites maintained.
- Statistics on number of bills tracked, legislative histories provided, etc.
- Library annual report.

Q6. What financial expertise can a librarian provide?

Key points: *A professional law librarian:*

- Prepares and controls the library budget. She or he is familiar with a variety of budgeting techniques to match the firm's policies and procedures.
- Equates expenses with overall firm strategy.
- Tracks billable time and disbursement billings.
- Conducts credit checks according to federal and state standards.
- Provides and monitors cost recovery services for use of online services.

Provide to management:

- Statistics on titles canceled and dollars saved.
- Online cost recovery statistics.
- Billable librarian time.
- Price indexes.
- Library annual report.

Q7. How can a librarian help with marketing and business development?

Key points: *A professional law librarian:*

- Performs confidential research on new clients, new employees, mergers and acquisitions, and other new ventures.
- Performs competitive intelligence.
- Identifies potential clients/cross-selling opportunities.
- Performs marketing and complex contract/business development research.

Provide to management:

- Examples of marketing research.
- Statistics on number of marketing/business development research requests.
- Library annual report.

Q8. How can a librarian help with education in the firm?

Key points: *A professional law librarian:*

- Trains and provides guidance for attorneys, summer associates, new associates, and legal staff on legal and non-legal research resources including print, online services, and the Internet.
- Knows and applies the principles of adult learning.
- Collaborates with others to create a learning environment.
- Supports e-learning by developing materials and facilitating self-learning.
- Effectively teaches attorneys and staff with differing needs and technological skill levels.
- Creates research guides, bibliographies, pathfinders, handouts, and training materials.
- Promotes the effective use of new technologies for the retrieval of information.
- Develops and teaches accredited MCLE classes.

Provide to management:

- Number of attorneys/staff trained per week/month/year.
- Copies of training materials and research guides.
- Library annual report.
- *Competencies of Law Librarianship* (AALL web site)
<http://www.aallnet.org/prodev/competencies.asp>.

Q9. If we have all the information online, why do we need a professional law librarian?

Key points:

- All needed information is not online. Much information is neither readily available nor readily usable online.
- Not all the information available online is accurate, reliable, or current.
- Online information is easy to misinterpret and use incorrectly. It is often difficult to use online information well.
- Librarians locate information more quickly and cost-effectively than non-professionals.
- Government information is being removed from online sources. Federal agencies are increasingly using Sensitive But Unclassified (SBU) designations to withhold information and restrict public access to information, even though that information may be available in print.
See <http://www.abanet.org/adminlaw/midyear/2006/112%5B1%5D.pdf>.
- Librarians have specialized knowledge of and can critically evaluate and filter information resources, including evaluating the quality, authenticity, accuracy, and cost of online content.
- Online information is not necessarily the quickest or most cost-effective way to retrieve information.

- Librarians ensure that the firm maintains the proper mix of subscriptions in print, electronic, and other formats.
- Librarians provide excellent instruction to attorneys and staff on online resources and cost-effective research.
- Librarians routinely monitor information and technology trends and evaluate and select relevant and useful resources for the firm.
- Computers are not as reliable as books. Books don't crash.
- It is easier to see relationships, particularly in statutory research, when using books.
- "Browsing in a book yields ideas or references that lead to new or different theories."³
- Attorneys don't have time to do all of their own research, serve existing clients, meet mandatory continuing education requirements, contribute to their profession, serve their community, and develop new business.
- When we eliminate books, we eliminate a huge avenue for finding important, relevant law. A print index or digest is often the best resource for finding key terms.

Provide to management:

- Summary of library activity unrelated to online services.
- Consequences of relying on online sources only, e.g., Johns Hopkins death reported at: <http://www.infotoday.com/newsbreaks/nb010806-1.htm> and also at <http://libraryjournal.reviewsnews.com/index.asp?layout=article&articleid=CA152780>
 - Flatow, Ira. "Clinical human trials and how they should be conducted." National Public Radio (NPR), Talk of the Nation/Science Friday (2:00 PM ET) - NPR, September 7, 2001.
 - "The need to tighten research oversight; Hopkins study: Outside panel finds institutional fault, but sees hope for new national model." *The Baltimore Sun*, September 1, 2001 Saturday, Final Edition, Pg. 12A.
 - Pelton, Tom. "Experts fault study review at Hopkins; Oversight system 'grossly inadequate' to ensure safety; Volunteers may feel coerced; But panel lauds effort to remedy flaws after asthma study death." *The Baltimore Sun*, August 30, 2001, Final Edition, Pg. 1A.
 - Quint, Barbara. "The Blame Game." *Searcher*, Vol. 9, No. 9, Pg. 6, October 1, 2001.
 - Rogers, Michael and Norman Oder. "Could Librarians' Help Have Prevented Hopkins Tragedy?; University investigates and plans to implement a literature search standard via an appointed committee." *Library Journal*, September 01, 2001, Pg. 16.
- Examples of legal materials that are not online may include:
 - Early legislative history materials, older bar directories, older reference materials such as the PDR (Physicians Desk Reference), city directories, older statutes, city/county codes, and standards of all kinds.
 - Some treatises and journals.
 - Reports in advance sheets such as *In Re Oregon Bar Examinations* by Chief Justice James T. Brand in the print Oregon Advance Sheets, Vol. 54, No. 11, dated April 10, 1952. (This report on bar examinations is not online anywhere.)
- Examples of materials available in several different formats.

³ Kester, Randall B., "Ex Libris." *Oregon State Bar Bulletin*, June 2003, pp. 33-36.

Q10. Why is our ratio of librarians to attorneys so much higher than firm X?

Key points (*customize these to your individual firm*):

- Firm X is understaffed.
- Our firm is ahead of firm X when it comes to obtaining the best quality information resources and keeping them current.
- Our firm's business focuses on practice areas, such as intellectual property, which require more research expertise than firm X.
- Our firm has more practice areas and niche practices than firm X.
- Our library is run efficiently and effectively. Our librarians bill X percent of their time each month, and generate income from our library services.
- Our staff has additional information responsibilities. They manage the firm's intranet, handle records management, case conflicts, work product databases, client development research, monitor MCLE compliance.

Provide to management:

- Statistics on law library activity in various practice areas.
- Weekly/monthly library activity report.
- Time billed and income generated.
- Cost recovery for online services statistics.
- Accolades from attorneys and staff.
- Library annual report.
- Library business plan.
- Survey data that may support staffing ratio (AALL, SLA, etc.)

Q11. Do we need all the support staff?

Key points:

- Support staff keeps the library well-organized and handle necessary routine work, such as reshelving and routing material, preparing and inserting book pockets and cards and/or RFID tags, bar codes. etc., labeling library materials, and inventory control. Such regular maintenance ensures that the library is always ready for use by attorneys and other legal staff.
- Support staff handles basic administrative library functions such as tracking expenses and coordinating interlibrary loans, freeing librarian time to work on complex reference questions and overall information management.
- Support staff maintains databases and performs data entry, verify and update URLs, and similar computer related tasks.

Provide to management:

- Statistics quantifying volumes reshelved, items routed, mail received, books repaired, pages photocopied or digitized, titles cataloged and/or bar coded/RFID tagged, obsolete titles removed from catalog, etc.

Q12. What do you think about outsourcing?

Key points:

- Selective outsourcing, when properly managed, can benefit libraries and firms.
- Outsourcing doesn't meet the rapid response requirements of our firm.
- Outsource staff may not maintain the level of confidentiality required by our firm.
- Outsourced staff may not be committed to our law firm's goals.
- One option may be to outsource non-core services.
- We currently outsource _____.

Some examples of library tasks that we currently outsource:

- Shelving and filing.
- Cataloging.
- Research.
- Vendor contracts.
- Data entry.
- Primary research when anonymity is required.

Provide to management:

- Articles on outsourcing from the bibliography.
- Statistics on the broad range of tasks handled by the library staff.

Q13. You do such a good job, why do you have to participate in local and national association activities, attend continuing education seminars, and attend the AALL Annual Meeting?

Key points:

- All professionals, including librarians and attorneys, require continuing education to keep current in the profession and maintain contact with fellow professionals.
- Association and Continuing Education (CE) activities help me keep up with new developments, tools, and opportunities for the firm.
- Association activities keep me abreast/ahead of the competition.
- Association activities invigorate me and give me practice in skills that I need.
- Contacts made through association meetings expand the network of resources available to the firm.
- Training is an investment in the future of the firm.
- Association and CE activities promote new ideas for more effective service.
- Continuing education is an ongoing process that consists of many hours of advanced and specialized training, reading, practice, and interaction with other professionals.

Provide to management:

- Examples of what you've recently learned from AALL or other programs and how it has benefited the firm. For example, new intranet teaching techniques, new resources added to intranet or library collection.
- AALL membership brochure.
- Chart of items borrowed through interlibrary loan.
- Program and summary of a recent educational seminar attended by the staff.

Q14. How do our costs compare with other firms our size?

Key points:

- As every firm is different, rather than comparing our costs with other firms, it's best to evaluate how our library is meeting our firm's needs.
- Best practice benchmarking leads to superior performance.
- Last year's user survey found (positive results), and we have done (x, y, z examples) to meet needs raised in the survey.

Provide to management:

- User survey results.
- Library cost-containment efforts.
- Library objectives set and met.
- List of titles canceled, including per item cost savings.

Q15. Why are our library costs higher than other firms' costs?

Key points:

- Our costs are different from other firms because our firm is different. Some areas that typically affect costs are:
 - practice areas (material costs are higher for a litigation or intellectual property practice than for an estate planning practice)
 - number of libraries
 - multiple copies of core materials
 - library control (or others' control) of library budgets
 - differences in budget specifics (e.g., one firm's library budget might include rent and utilities, while another wouldn't)
 - copyright licenses
- We control library expenses, using various cost containment efforts including (quarterly budget reviews, contracts with online services, annual usage analysis of resources, and elimination of resources not needed).
- We save the firm money by negotiating price agreements with electronic online vendors and training attorneys on using electronic databases.

Provide to management:

- Detailed budget to explain differences between your firm and others. Some firms include marketing and business development, directory listings, specific products such as *Market Intelligence* or *Firm 360* costs in the library budget; others do not. Make sure you're comparing apples to apples not apples to oranges.
- Examples of cost savings by library.
- List of titles (and services) canceled, including per item cost.
- Number of hard to find/out-of-print materials obtained.
- Library goals set and met.

Q16. How can I cut 25% of the library budget?

Key points:

- It will be impossible to cut 25 percent of the library budget and still offer the same level of service and resources.
- Eliminate one of the more expensive practice groups. Library expenses are directly related to practice group needs.
- Cut attorney office copies of library materials.
- Eliminate print case reporters.
- Eliminate redundancy between electronic and paper formats.
- Plan ahead; minimize rush projects, which incur additional charges.
- Reduce or cancel Martindale-Hubbell (and other directory) listings (if these come from the library budget).

Provide to management:

- Analysis of library statistics regarding usage of CD-ROM, online, and print resources.
- Analysis of library budgets over time.
- Analysis of library profitability and productivity over time.
- Proposed library budget, including backup for why budgets need to increase.

Q17. What happens if you don't get an increase in the library budget?

Key points:

- Because the price of law materials increases every year, if the library budget does not also increase, the library will have to purchase fewer new materials, cancel some current awareness services, and cancel other resources.
- Because of (specific) changes and growth in our firm, we actually recommend increasing the library budget so that attorneys will have the resources they need to do a better job for clients.

Provide to management:

- Specific cost-cutting tactics used by the library.
- Examples of successes in library cost cutting.
- Price indexes for legal periodicals.
- Charts and articles from library journals discussing price increases.

Q18. Why isn't technology saving us money?

Key points:

- Technology is expensive. Laborsaving technology is a labor-intensive enterprise.
- Technology makes information available, but not necessarily at any lower cost.
- Technology increases productivity. It allows us to find more information faster and to use specialized services. Staff levels have not changed (or have decreased) and we are handling more complex reference questions in less time.
- Staff levels have not changed (or have decreased) and we have more responsibility for _____ (fill in the blank with MCLE training/tracking, marketing/business)

development, bill tracking, other responsibilities as appropriate) than we did X years ago.

- Legal publishers, producing new electronic resources charge a premium for these more convenient formats.
- Cost for data, regardless of format, continues to rise.

Provide to management:

- Library spending on various types of information and their formats.
- A list of the various technologies used throughout the firm.

Q19. Do we need fixed price or long-term contracts with all of our online vendors?

Key points:

- Fixed price contracts allow us to turn information into overhead rather than have unpredictable, per search costs.
- Long-term contracts smooth out price fluctuations.
- Long-term business relationships with our vendors save costs for both the firm and our clients.

Provide to management:

- Cost of online services over the years.
- Results of user surveys that assess the value of online services to firm attorneys.

Q20. What other added value does a law librarian provide?

Key points:

- Confidentiality – The law firm library is a sanctuary where attorneys can gather and discuss cases. Law librarians listen, provide effective research strategies, and provide background information on individuals and corporations for background checks, prospective clients, and litigation.
- Trust – The law librarian can be trusted to handle questions discreetly, efficiently, and cost-effectively.
- Loyalty – The law librarian is steadfast, faithful, and loyal to the law firm.
- Institutional memory – The law librarian is the one person knowledgeable of past and current research projects. The law librarian has an understanding of the history and values of the firm, knowledge of the partners, attorneys, and staff. Law librarians often play the role of advisor to nervous law clerks and young associates who ask questions they would never ask of a partner.

- Analysis –The law librarian evaluates of the cost of electronic vs. print, physical library space vs. virtual/digital library, irrelevant vs. substantial resources.
- “A professionally trained librarian with years of service in a law firm can ultimately become one of the most effective law firm managers in contributing to the profitability of the firm.”⁴

Provide to management:

- Discreet examples of the above.

⁴ Casey-Cohen, Lorna. “Significance of Law Library Value-Added Services in the 1990s Law Firm.” *Llr.com*, <http://www.llrx.com/features/lorna.htm>, February 14, 1997.