

## Library School and Legal Bibliographies

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**SUMMARY.** Legal bibliographies are among the most useful tools of the law librarian. As with any tool, however, these materials must be discovered and their importance recognized before they can be used successfully. How does the beginning law librarian learn about major bibliographic titles: in the classroom, on the job, by happenstance? One would anticipate that the University of Washington, which offers one of the nation's leading programs for the training of law librarians, would provide training in these materials. The author reviews her own experiences with legal bibliographies as a student in the program, as the director of the program, and as a library employee.

I have been asked to explore the extent to which legal bibliographies are surveyed in courses taught as part of the law librarianship program at the University of Washington's Graduate School of Library and Information Science. This nationally known program started in 1939 as the brainchild of Dr. Arthur S. Beardsley, the head Law Librarian at the University of Washington. It was conceived as a program to train lawyers in librarianship for roles as academic law library directors.<sup>1</sup> Edgar Bodenheimer and Elizabeth R. Wilkins were the program's first graduates in 1940. Marian Gallagher became the program's director in 1944 when she returned to the University of Washington to replace Dr. Beardsley. Professor Gallagher taught at least three law librarianship courses each year, as well as advising and placing 81 graduates of the program between 1948 and 1981. An additional twelve students graduated be-

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tween 1982 and 1985 under the guidance of Professor Bob Berring, Wes Cochran, and Emeritus Professor Gallagher. Since 1985, I have directed the program which has seen an additional twelve graduates added to the law librarianship profession.

Throughout its 50-year history, the program has comprised three and sometimes four specialized courses in law librarianship in addition to a fieldwork component.<sup>2</sup> The three courses which have been the program's core are Advanced Legal Bibliography, Selection and Processing of Law Library Materials, and Law Library Administration.<sup>3</sup>

My participation in this symposium required giving some thought to what librarians actually learn in library school about the old and new legal bibliographies of our profession. Since I attended the law librarianship program at the University of Washington in 1975/76, I will share my own experiences in order to describe the program as it was at that time and to explore the coverage of legal bibliographies in the classes.<sup>4</sup> In order to give focus to my recollections, I thought I would consider when, if at all, the following legal bibliographies were discussed in any of my law librarianship classes or, if not encountered at that time, when I did learn of them:

Marke, Julius, *A Catalogue of the Law Collection at New York University with Selected Annotations* (1953).

*Catalogue of the Library of the Law School of Harvard University* (1909).

*AALS Law Books Recommended for Libraries*, Fred B. Rothman (1967) and its successors.

*A Legal Bibliography of the British Commonwealth*, Sweet & Maxwell (1964) and its predecessors and successors.

*Current Publications in Legal and Related Fields*, Fred B. Rothman (monthly with annual cumulations).

*Pimsleur's Checklists of Basic American Legal Publications*, Fred B. Rothman (1962 with supplements).

Price & Bitner, *Effective Legal Research*, Little, Brown (1953); reprinted by Fred B. Rothman & Co. (1969).

Although clearly not a comprehensive list, these titles represent a cross section of the various types of legal bibliographies available in most law libraries.

I enrolled in the University of Washington's Graduate School of Library and Information Science in 1975 and became part of Mrs. Gallagher's law librarianship program. In addition to 30 hours of classes in the regular library school program, we took three law librarianship classes from Mrs. Gallagher and were required to do a month of fieldwork in another law library. Students enrolled in the first specialized course, *Advanced Legal Bibliography*, revised the law library's *Legal Research Guide* each year. This guide, similar to the ones published at Michigan and other law libraries, provided a detailed orientation to the facility and collection with specific information about the significant legal materials in the library. Library users found this guide a handy substitute for the commercial legal research texts since it was brief and guided one to the exact location of the material. The section of the *Guide* assigned to a student determined the extent that one became an expert on a given title or topic. Thus, I assume some students learned more about reference tools and legal bibliographies in the *Advanced Legal Bibliography* course than did others. My own indoctrination into the *CFR* and the *Federal Register* was comprehensive!

The second law librarianship class was a four-credit course on *Selection and Processing of Law Library Materials*. This was basically a technical services course with emphasis on specialized collection development and acquisitions. The project for this course required that we allocate a sum of money to purchase books for the law library. A student was to select a field, and then proceed through the phases of the acquisitions routine from pre-order searching to receipt and payment of the invoices. Although there was some exposure in class to the standard legal bibliographies for contemporary titles, the project involved little work with older materials. Selection and purchase of newly published monographs was really the project goal, so publishers' brochures and catalogs, as well as *Current Publications in Legal and Related Fields* and *Law Books in Print* were regularly consulted. The rest of the course was

spent examining issues relating to serials, cataloging, classification and budgets.

The final law librarianship class was Law Library Administration. The course focused on library organization, management of projects and people, space planning, budget and facilities. Again, individual students may have had some more exposure to legal bibliographies, but I cannot remember using any of the standard titles for my course paper.

As I look back, I know that I learned a great deal in the law librarianship classes that was valuable and helpful. I was so interested in, and wanted to know more about, law libraries that these specialized classes gave me a framework within which to apply the more general library classes. Except for the selection class, however, I do not remember much discussion of legal bibliographies in the law librarianship classwork.

The law librarianship program required a fieldwork experience, just as it does now. I had the opportunity to go to the Harvard Law Library. While being introduced to their complex library, my project was to help determine the feasibility of microfilming their extensive serial collections of state documents on the topics of banks and banking, public utilities and taxation. I identified no published bibliographies at the time which could assist me in this project. Harvard's collection itself was the bibliography. My preliminary work was eventually used to undertake the filming of these documents. My exposure to published legal bibliographies during this phase of my educational experience did not really increase. However, my appreciation for the role these tools play in the identification and use of law library collections was greatly enhanced.

While I might have had limited exposure to legal bibliographies through my regular classwork, I did encounter them in other settings at the time. Many of the law librarianship students worked in the law library while going to library school, and I was no exception. I remember vividly one special project: I was asked to check the law library's collection of state session laws against the Pimsleur checklist — a dreadful task even with the checklist! I don't believe I ever completed checking all 50 states. This project was undertaken so the materials could be organized in chronological order, so the

session laws could be physically separated from the codifications of the state laws, and so gaps in coverage could be identified for later acquisition. Without Pimsleur, the project would have been impossible.

On reflection, my classroom education in the law librarianship program gave me some small exposure to legal bibliographies. My work assignments opened the doors a bit wider, but certainly gave me no comprehensive introduction to legal bibliographies. If I could claim to have a comprehensive working knowledge of the major legal bibliographies aforementioned, that knowledge for the most part came from my work as a Serials Librarian *before* I went to library school.

As a law student at Northwestern School of Law of Lewis and Clark College, I began to work in the law library at the time the library was working toward ABA and AALS accreditation. Eventually, I became the full-time Serials Librarian, spending hours sorting, unpacking, ordering, packing, returning, recording and organizing thousands of legal serial volumes—periodicals, reporters, session laws and so on. Because the accreditation standards have a penchant for complete sets, I spent hours pouring over Price and Bitner's *Effective Legal Research* (1953 edition), with its comprehensive appendices of American Law Reports and Digests, Anglo-American Periodicals and British and Canadian materials.

Adding needed titles to the law library's fast-growing collection at that time (1972-73) was often a matter of identifying the connections between publications in hand which seemed to have no relationship whatsoever. For example, if you want a complete run of the *University of Pennsylvania Law Review*, you must discover that the first 55 volumes are titled the *American Law Register*.<sup>5</sup> Similarly, if you need a complete set of the reporters prior to the National Reporter System for the state of North Carolina and you need to arrange them somehow on the shelf, you must discover that a volume marked *Devereux & Battle's Equity Reports*, volume 2, is really volume 22 of the *North Carolina Reports*.<sup>6</sup>

Older legal bibliographies were often used as checklists for library holdings before law libraries began to catalog their collections. I followed this practice by updating and heavily annotating

the library's copy of the 1953 edition of Price and Bitner as I made my way through it, state by state and periodical by periodical. Without bibliographies like Price and Bitner, comprehensive identification, acquisition and arrangement of reports and periodicals would have been impossible in the days before online bibliographic databases (and perhaps even with them!). Obviously, the 1953 edition of the Price and Bitner volume was dated, even in 1972. However, since much of what we collect in law libraries is old, the volume answered hundreds of questions for this inexperienced, uninitiated neophyte.

As the library began to acquire state attorney general's opinions and state session laws, *Pimsleur's Checklists of Basic American Legal Publications* became a necessity and was used for a long time as the checklist for these primary legal materials. For receipt of current serials, our collection was regularly checked against the "Checklist of Current State, Federal and Canadian Publications" section of Rothman's *Current Publications in Legal and Related Fields*.

Though I was not heavily involved in the acquisition of monographs in my position at Lewis and Clark, I also came to know and refer to the NYU Catalog (*A Catalogue of the Law Collection at New York University with Selected Annotations*, compiled and edited by Julius Marke [1953]), the Harvard Catalog (*Catalogue of the Library of the Law School of Harvard University* [1909]), the *AALS Law Books Recommended for Libraries* (and its successors), and *A Legal Bibliography of the British Commonwealth* (Sweet & Maxwell [1964]). These sets were particularly useful for making acquisitions decisions for older monographs and treatises needed by the new law libraries of the 1970s. Reprinted titles and donations of books were checked routinely using these bibliographies to determine whether the books should be added to or purchased for the collection.

Northwestern School of Law of Lewis and Clark College was granted full ABA and AALS accreditation in 1973. I graduated in 1975 and went on to library school. As I look back, my work experience was particularly instructive. I learned a great deal about primary legal materials and the historical publishing patterns of legal materials generally. Because of my familiarity with these various

bibliographies, I used them heavily in my reference and law review work, not just in serials acquisitions. I could identify abbreviations, specific references, and, more importantly, I could see how a particular work fit into the greater scheme of published legal material. The comprehensiveness of these legal bibliographies, particularly those emphasizing serial titles, was essential to their usefulness. Annotations were less important for most of my work.

My exposure to legal bibliographies while working at Lewis and Clark may have reduced the novelty of these works in my eyes so that my classroom exposure is recollected with limited accuracy. However, I would guess that more exposure to legal bibliographies of all kinds occurred at the University of Washington in the law librarianship program than in most library schools.

Sixty-seven percent of library schools now claim to offer at least one course in law librarianship or legal bibliography. This compared to only 34% in 1974.<sup>7</sup> Though I have not examined course syllabi for all of these courses, probably few teach anything except basic legal material with some exposure to WESTLAW and LEXIS. I know Washington's introductory course (Introduction to Legal Bibliography), now required of all law librarianship students, includes no reference to any of the legal bibliographies mentioned. A three- or four-credit class simply does not leave time for much exposure to the NYU and Harvard Catalogs, Pimsleur, or the 1953 edition of Price and Bitner. If the information found in standard legal research textbooks regarding legal bibliographies is examined, it would seem that others also believe that limited detail concerning these titles is possible in such a course. For example, no mention of Pimsleur's checklist of session laws could be found in Cohen and Berring, *How to Find the Law*, 8th ed., Jacobstein and Mersky, *Fundamentals of Legal Research*, 1987 ed., or Price, Bitner and Bysiewicz, *Effective Legal Research*, 4th ed. Even without the added material, one rarely has sufficient time in legal bibliography courses to cover in detail the information from these texts.

If these legal bibliographies are not covered systematically in basic legal bibliography classes, perhaps coverage is left to Advanced Legal Bibliography classes in library school. In fact, only four library schools (including the University of Washington) teach such a course. The Advanced class at the University of Washington in-

cludes actual reference work, compilation of legislative histories, use of looseleaf services, work with CALR and preparation of library user guides. Legal bibliographies are not examined here either. I presume other teachers of advanced legal research may skip reference to these tools as well. Likewise, the current Law Library Administration course here at the University of Washington does not include information about the use of the standard legal bibliographies. Only five other library schools could be identified as having such a course.

A specialized technical services course is the setting most likely to include education about legal bibliographic tools. Only one other library school is said to offer such a course besides the University of Washington—and I am told that it has not been taught there in years. Currently, at the University of Washington, some exposure to these legal bibliographies occurs when the class works on collection development and acquisitions.

The real introduction to legal bibliographies probably occurs, if at all, in the students' fieldwork experience or in their work experience before, after or during library school. It is a good guess that few, if any, of the courses in library school aimed at training law librarians spend any significant time covering legal bibliographic tools.

Are we going to be satisfied with this state of affairs? Is it enough to hope that law librarians learn about these reference works on the job? Even if I decide to educate my students about these bibliographies, is a standard "search and destroy" library school problem effective? And before I teach my students about Pimsleur and the 1953 edition of Price and Bitner, don't I need to learn whether other more current tools (bibliographic databases, new editions of legal bibliographic textbooks, and so on)<sup>8</sup> would answer those questions more accurately and more efficiently?

We are all prisoners of the legal tools we learned to use or of the resources we did not learn about. Updating a working knowledge of WESTLAW and LEXIS is crucial to our ability to select a system and search effectively for an answer. So, too, continuously updating our knowledge of manual legal resources (looseleaves, texts, treatises, digests, ALR, periodicals, reference books) must be integrated with our knowledge of CALR in order to find answers



quickly and effectively. But it is not enough to simply know how to use the new tools. Can a researcher identify the actual existence of a particular volume of state session laws without using Pimsleur? Will the bibliographic record on the RLIN database identify the connection between *American Decisions*, *American Reports*, and *American State Reports*, the so-called Trinity Series? Is there a current equivalent to Appendix I of the 1953 edition of Price and Bitner: "American Law Reports and Digests?" It is only traditional sources that provide this information, and we must determine how the older legal bibliographic resources can be integrated with the resources of today and tomorrow.

After thinking through my assignment for this symposium, I am reevaluating the role legal bibliographies play in the law librarianship courses in the University of Washington program. I have 14 hours of classes under my control—surely legal bibliographies belong in there somewhere! I am going to find their place. Whether you teach a law librarianship course, or merely consider the qualifications for employing law librarians, you can challenge the status quo. What are you going to do about it?

#### NOTES

1. Although most of the graduates still go into academic jobs, the courses in the program do not limit themselves to coverage of academic interests only. The fact that all students admitted to the program must have a law degree may have something to do with high academic placement.

2. Historical descriptions of the University of Washington law librarianship program can be found in Gallagher, *The Law Librarianship Course at the University of Washington*, 5 J. LEG. EDUC. 537-539 (1953); Gallagher, *Law Librarianship Training at the University of Washington*, 55 LAW LIBR. J. 216-219 (1962); AALL COMMITTEE ON RECRUITMENT, ANNOTATED RECRUITMENT CHECKLIST (1962, 1965 Rev., 1969 Rev., 1974 Rev.). Current information can be found in the Bulletin of the Graduate School of Library and Information Science of the University of Washington.

3. Currently, a fourth course is required of all students in the program: Introduction to Legal Bibliography.

4. As with any attempt to remember what you learned or participated in 14 years ago, my recollections may be very "selective." It is, of course, quite possible that I learned more about legal bibliographies than I remember. It should be noted that this recollection, then, is student remembrance—not taken from Mrs. Gallagher's course goals and objectives. My apologies, Mrs. G. . . .

5. M. PRICE & H. BITNER, EFFECTIVE LEGAL RESEARCH 496 (1953).
6. *Id.* at 400.
7. AALL RECRUITMENT COMMITTEE, ANNOTATED RECRUITMENT CHECKLIST (1974 Rev.).
8. Though I have some opinions about this subject, others in this symposium have been asked to comment directly on this issue.