Chapter 5
Personnel

ABSTRACT

Until the mid-1900s information explosion inundated legal researchers, legal professionals saw little need for law librarians, preferring instead to rely on the uneducated caretaker, the law student, or the under employed lawyer to oversee their libraries. As legal research evolved into a broader process that required one to sort through a rapidly growing influx of legal and non-legal information from the social sciences, sciences, and statistics, law firms began hiring librarians to corral, collect, sort, manage, and organize the increasing quantity of information. As databases developed and attorneys became more and more consumed with income generating activities, private law librarians came to be recognized as the search, research, and resource experts. Unfortunately, public law librarians were not as lucky. In the public law library world, the position of librarian continued to be filled by under employed attorneys or untrained individuals who were often treated as facility caretakers, janitors, housekeepers, or the governing authority's secretary, clerk, administrative assistant, or "Girl Friday." This chapter discusses the widely varied job descriptions, staffing options, training, and levels of professionalism within the public law library field. It will also present the dual degree and certification debate, the use of temporary and unpaid assistants, and review some approaches to changing the position over time to create a less clerical, more professional position.

OVERVIEW

While the majority of today's private law librarians have the professional degree and are recognized as professionals that is not the case for the majority of public law librarians. Many public law libraries'

parent organizations and governing authorities still fail to see the value of the professional law librarian; opting instead to maintain the historical status quo and take the "we've always done it this way" stance. The reasons for this attitude are complex but include the human being's love of tradition

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and the profession's lack of a clear definition, identity and visible positive professional image. According to Carson (Carson, 1997, para. 5), the Oxford English Dictionary defines Librarian as "…1) A scribe, copyist; 2) The keeper or custodian of a library; 3) a dealer in books." Robert Berring (2007, pp. 1-2) attempted to define law librarianship only to conclude that there is no dispute-proof definition of the phrase "law librarian." Berring goes on to point out that people variously define a law librarian as anyone who works with legal materials, anyone who works in a law library, or a person with a professional degree who works solely with legal resources. Brock (1974, p. 353) also attempted, unsuccessfully, to define the phrase "law librarian," and ultimately concluded that the profession's failure to establish a single definition of law librarian as a person who holds the MLS degree has lead to considerable confusion and the profession's inability to define and identify itself.

The overall image problem experienced by librarianship as a profession is one component of the public law librarian's professional status. Not only do people not know what a librarian does but there is a tendency to see the librarian as the quiet, meek, easily bullied Girl Friday who lives to serve by following specific orders from a higher, often unspecified, authority figure such as the library board, library committee, county supervisors, local judges, public library director, bar association members, etc.

Public relations and marketing have a major impact on public law library staffing expectations, requirements and qualifications, as well as the library's image as viewed by the library's various communities. Some law librarian image obstacles can be traced to the traditional attorney education emphasis, lack of professional library training, politics, low salaries, library governance and organization, and lack of layperson education. The governing authority's failure to recognize the importance of adequate funding, hiring a qualified librarian and publicizing the library's availability

to its intended constituents compounds the problem. Any one of these reasons is enough to keep the majority of public law librarians in the traditional pattern of the facility caretaker and limit the public law library's growth and development. It also does not help that members of the governing authority or parent organization are uneducated in the value of the professional librarian. Those with the skills to offer the necessary education, such as professional associations, area librarians, and local private law librarians, fail to educate the individuals responsible for the public law library's existence and operations. This trend is evident in the widely varying job descriptions tied to the position title Law Librarian. While education, beginning with the library's governing authority or parent organization, is a key component to changing this poor view of the public law librarian, it is only one part of the process. The lack of a firm definition of the phrase law librarian means that each public law librarian needs to create a working definition that the library's communities can understand.

STAFFING AND LIBRARY GOVERNANCE

Many states fail to address appropriate qualifications for the position of public law librarian; instead substituting general statements such as those appearing in the Mississippi, Alabama, and Delaware state codes. According to Miss. Code Ann. § 19-7-31 (2010), a library's board "may… employ a suitable person as librarian…." A second statute assigns the title "County Librarian" to the Sheriff (Miss. Code Ann. § 19-25-65, 2010), making the Sheriff responsible for maintaining "…the Mississippi Department Reports, census reports, statutes of the state, the 'Mississippi Reports,' digests, and legislative journals assigned to his county in a suitable and safe bookcase in the courtroom of the courthouse." An Alabama

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