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# *Trends*

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*Edited by Philip C. Berwick ♦ For academic, firm, corporate, and government law librarians*

# The University of St. Thomas Law Library: A New Library for a New Era in Legal Education

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## The Situation

In spring 2000, the University of St. Thomas in St. Paul/Minneapolis, Minnesota, offered me an intriguing challenge: Would I be willing to help create a brand new law library at St. Thomas' new School of Law? That opportunity was, in many ways, the ultimate chance to reconsider the fundamental underlying premises that form one's basic vision of a law library. One's understanding and thinking about these basic ideas forms the foundation on which one makes critical decisions about the law library every working day. What would it be like to have no past history to either inform or encumber those decisions? I accepted this challenge eagerly.

I was particularly drawn to the faith-based nature of the University of St. Thomas, and also its goal to aggressively address skills training in a comprehensive manner across the curriculum. The vision of this new law school is to incorporate a discussion of how spirituality and religious views can inform and support one's moral choices that are at the core of the ethical principles that exist throughout our legal system. The foundation of skills training would be a three semester course titled "Lawyering Skills," an interdisciplinary clinic, a robust mentoring program covering all three years of legal education, and a commitment to hire faculty with practice experience dedicated to incorporating skills training into their doctrinal courses.

The St. Thomas mentor program was fashioned to create an inter-generational conversation between each student and a lawyer or judge starting with the student's first semester. By establishing such a relationship with a mentor, each student receives an opportunity to see lawyers working in their everyday environment. One result of this relationship is to acquaint the student with the necessary skills that a competent and dedicated professional must possess. How should one create a law library to support this endeavor and take advantage of the dynamic forces at work within the legal information industry?

In accepting this challenging new position, I was guided both by the spirit and specific requirement contained in standard 601 of the Standards for Approval of Law Schools of the American Bar Association's Section of Legal Education and Admissions to the Bar,<sup>1</sup> that the library should be "an active and responsive force in the educational life of the law school." To fulfill this requirement, I embarked on the first and most critical step, hiring a select team of talented individuals to tackle every aspect of this library's future. Hiring decisions are critical because the staff is the heart of a great library. Furthermore, I wanted to attract experienced librarians who could better assist me in fashioning a response to the broad range of crucial questions that must be answered in establishing a new library. The amount of the team's experience would directly correlate to the team's ability to fully grasp these questions and to take the greatest advantage of the opportunity at hand. This

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article addresses some crucial questions. Those questions are:

- ◆ What kind of building would we design and build?
- ◆ How would we gather and distribute the needed information resources to a new faculty and student body?
- ◆ How could we most effectively become a central force within the educational life of the institution?

The feasibility study for the University of St. Thomas envisioned class sizes beginning around 100 in the initial years and building towards 150 students per class at the end of the first decade. The full-time faculty for the first year of operation was set at eleven including the dean, associate dean, and law library director. Growth over the next ten years will increase the faculty size to more than thirty. These two factors will create an enviable student/faculty ratio, which should support the establishment of a sustainable and close-knit community of professionals. One of the goals of this community, of course, is to foster an intellectual climate that will support the scholarly endeavors of students, staff, and faculty.

### The Building

A fundamental challenge is to plan a library that will truly become the intellectual center of the school of law. Although this is an obvious goal for every academic law library, a critical scan of the current landscape of legal education reveals difficulties that exist in attaining this goal. Over the past fifteen years, a dominant theme in librarianship has been the movement towards a virtual library where traditional library users need no longer work within traditional physical library space with owned, tangible information sources such as books and microform-based information. Law students are no longer required to come into the library to access information needed to complete assignments or to satisfy their intellectual curiosity about issues raised in class. The students' desire to rely solely on electronic research is an established phenomenon. Furthermore, faculty use of the library staff and research assistants beyond the physical library is also an established pattern. Therefore, to be central to the intellectual activity of a law school, the library and staff must balance outreach activities that support use of information resources outside of the library with programs based upon activities happening within the physical library space.

Because of these trends, designing and building a completely traditional library makes little sense.

However, if learning and teaching the law is truly an endeavor requiring human interaction, then the challenge is to determine how to best address that continuing need within the context of new methods for delivering and dealing with information.

A model for the new library at St. Thomas was based upon the fundamental notion that education and research for the current generation of law students is built upon a more collaborative model than that of the past. Nearly every academic law librarian that I have talked to feels that a pressing physical space need at their library is for more group study rooms and areas for conversations about the challenging questions raised in the classroom or the research assignments that grow out of the curriculum.

Libraries have long been envisioned as quiet contemplative spaces where little noise is tolerated. The model for the previous century was to allow only a minority of space for sustained verbal interaction. Perhaps 20% or less of the library's physical space, primarily the reference and circulation areas, were allocated for noisy interplay between people. The remainder of the space was given over to housing the collection and seating for solitary engagement with primarily print resources. In the next generation, a substantially greater percentage of the library's space will become noisier.

What type of space, therefore, is needed for this more collaborative model? First, we decided to create a significant amount of group study room space. The project goal for the new library was to provide seating for 360 users. This figure represents seating for 80% of our projected student class size at the end of this decade. The planned St. Thomas library has twelve group study rooms with seating for up to eight students in each room. The ninety-six seats in the group study rooms constitute 27% of our overall seating plan.

Second, we planned a small signature reading room that memorializes the traditional core of the academic law library. This space will hopefully provide a quiet location for as many as forty users to pursue their quest for knowledge. Two features of the reading room will be a large bay window providing a view to the outside on one end, and a glass wall at the opposite end providing a glimpse both outward to the 9,000 square foot, four-story atrium at the center of the new law school and a glimpse inward for everyone within the atrium.

Third, a lounge and casual reading area bordered by the circulation desk and the reference room will be located close to the main entrance area into the library. Fourth, the main storage space for the collections will be housed on the top and bottom floors of the four-story library space with staff located on the

middle two floors. The school of law building is five stories with 158,500 gross square feet. The Law library constitutes 32% of the assignable square footage of the overall building. This is significantly different than the traditional benchmark of 50% of the law school space devoted to the library.

The project goal for shelving capacity for the law library was for a physical volume capacity of 250,000 volumes and microform storage for 250,000 volume-equivalents. Because the assembled collection during the first few years will not require the full project goal for shelving, the initial plan calls for a mixture of compact and conventional shelving with a capacity for 205,000 volumes. The additional capacity can be reached by converting the conventional shelving on the third floor of the building into compact shelving. The lower level of the new library will contain slightly more than 800 shelf units of compact shelving. With nearly 17,000 linear feet of shelving, this floor can house more than 100,000 volumes.<sup>2</sup> Capacity of this floor constitutes nearly one-half of the initial volume capacity of 205,000 volumes. Although a decade ago one might have been skeptical about the wisdom of shelving heavily used materials like periodical literature and reporters in compact shelving, the availability of these resources electronically has reduced my reluctance to place this material in compact shelving. The result is to preserve a greater percentage of the space for non-collection housing needs. Our periodical collection will be in print from 1980 forward with microform for the period from 1979 to the beginning of the set. We thought that this struck the proper balance of access between print, microform, and electronic retrieval.

### **Access to Information**

If staff is the heart of the library, the technical services staff creates the skeleton and foundation for a great library. Without efforts to organize, describe, and assimilate information, the staff would be inefficient and ineffective in assisting many patrons seeking answers to sophisticated and complex questions. If law libraries are going to fulfill their mission to be a vital force within the law school's intellectual life, the library staff must survive the current onslaught from those who would argue that all needed information is available electronically and patrons should not be required to enter the library physically or seek the assistance of trained librarians. Although editorial enhancements are significant in the case of LexisNexis, Westlaw, and a number of other electronic information providers, much Internet-based research is conducted through unfiltered and non-critical location tools.

For generations, law librarians have practiced the craft of selecting information resources and describing

those resources. Prior to the past decade, this exercise largely involved cataloging and displaying information about owned, physical assets housed within the library. In the current age, providing access to and training students about leased and freely available information over the Internet has been added to the requirement to provide access and training for owned information in print and micro-format. Librarians can be successful within the new era of electronic access to information by continuing to do what they have always done best, describing and creating paths to the most accurate and authoritative information.

The University of St. Thomas is working towards the use of the online catalog as the core tool for providing patrons with information about both owned and leased assets and free information available over the Internet. During our first eighteen months, we have focused on cataloging and classification of owned assets in a traditional context. The amount of time necessary to handle the initial influx of materials is substantial, and it should not be underestimated. Because our first year of operation was completely with a first-year curriculum, we concentrated on developing print resources largely to support the lawyering skills curricular focus on teaching primary and secondary research in print formats. We deferred certain purchases for the upper-level curriculum until the faculty had been hired and the courses for the second year were finalized. For instance, decisions about providing information to support tax, labor, intellectual property, trade regulation, and securities regulation research did not impact the first-year curriculum. To the extent possible, the staff is encouraging faculty in these areas to strongly consider electronic access, reducing the number of loose-leaf services that will be purchased for the collection and eliminating the transactional cost involved in checking in the material and filing the new releases.

When we have substantially completed the cataloging and classification of the initial materials, we will begin the process of dealing with Internet-based resources. Although we expect to have certain guides, bibliographies, and location tools available on the library's Web page, we want to use the catalog as the primary location for this information. Too many libraries are creating parallel tracks of information, one created by technical services librarians in the catalog and another by public services librarians on the Web page, split completely on grounds of ownership of the tangible medium containing the underlying information. This supports an increased reliance by many students on solely online information. The

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catalog is a successful tool with standards refined after years of study and use. It should not be minimized or rejected in this new era of electronic information access. Law librarians should continue to identify the most authoritative and best Internet resources for patrons and add these resource locations to the online catalog. Instruction in the use of the online catalog should be increased rather than neglected in the teaching of legal research skills.

### Formal Relationship to the Curriculum

To be an "active and responsive force" in a law school's intellectual life, the library needs a relationship with the formal curriculum. This can and should start with the legal research and writing program within the first-year curriculum. By exposing first-year students to the talent and helpfulness of the library staff, a bond is built between students and staff that can form the basis of a strong three- or four-year relationship. Although it is possible to build this relationship outside of the formal curriculum, classroom interaction is certainly a key factor in the intellectual vitality of the institution. Five members of the library staff at the University of St. Thomas have contributed instruction to the Lawyering Skills program.

In choosing the two research or reference librarians last spring, we considered the teaching ability of candidates as a hiring priority. Without this formal introduction to librarians, students will be much less likely to understand the skill level of the staff and to continue to seek them out as they move into the upper-level curriculum or begin to perform research assignments within a work context. We are also aggressively marketing the availability of librarians to assist faculty in teaching research methodology in all courses and to team with first-year faculty in selecting and assigning research tasks appropriate to the doctrinal issues raised in those courses.

### Conclusion

The creation of the University of St. Thomas Law Library provided an opportunity to reassess all of the underlying suppositions about the delivery of legal information and the space within the new building devoted to supporting that delivery. Within that context, the library staff seriously considered the steps necessary to insure that we are central to the educational and intellectual life of the new law school. The

planning for the building was guided by a desire for more collaborative space. Attaining this goal required balancing that interest with the amount of space needed for housing traditional print sources. Furthermore, the staff is committed to using the online catalog as the foundation to guiding users to authoritative and essential information. Finally, the staff believes that formal classroom involvement during the first year is a key factor in insuring that the library staff truly works in partnership with the faculty in delivering a legal education that produces competent and skilled professionals.

### Endnotes

1. American Bar Association, Section of Legal Education and Admissions to the Bar, Standards for Approval of Law Schools, 2001-2002. Also available online at <<http://www.abanet.org/legaled/standards/standards.html>>.

2. This calculation is based on six volumes per linear foot.

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