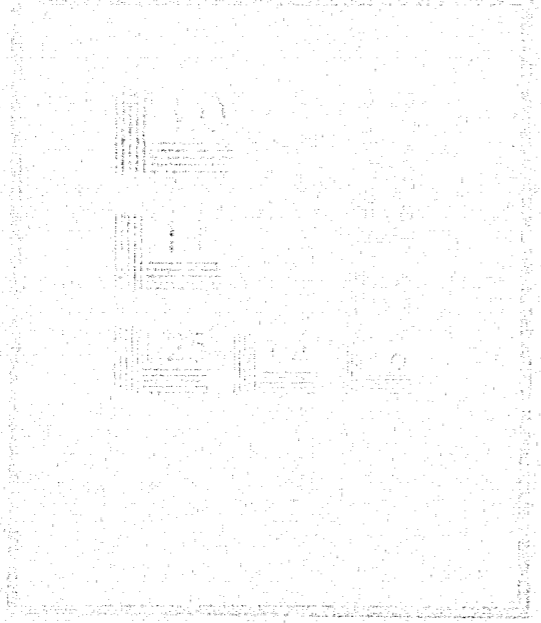


NCJRS

The information was presented from documents prepared for the use of the NCJRS data base. Since NCJRS cannot guarantee the accuracy of the information, the user assumes all responsibility for its use. The information is provided for informational purposes only and is not intended to be used for legal or other purposes.



The information was prepared by the U.S. Department of Justice, Office of Law Enforcement Assistance, National Criminal Justice Reference Service, Washington, D.C. 20531.

The views and opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U.S. Department of Justice.

U.S. DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE
WASHINGTON, D.C. 20531


6/30/77

11 med

39855

REVISED: 1977

THE AMERICAN UNIVERSITY



THE AMERICAN UNIVERSITY

Criminal Courts Technical Assistance Project
Institute for Studies in Justice and Social Behavior
The American University Law School
Washington, D.C.

REVIEW OF THE RESOURCES AND SERVICES OF THE
WEST VIRGINIA SUPREME COURT LAW LIBRARY

November 1974

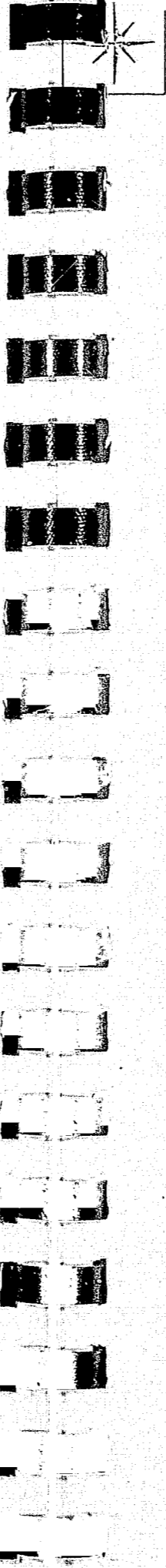
CONSULTANTS:

Donald L. Garbrecht
William E. Johnson
Hon. William C. Younger
National Center for State Courts:
David J. Halperin

CRIMINAL COURTS TECHNICAL ASSISTANCE PROJECT
The American University
2139 Wisconsin Avenue, N.W.
Washington, D.C. 20007
(202) 686-3800

This report was prepared in conjunction with The American University Law School Criminal Courts Technical Assistance Project, under a contract with the Law Enforcement Assistance Administration of the U.S. Department of Justice.

Organizations undertaking such projects under Federal Government sponsorship are encouraged to express their own judgement freely. Therefore, points of view or opinions stated in this report do not necessarily represent the official position of the Department of Justice. The American University is solely responsible for the factual accuracy of all material presented in this publication.



THE AMERICAN UNIVERSITY
WASHINGTON, DISTRICT OF COLUMBIA 20016

Washington College of Law
INSTITUTE FOR STUDIES IN JUSTICE AND SOCIAL BEHAVIOR

Criminal Courts Technical Assistance Project
2139 Wisconsin Avenue
Washington, D.C. 20007

NOTICE TO THE READER

There is a September 30, 1974 contract deadline for completion of all technical assistance assignments conducted under the auspices of The American University Criminal Courts Technical Assistance Project. Consequently, assignment reports received after August 20, 1974, cannot be edited by the project staff prior to their transmittal to the client agencies, as is our usual procedure. The present report is one of those for which our time schedule did not permit editing. We apologize for any inconvenience this may cause.

Joseph A. Trotter, Jr.
Director
Criminal Courts Technical
Assistance Project

TABLE OF CONTENTS

	PAGE
I. INTRODUCTION.	1
A. Background.	1
B. Description of the West Virginia Supreme Court of Appeals and Library	3
C. Preparation and Structure of Report	4
D. Summary of Conclusions and Recommendations.	4
E. Comments by Project Manager	6
II. ANALYSIS OF THE BOOK COLLECTION by Donald L. Garbrecht, Professor of Law and Law Librarian, University of Maine Law Library	8
A. Court Reports	8
B. State Codes, Statutes and Session Laws.	9
C. English and British Commonwealth Material, Including Canadian Material	10
D. Legal Periodicals	11
E. Shepard's Citators.	16
F. Treatise Material	17
G. Binding	19
H. Budget.	19
I. Exchanges	21
J. Specific Recommendations For Improvement of the Law Library Collection.	21
K. Additional Library Space.	27
III. LIBRARY FACILITIES, SERVICES AND STAFF by William C. Younger, Marshal and Librarian, Alabama Supreme Court.	29
A. Depository Status	29
B. Library Space	34
C. Library Communications.	37
D. Copying Machine	39
E. Book Lending Service.	43
F. Preservation of Old Books	48
G. Library Hours	50
H. Personnel	53
I. Subject Access.	65
J. Comments on Parts II and IV	72
IV. CATALOGUING AND CLASSIFICATION by William E. Johnson, Law Librarian and Associate Professor of Law, West Virginia University College of Law	74

PART I
INTRODUCTION

I. INTRODUCTION

A. Background

In response to a request from the Honorable Thornton G. Berry, Jr., Chief Justice of the Supreme Court of Appeals of West Virginia,¹ LEAA's Criminal Courts Technical Assistance Project at The American University undertook a review of the resources and services provided by the Court's Law Library. This library is the largest and most complete law library in West Virginia and serves as the primary legal research facility for members of the Supreme Court as well as the majority of attorneys in the state. At the time of the request, the Library's collection consisted of 250,000 volumes.

Although the study was prompted by certain problems regarding the classification and availability of books in the Library, it was designed to focus on a general analysis of the library's collection with a view to indicating, as appropriate, supplemental volumes, text books and other materials which would enhance the library's usefulness and recommending effective procedures by which the Library's resources and services could be most adequately utilized. Specifically, the study's focus was upon the following areas:

¹Chief Justice at the time of the request but due to customary rotation in that office the Chief Justice at the time of the field work and at present is the Honorable Fred H. Caplan.

- (1) the completeness of the basic collection and need for additional sets of current materials;
- (2) current staffing level, staff qualifications and in-service training needs;
- (3) classification, cataloging and general library procedures and their adequacy in meeting user needs;
- (4) physical space requirements, both current and longterm.

Management for the study was provided by Professor David Halperin, at the time Director of the Southeast Regional Office of the National Center for State Courts. A team of three consultants was assembled consisting of Professor Donald Garbrecht, Law Librarian at the University of Maine School of Law; Professor William E. Johnson, Associate Professor and Law Librarian at the West Virginia University College of Law; and Honorable William C. Younger, Marshal and Law Librarian for the Supreme Court of Alabama.²

In November 1973, Professor Halperin conferred with the Law Librarian of the West Virginia Supreme Court Library, Honorable J. Alexander Creasey, who provided extensive information regarding the library's collection, recent acquisitions and budgetary resources, including the Library's most recent annual report. This material was distributed in advance to the consultant team. Initial site work began February 20, 1974 at which time the team met with members of the Court and each of the law clerks serving the Court's justices. In addition to reviewing the Library's resources and services, the team examined the library facilities and interviewed library personnel.

²Honorable Robert Hall, Presiding Judge of the Court of Appeals of Georgia and immediate past-president of the American Judicature Society, had also agreed to serve as a consultant, but a last-minute conflict prevented him from joining the consulting group. We regret the loss of his additional views.

The report which follows was prepared by the consultants on the basis of their field study and the extensive cooperation extended by members of the Supreme Court of Appeals and their law clerks, by all library personnel and, most particularly, by Mr. Creasey.

B. Description of the West Virginia Supreme Court of Appeals and Library

The Supreme Court of Appeals is West Virginia's highest court and its only appellate court. In addition to its appellate jurisdiction and its supervisory power (exercised through extraordinary writs) it has rule-making power over inferior court procedure. The Court, which occupies space in the State Capitol Building in Charleston, consists of five (5) justices, including the Chief Justice. Each justice has the assistance of a law clerk, typically a recent law school graduate. By custom, the position of Chief Justice rotates annually.

The Supreme Court Law Library is one of the few major law library resources in the State; the other major law library is that of the West Virginia University College of Law in Morgantown. For reasons of geography, the latter library is not readily available to the Supreme Court nor to appellate practitioners in the vicinity of the State capital. Because of these circumstances, the library must:

1. serve as the Supreme Court's working library in the analysis and decision of cases;
2. serve as the primary research library, for a substantial part of the State, in analyzing difficult or novel questions of law, both for the Supreme Court, for practitioners, and at least theoretically, for judges of inferior courts;
3. for a substantial part of the State, serve as the primary or sole available source of primary research materials on the law of other states.

As this report points out, the Library therefore partakes of the problems of an internal working library, a public-use reference library, and a circulating library.

The library is housed in the State Capitol, immediately adjacent to the Supreme Court space. As this report suggests, its space and layout detract from its utility.

C. Preparation and Structure of Report

Although the three law librarian-consultants carried out their on-site visits simultaneously and each considered all aspects of the Library's operations, each took responsibility for preparing specific sections of this report. Accordingly, in the pages which follow, the text of each consultant's portion of the report is presented as a discrete unit, unedited, and identified as to author. The librarian-consultants exchanged texts among each other and with the project manager and commented on each others' texts. The conclusions and recommendations in each portion of the report therefore represent a consensus of the consultants, unless disagreement is specifically indicated.

D. Summary of Conclusions and Recommendations

1. The book collection of the Library is excellent in every respect, with the possible exception of recent treatises and legal periodicals. The scope of loose-leaf services in the collection receives particularly favorable mention. Numerous specific suggestions are made for the addition of materials and the removal of obsolete materials not having historical or research value; certain priorities are indicated for recommended acquisitions.

2. The Library's budget for recent years is analyzed. A basic book budget of \$75,000 per year is recommended currently, subject to an inflation factor of 10-20% for future years.

3. Recommendations are made for reshelving to facilitate research.

4. The Library's size is estimated at 70,000 volumes, and shelf capacity is estimated at 80,000 volumes; considering recommendations for elimination of unneeded books, shelving capacity is adequate in the short range. But see comments in Part III on other aspects of library space.

5. The Library should become a depository of U.S. Government documents, selectively, under recent provision of law designed specifically for the highest appellate court of a state; those provisions do not carry some of the conditions and obligations imposed on other federal depositories.

6. Serious space inadequacies were found. They included:

- a. A charge-out (circulation) desk near the entrance;
- b. User study space and, particularly, the lack of carrels in the stacks;
- c. Library personnel work space, e.g. for receiving and shipping.

7. A paging system and soundproof extension telephone booths in the stacks are recommended.

8. A self-service, coin operated copying machine (with key override) should be installed in the library; material should be copied for and supplied to other state agencies at no charge.

9. Books should circulate under the control of a card sign-out system, organized to permit books to be located promptly; circulation to non-Court personnel should be limited to overnight, weekends and holidays. Note that availability of an inexpensive copying service reduces the demand for circulation. Library hours for members of the bar should be expanded.

10. Valuable leather-bound books should be treated with recommended preservatives.

11. Library hours should be expanded to a total of 80-85 hours per week, so that the library is available to members of the Bar until midnight on weekdays.

12. The staff of the library needs to be expanded in size and upgraded in professional training. The staff should be headed by a fully qualified law librarian (law degree plus M.L.S. and appropriate experience); there should be at least two additional assistants trained in library science; there should be a Reader Services Librarian; there should be a total staff of about four (4) professionals, four to five (4-5) non-professionals, and possibly some part-time personnel.

13. The collection should be catalogued and classified, perhaps through a specially funded project.

E. Comments by Project Manager

The foregoing recommendations, set forth in detail in the pages which follow, constitute a well designed guide for substantial improvement in the quality of the West Virginia Supreme Court Library and, in particular, in the

PART II

ANALYSIS OF THE BOOK COLLECTION

BY

DONALD L. GARBRECHT
PROFESSOR OF LAW AND LAW LIBRARIAN
UNIVERSITY OF MAINE LAW LIBRARY

quality of service it will be able to render its users. The consultants have set forth an integrated plan for such improvement, based on West Virginia's needs, and with due regard to cost factors.

The personnel recommendations summarized in Item 12 above and set out in Section VIII of Part III are central and essential to the balance of the recommendations. The present Librarian and his staff are inadequate, both in numbers and in library science training, to carry out most of the other recommendations. In emphasizing this view, we recognize--as the full report does--that the present staff has done an outstanding job in building and maintaining a fine collection. As the full report indicates, present staff will be valuable members of an expanded library organization. But in order to carry out the other recommendations and enable the Library to render the higher level of service contemplated by this report, that organization must be headed by a fully qualified and experienced librarian-lawyer with an adequate number of librarian-trained assistants.

II. ANALYSIS OF THE BOOK COLLECTION

The content of the book collection of the West Virginia Supreme Court Law Library is excellent in every respect, with the possible exception of recent treatises and legal periodicals. This part of the report contains a brief analysis of the various types of legal material in the collection, with suggestions for improvement, as well as a discussion of budget, binding, and space. This part of the report concludes with specific recommendations for improvement. (Note that some suggestions and recommendations may be found in both the main part of the report and the specific recommendation section.)

A. Court Reports

The library contains a complete set of the National Reporter System. It also contains the official court reports of all the states and Puerto Rico. The only volumes missing in the state report collection are certain Pennsylvania County and Ohio "side" reports. A program of development in this area should be undertaken. Primary emphasis should be placed on the acquisition of Pennsylvania state and county court decisions. Pennsylvania is a neighboring state and decisions at all Pennsylvania court levels are used by West Virginia attorneys. They are not all reported in the National Reporter System. Additional Ohio court reports should also be required, but not on a first priority basis.

All volumes of the State court reports are not shelved together. For example, the Weekly Notes of Cases, a Pennsylvania side report is on the

fourth level. It should be shelved on the third level with the Pennsylvania Reports.

Other than the above, the coverage of court decisions at the federal and state level is complete.

B. State Codes, Statutes and Session Laws

The library contains the current statutory compilations of all the states, except as noted below, and receives the current session laws of thirty-seven of the fifty states on exchange. In addition, there is a substantial collection of old state codes and session laws, still valuable and useful for historical purposes and statutory construction and interpretation. All current federal statutory material is available in the library, except as noted in 4 below.

A complete check of the current state statutes revealed the following:

1. The library contains the Banks-Baldwin edition of the Kentucky Statutes. This edition is inferior to the Bobbs-Merrill edition of the Kentucky Statutes in twenty volumes, published in 1971. The Bobbs-Merrill edition should be purchased and the Banks-Baldwin edition subscription canceled.

2. The library has the Lawyers Co-Operative Publishing Company edition of the Massachusetts statutes entitled Annotated Laws of Massachusetts. This set should be retained and the West Publishing Company version of the Massachusetts statutes, entitled Massachusetts General Laws Annotated, should also be purchased. The West edition takes the user into the American Digest System and Corpus Juris Secundum, both prime case finders for the reports of other jurisdictions.

3. The library has the 1942 edition of the Mississippi Code. This

edition is now obsolete. The 1972 edition, entitled Mississippi Code Annotated, published by the Lawyers Co-Operative Publishing Company, should be purchased. The 1942 edition of the Mississippi Code should be retained and shelved with the old codes.

4. There is no recent edition of the Code of Federal Regulations or the Federal Register. The book jobber who handled the library's subscription is now unable to do so. If the library becomes a depository for United States government publications, these sets will be furnished without cost. In the interim, a new subscription to CFR and the Federal Register should be entered directly with the United States Government Printing Office.

C. English and British Commonwealth Material, Including Canadian Material

The English, Canadian, and British Commonwealth collection is complete in that it contains the basic source material necessary for legal research and study. Its only defect is that certain sets, currently being published, were canceled around 1965. Specifically, these sets are the English Law Reports, Dominion Law Reports of Canada, New Zealand Law Reports, and the Commonwealth Law Reports of Australia. It is my understanding that these sets were canceled merely because of a lack of shelf space. These sets are the basic sources of law for the jurisdictions covered. Current subscriptions should be reinstated and back volumes purchased to fill in the sets.

Wherever possible, for example, as in the case of the English Law Reports, bound volumes only should be purchased from the Carswell Company. It is not necessary to have the advance sheets for the above sets as they are not heavily used. However, since they are the basic sets of court decisions for the jurisdictions involved, bound volumes only should be purchased

at the end of the year.

There are certain legal periodicals such as the Canadian Bar Review, as well as other Canadian and English periodicals that are shelved with the English material on the second level. These periodicals should be shelved with the legal periodical collection.

The latest edition of the Statutes of Canada, which is 1970, should be purchased and supplemented annually. The set currently in the library is out of date.

All Scottish and Irish material, such as the Irish Law Reports and the Scots Session Cases, should be brought up to date and completed.

D. Legal Periodical

The State Law Library currently receives 118 legal periodicals. Most of these sets are complete. This is a good basic collection of the leading legal periodicals. It would be adequate for a county law library, but is not adequate for a state and supreme court library. An example of the deficiency is that neither of the two leading English law reviews are in the collection. These are Law Quarterly Review and Modern Law Review. The following is a list of periodical titles in the library:

ADMINISTRATIVE LAW REVIEW	CALIFORNIA LAW REVIEW
ALABAMA LAW REVIEW	CALIFORNIA WESTERN LAW REVIEW
ALBANY LAW REVIEW	CASE WESTERN RESERVE
AMERICAN JUDICATURE SOCIETY	CATHOLIC LAWYER
AMERICAN BAR ASSOCIATION JOURNAL	CATHOLIC UNIVERSITY LAW REVIEW
AMERICAN UNIVERSITY LAW REVIEW	CHICAGO-KENT LAW REVIEW
ARIZONA LAW REVIEW	CINCINNATI LAW REVIEW
ARKANSAS LAW REVIEW	CLEVELAND STATE LAW REVIEW
BANKING LAW JOURNAL	COLORADO LAW REVIEW
BAYLOR LAW REVIEW	COLUMBIA LAW REVIEW
BOSTON UNIVERSITY LAW REVIEW	CORNELL LAW REVIEW
BROOKLYN LAW REVIEW	DEFENSE LAW JOURNAL
BUFFALO LAW REVIEW	DEPAUL LAW REVIEW

DENVER LAW JOURNAL
DICKINSON LAW REVIEW
DRAKE LAW REVIEW
DUKE LAW JOURNAL
DUQUESNE LAW REVIEW
ENVIRONMENTAL AFFAIRS
ENVIRONMENTAL LAW REVIEW
FORDHAM LAW REVIEW
GEORGETOWN LAW JOURNAL
GEORGE WASHINGTON LAW REVIEW
GEORGIA LAW REVIEW
HARVARD LAW REVIEW
HASTING LAW JOURNAL
HOUSTON LAW REVIEW
HOWARD LAW JOURNAL
IDAHO LAW REVIEW
ILLINOIS LAW REVIEW
INDIANA LAW JOURNAL
INTRAMURAL LAW REVIEW
IOWA LAW REVIEW
JOURNAL OF CRIMINAL LAW CRIMINOLOGY
AND POLICE SCIENCE
JOURNAL OF FAMILY LAW
JOURNAL OF URBAN LAW
KENTUCKY LAW JOURNAL
LABOR LAW JOURNAL
LAND AND WATER LAW REVIEW
LAW AND CONTEMPORARY PROBLEMS
LOUISIANA LAW REVIEW
LOYOLA LAW REVIEW
MAINE LAW REVIEW
MARQUETTE LAW REVIEW
MARYLAND LAW REVIEW
MASSACHUSETTS LAW QUARTERLY
MERCER LAW REVIEW
MICHIGAN LAW REVIEW
MILITARY LAW REVIEW
MINNESOTA LAW REVIEW
MISSISSIPPI LAW JOURNAL
MISSOURI LAW REVIEW
MONTANA LAW REVIEW
NEBRASKA LAW REVIEW
NEW YORK UNIVERSITY LAW REVIEW
NORTH CAROLINA LAW REVIEW
NORTH DAKOTA LAW REVIEW
NORTHWESTERN UNIVERSITY LAW REVIEW
NOTRE DAME LAWYER
OHIO STATE LAW JOURNAL
OIL AND GAS QUARTERLY
OKLAHOMA LAW REVIEW
OREGON LAW REVIEW
PORTIA LAW JOURNAL
PACIFIC LAW JOURNAL
RACE RELATIONS LAW REPORTER
RACE RELATIONS SURVEY
SAINT JOHN'S LAW REVIEW
SAINT LOUIS UNIVERSITY LAW JOURNAL
SAN DIEGO LAW REVIEW
SETON-HALL LAW REVIEW
SOUTH CAROLINA LAW REVIEW
SOUTHERN CALIFORNIA LAW REVIEW
SOUTH WESTERN LAW JOURNAL
SOUTHWESTERN UNIVERSITY LAW REVIEW
STANFORD LAW REVIEW
SUPREME COURT REVIEW
SYRACUSE LAW REVIEW
TEMPLE LAW REVIEW
TENNESSEE LAW REVIEW
TULANE LAW REVIEW
TULSA LAW JOURNAL
TEXAS LAW REVIEW
U.C.L.A. LAW REVIEW
UNIVERSITY OF CHICAGO LAW REVIEW
UNIVERSITY OF FLORIDA LAW REVIEW
UNIVERSITY OF MIAMI LAW REVIEW
UNIVERSITY OF PENNSYLVANIA LAW REVIEW
UNIVERSITY OF PITTSBURGH LAW REVIEW
UNIVERSITY OF SAN FERNANDO VALLEY
LAW REVIEW
UNIVERSITY OF SAN FRANCISCO LAW REVIEW
UTAH LAW REVIEW
VALPARAISO UNIVERSITY LAW REVIEW
VANDERBILT LAW REVIEW
VILLANOVA LAW REVIEW
WASHBURN LAW JOURNAL
WASHINGTON LAW REVIEW
WASHINGTON & LEE LAW REVIEW
WAYNE LAW REVIEW
WEST VIRGINIA LAW REVIEW
WILLIAM & MARY LAW REVIEW
WISCONSIN LAW REVIEW
WYOMING LAW JOURNAL/LAND AND WATER
LAW REVIEW
YALE LAW JOURNAL

TOTAL - 118

There is no criticism of the present holdings of the library. The problem is that these holdings should be considerably expanded. This is not to say that every legal periodical published should be in the library. It is estimated that there are over 1000 legal and legal related periodicals in English. Some of those have ceased publication, but new ones are being added continuously. A state and supreme court law library should have 400-500 titles and should increase these holdings as new legal periodicals commence publication.

A plan should be devised and followed for the expansion of the legal periodical holdings of the library.

1. As a first priority, enter a current subscription and acquire the back volumes of all of the 121 periodicals appearing in Shepard's Law Review Citations. The library now has 100 of these periodicals. The library's holdings should be checked in the Table of Contents to Shepard's Law Review Citations. This will assist the library personnel and the patrons of the library in determining the library's holdings. It will also indicate which titles need to be purchased.

2. As a second priority, enter a current subscription and acquire the back volumes of most (a few you might not want) of the 434 periodicals appearing in the Index to Legal Periodicals. The library now has 116 of these periodicals. The library's holdings should also be checked in the "Periodicals Indexed" section of the latest volume of the Index to Legal Periodicals. This section shows the publisher, frequency of publication, and costs of periodicals indexed therein, and should be used for ordering the periodicals needed.

3. Acquire each new legal periodical as it commences publication if you ever plan to acquire it. Also go back several years and acquire the recent new legal publications while they are still in print. It might be several years before the new legal periodicals appear in Shepard's Law Review Citations or the Index to Legal Periodicals. By that time the back issues are out of print. They should be acquired as they are published.

4. Acquire the following periodical aids:

Index to Foreign Legal Periodicals
(From the American Association of Law Libraries)

Index to Periodical Articles Related to Law (From Glanville Publications, Inc.)

Checklist of Anglo American Legal Periodicals
(From Glanville Publications, Inc.)

Ulrich's International Periodicals Directory, latest edition (From R. R. Bowker Co.)

Union List of Serials, 5 v. set, 1965.
(H. W. Wilson)

New Serial Titles, 1950-1970, 4 v. set. (From R. R. Bowker Co. This is the supplement to Union List of Serials) Also enter a subscription with the Library of Congress for New Serial Titles to tie in with this 1950-1970 supplement.

Irregular Serials and Annuals, An International Directory, Second edition, 1972. (Bowker)

5. Enter a subscription to the American Bar Association's Package Plan with ABA Press, 1155 East 60th Street, Chicago, Illinois 60637. Under this plan the library will receive most of the publications of the ABA, many of which have the status of legal periodicals. Examples are The Administrative Law Review, American Criminal Law Review, Anti-

trust Law Journal, The Business Lawyer, Family Law Quarterly, The Forum, Human Rights Journal, The International Lawyer, The Natural Resources Lawyer, Public Contract Law Journal, Real Property Probate and Trust Journal, The Tax Lawyer, and the Urban Lawyer; only one of which is in the West Virginia State Law Library.

For comparison purposes it is noted that the Alabama Supreme Court Library has all of the 121 titles appearing in Shepard's Law Review Citations, 269 of the 343 periodicals appearing in the Index to Legal Periodicals and several not appearing in either, with total periodical holdings of over 400 titles. It is also observed that the University of Alabama Law Library has over 1000 legal and law related periodicals.

There are several problems in addition to money and space connected with the expansion of any legal periodical collection. The first problem is that the ones you need are out of print. The publishers print only a few more than their current mailing list. You have to purchase them on the used book market and as they are reprinted. Most of the periodical titles mentioned above can be found in the periodical catalogs of the various book publishers. I refer specifically to the periodical catalogs of the William S. Hein Publishing Company, William W. Gaunt and Sons, Dennis and Company, and the Fred B. Rothman Company. These catalogs will show availability, as well as price. Reprinted legal periodicals are expensive, but if you do not acquire the reprints as they become available, the reprints will soon be out of print.

The legal periodical collection of the West Virginia State Law Library is outstanding in quality, but it should be expanded in order for the

library to render adequate services.

As mentioned above in the discussion of state court reports and English material, there are a number of periodical sets that are not shelved with the legal periodical collection. These sets are detailed below and specific recommendation is made for their proper placement on the shelves. For example, sets such as the Green Bag, Medical Trial Technique Quarterly, Workmen's Compensation Law Journal, and others are misshelved and should be moved to the legal periodical collection.

E. Shepard's Citators

The library has a complete set of Shepard's Citators for all units of the National Reporter System, including Shepard's California Reporter Citations, which is shelved with the California Reports (the California Reporter Citations should more properly be shelved with the California Reporter in the appropriate place in the National Reporter System). The collection also contains the necessary Shepard's United States and Federal Citators, as well as multiple copies of West Virginia Citations.

However, the library collection is exceptionally weak in state citators. Only the citators for New York State and Virginia were found, in addition to the West Virginia citators. State citators are necessary because they enable the researcher to shepardize court decisions that are not found in the National Reporter System, as well as to shepardize state statutes and constitutions.

A program should be undertaken to develop the collection of state citators as soon as possible. It should start with the state citators of the states that are found in the Southeastern Reporter. It should then

go on with the acquisition of the state citators for the larger states, such as California. Eventually, it would be desirable to have the state citators for all 50 states, as well as Puerto Rico.

F. Treatise Material

The law library contains an excellent collection of current basic legal material that should be found in any good research library. Special note should be made of the comprehensive loose-leaf service collection. It is one of the best collections in depth and scope of this type of material that has been assembled in any law library.

A spot check of the treatise volumes did not indicate any serious deficiencies. However, it would be desirable to have all the treatise material, old and new, from all levels, shelved together. This suggestion is also mentioned elsewhere in this report.

While the treatise and loose-leaf collections are strong, it appeared that there was no well defined program of acquisition. Most of the volumes appeared to be selected from either publisher's trade notices or purchased from individual law book company representatives that have paid a personal visit to the library. There are inadequacies in book selection and acquisition by this method. Its main fault is that it is not comprehensive in that it does not consider the entire range of material that is available in the law book publishing area. A program should be undertaken to obtain all or most of the standard book selection aids that are available to law libraries. These aids will give the library staff a more complete picture of law books currently published.

These book selection aids include:

1. Law Books In Print, 2d edition. Oceana Publications. \$75.00.
A listing of law books available through 1972, supplemented by a serial publication entitled Law Books Published, Oceana, \$25.00 per year. The 2d edition is presently in the library. However, Law Books Published should be purchased.
2. Rothman Green Slip Service. (Advance Legal Bibliography). A listing on 3 x 5 slips of new titles in law, issued weekly. The listings are compiled primarily from book publisher's trade lists. The price is \$300.00 per year. The slips can also be used in cataloging and processing functions, in addition to serving as acquisition tools.
3. Computex Law Book Guide. This monthly publication, cumulated yearly, supplies cataloging information on English language treatises and periodicals in most areas of the law, including government publications. A twelve-month subscription costs \$115 and the one-year cumulation costs an additional \$45. It is published by G. K. Hall and Company of Boston, Massachusetts.
4. Library of Congress Proof Sheets in the areas of law, political and social science. They are expensive, but provide coverage of United States government materials. U. S. Government materials are not covered by the Rothman Green Slip Service.
5. Current Publications in Legal and Related Fields. This monthly publication gives an alphabetical listing of new legal publications and, more important, new continuations. It also contains a basic legal checklist section, issued quarterly. It is published for the American Association of Law Libraries by the

Rothman Company at \$50 per year.

G. Binding

An analysis of the last four Annual Reports of the Law Librarian, covering the fiscal years from 1969-1973, indicates that the following amounts were spent for binding and rebinding:

1969-70	Not listed
1970-71	\$766.20
1971-72	\$774.60
1972-73	\$529.25

The money spent on binding is totally inadequate for a collection of this size. The amount spent for binding and rebinding should be a minimum of \$5,000 per year. The money is available to do this as funds were returned to general revenue in each of the above listed fiscal years. These funds could have been spent on binding and rebinding.

For example, the Law Library Journal has not been bound to date and old volumes of the United States Statutes-At-Large are waiting to be rebound. The binding program appears to be way behind schedule. There should be an ongoing program that takes into account the fact that all current periodicals should be bound promptly. Older material should be rebound as necessary, depending on condition and value, as determined by the law librarian. The expanded binding program should include volumes in the conference room and judge's offices. Additional aspects of care and preservation of the collection are covered in Part II of this entire report.

H. Budget

The Annual Reports of the Law Librarian, which are quite detailed

and comprehensive, indicate the following budget picture for the fiscal years 1969-1973:

<u>Fiscal Year</u>	<u>Current Expense</u>	<u>Returned to General Fund</u>	<u>Equipment</u>	<u>Returned to General Fund</u>
1969-70	\$5,200.00	\$ 9.10	\$30,000.00	\$ 1.41
1970-71	7,565.00	1,933.53	35,000.00	5.35
1971-72	22,125.00	6,054.13	40,000.00	313.51
1972-73	9,500.00	5,015.87	45,000.00	8,427.89

These figures indicate that a substantial amount of money was returned to general revenue in some of the fiscal years.

For example, the appropriation for the fiscal year 1972-1973 was \$45,000 for equipment. Of this figure, \$36,572.11 was spent. \$8,427.89 was returned to general revenue. This situation is undesirable in view of the fact that there are deficiencies in the treatise collection and the legal periodical collection. The \$8,427.89 might better have been spent in adding material to these areas.

The overall budget for the library for equipment (books and continuations) should be \$75,000 for a library of this size. This total should be completely spent and the program of acquisition outlined elsewhere in this report should be undertaken. If this program is undertaken, there will be no difficulty in spending \$75,000 to strengthen the collection in the areas indicated.

It should be kept in mind that as the collection increases in size, the cost of upkeep or continuation will also increase. It would be safe to assume that a built-in factor of ten to twenty percent per year as a budgetary increase should be considered. Law books have increased in

price overall by approximately twenty percent during the last calendar year. A collection as fine as the collection at West Virginia should be adequately maintained. It would appear that a \$75,000 base budget for books, with an inflation factor increase of ten to twenty percent per fiscal year, would be adequate to maintain and increase the present collection.

I. Exchanges

The librarian makes good use of his exchange system and receives many items on exchange for West Virginia Reports and Session Laws. This program is most commendable and an excellent method of stretching the budget. The exchange program can be expanded as many of the newer law schools are willing to exchange their law reviews for a volume of the West Virginia Reports or the West Virginia Session Laws. These additional exchanges can be arranged by the librarian to his best advantage.

J. Specific Recommendations For Improvement of the Law Library Collection

The first part of the report on the law library collection has concerned itself with collection development, considering such things as are necessary to maintain the excellent collection presently in the library and how to increase its size and usefulness to the user.

The following recommendations for improvement should be read in conjunction with other parts of the report that discuss in detail such items as classification of the material, more complete subject cataloging, and arrangement. (Arrangement of the volumes on the shelves is only briefly mentioned in this part of the report with the object of bringing like materials together where necessary.)

The recommendations outlined below conclude with a brief discussion of space and physical facilities.

1. Move the Federal Digest so that it is shelved next to and before the Modern Federal Practice Digest.
2. Move the American Jurist to the legal periodical section.
3. Move all old treatises to the main treatise collection.
4. Dispose of the House and Senate Journals of the various states, except those for Virginia and West Virginia. I am referring for example to such items as the Massachusetts House Journal and the Maine Legislative Record. There is a central depository of state legislative journals at the University of North Carolina Library. This central or union depository can be drawn upon by any library regardless of whether they contribute to the union collection. It might be advisable to send the journals presently in the law library collection to the University of North Carolina. This would build up some "equity" with them and assure that one would always have access to the North Carolina collection of legislative journals of all the states. The address is: Documents Librarian, University of North Carolina Library, Chapel Hill, North Carolina 27515. The volumes might also be returned to the state of origin where they may be scarce.
5. Consolidate all federal administrative materials in one area such as the United States Treaties and Other International Agreements and the Interstate Commerce Commission Reports. This material is now scattered throughout the fourth level.
6. All old treatise material on the fourth level, that is not duplicate, should be shelved with the treatise collection. There are sets, such as

the trials of the major war criminals at Nuremberg, as well as other trials which should be moved to the treatise collection.

7. The fourth level has certain volumes of the U. S. Law Review which should be moved to the legal periodical section.

8. The fourth level has a set of the American Law Review, partial sets of the Columbia Law Review, Yale Law Review, Texas Law Review and Lawyer and Banker, Central Law Journal and the Green Bag. These are all legal periodicals. Some of them, such as Columbia, Yale and Texas are duplicates. The volumes that are not duplicates should be added to the periodical collection. The duplicate volumes should be either sold or traded to other libraries.

9. The Ohio Decisions and the Ohio Circuit Decisions, which are currently shelved in the section of old statutes and codes, should be moved to the state report section.

10. A set of the Pennsylvania side reports entitled Weekly Notes of Cases and the Kentucky Law Reporter, which are in the old code section, should be shelved with the state court reports.

11. Throughout the section of old state codes and statutes, there are many old state digests that should be discarded. Old sets such as the Texas Encyclopedia Digest and the Southeastern Reporter Digest, are old state digests that are no longer of any value, having been superseded by later, more up to date, digests. This does not mean one should discard old West Virginia or Virginia Digests. These could conceivably have some value in finding decisions for West Virginia and Virginia that might not be reported in the current digest for these states. This is possible depending on how detailed and complete the indexing and annotating is for

the current state digests involved.

12. A set of the Workmen's Compensation Law Journal, which is an American legal periodical, is shelved with the English material. It should be shelved with the legal periodicals.

13. A legal periodical entitled Medical Trial Technique Quarterly, which is shelved with English material, should be shelved with the legal periodicals.

14. An unbound set of the Insurance Counsel Journal should be bound and shelved with the legal periodicals.

15. The Law Library Journal should be bound and shelved with the legal periodicals.

16. Old volumes of the Criminal Law Reporter and U. S. Law Week presently on the third level, should be shelved with the current sets to facilitate retrospective research.

17. The New York University Institutes on Federal Taxation should be moved into either the periodical section or into the treatise section. This set should also be completed. Reprint volumes are available from Fred B. Rothman and Company.

18. Pamphlet type material on the second level, which is now on the flat shelving, should be bound or cataloged depending on the type of material. In the case of some of the material, which is nonlegal, it should be sent to other libraries that might be able to use it, such as Archives or another state library. In the above mentioned material, there are a number of legal periodicals that should be bound and shelved with the legal periodicals.

19. A set entitled U. S. Aviation Cases should be brought up to date and

a current subscription entered. Volumes are available from Oceana Publications of Dobbs Ferry, New York.

20. The Canadian Bar Review and any other Canadian and English legal periodicals that are now shelved with the English and Canadian material, should be brought up to date and shelved with the legal periodicals.

21. The following material should be discarded or traded if indicated:

- a. A set entitled Nelson's Perpetual Loose-Leaf Encyclopedia.
- b. There are three sets of Lawyers Reports Annotated on the fourth level that can be discarded. They are duplicates and only one set is necessary in the library.
- c. A duplicate set of Ruling Case Law on the fourth level.
- d. An old set entitled Commercial Laws of the World on the fourth level.
- e. An old set entitled Cyclopedia of Medicine and Surgery.
- f. A duplicate set of Cyclopedia of Law and Procedure on the fourth level. There should only be one set in the library.
- g. Numerous duplicate sets of Corpus Juris on the fourth level. Only one set should be retained in the library.
- h. Duplicate sets of American and English Annotated Cases. Only one set should be maintained in the library. The set of American and English Annotated Cases that should be retained should be the thin paper edition, reprinted by the Lawyers Co-Operative Publishing Company.
- i. There is a duplicate set of the American State Reports, American Decisions, and American Reports (Trinity Series) on the fourth level that can either be traded or discarded. It would

have some value for trading purposes with a law library that is developing its collection.

- j. All superseded volumes 33 and 34 of American Jurisprudence 2d can be discarded, with the exception of one set. There are two shelves of these volumes. Volumes 33 and 34 are merely a reprint of the Research Institute of America Tax Service, which is found elsewhere in the library. All sets of American Jurisprudence 2d, except the library set, should have the subscription for volumes 33 and 34 only canceled. There is no need to continue purchasing these two volumes for all sets of American Jurisprudence 2d, as the material is available in another form in the library.
- k. The fourth level has many editions of the Encyclopedia Britannica which should probably be discarded. There was no set of the fourteenth edition which is generally recognized as the most scholarly older edition that still has value. If a set of the fourteenth edition of the Encyclopedia Britannica is found, it should be retained in the collection.
- l. The Dictionary of American Biography should be added to the treatise collection.
- m. The present stack lighting is wholly inadequate and should be completely discarded and a new system installed.
- n. More care should be taken to discard superseded materials. For example, no one is discarding the advance pamphlets for Shepard's Citators, nor is anyone discarding the descriptive word indices for all units of the general digest except the General Digest,

4th Series, which is the current one.

- o. The person filing the advance sheets for the National Reporter System is improperly discarding the material. The filer of this material is discarding the last issue of the advance sheet that is in the current bound volume and in doing so is also discarding the first issue of the advance sheet that is in the next unbound volume. In other words, there will be two volumes covered in the advance sheets in the last paper issue. The paper issue covering two volumes should not be discarded.

K. Additional Library Space

The latest figures in the American Association of Law Libraries Directory of Law Libraries lists the collection at 200,000 volumes. This figure is inaccurate. Mr. Creasey and the reporting team agreed that the 200,000 volume figure included books formerly in libraries in Charlestown and Wheeling, West Virginia. These libraries are no longer operational.

During the team's visit, a physical count of the first level was made. It showed 16,557 volumes. By applying this count to the other three levels and taking into consideration duplicates and present capacity, as well as including volumes in the Justice's and Clerks' offices, and the Library Annex, a fair estimate of the total collection would be 70,000 volumes.

The shelving capacity of the present four levels, excluding the Library Annex, is probably 80,000 volumes. As noted below in the discussion of library space, this would be adequate for several years expansion, during which the move into Archives can be considered.

If the above mentioned material is discarded, it will free a total of 54 shelves. In addition, level four has 106 shelves of West Virginia Bar

Association Annual Reports that can be boxed and put in permanent storage.

The fourth level also has 72 shelves of West Virginia Reports and West Virginia Session Laws that can be boxed and put into permanent storage.

(This assumes that these volumes are duplicates for exchange purposes only). Level four also has the following duplicates, not listed above, which can be discarded:

- a. Atlantic Reporter, 5 shelves.
- b. Atlantic Reporter Digest, 3 shelves.
- c. New York Supplement Digest, 1 shelf.
- d. North Eastern Reporter, 1st Series, 6 shelves.
- e. North Eastern Digest, 3 shelves.
- f. North Western Digest, 3 shelves.
- g. Pacific Reporter Digest, 2 shelves.
- h. Southern Digest, 3 shelves.

If the above mentioned material is either discarded or put into storage, it will create a total of approximately 258 shelves for future expansion in the present library facility.

This would appear to be enough room for expansion for at least two years if the above recommendations for discarding, trading and storing are followed. At the end of that time period, a move could be made into the library annex or conceivably into the space occupied by Archives. Ideally, if Archives moves the law library should move into that area. However, the shelving presently used by Archives would not be adequate for a law library. Law library type shelving would have to be purchased and installed.

Library space is also discussed in Part II of the main report. I would concur in the space recommendations made in that part of the main report.

PART III

LIBRARY FACILITIES, SERVICES AND STAFF

BY

WILLIAM C. YOUNGER, B.S., M.L.S., J.D.
MARSHAL AND LIBRARIAN
ALABAMA SUPREME COURT

A. Depository Status

The West Virginia State Law Library is not now a depository for U. S. Government publications. This status would save the library money and would facilitate the acquisition of most of the U. S. Government publications needed by the library. Up until 1972 the method available to the library of becoming a depository was to be designated by either a senator or congressman. West Virginia already has four depository libraries designated by its senators. This is all of its allotment in that category. The Third Congressional District, which includes Charleston, has two representative vacancies. The State Law Library of West Virginia could be designated a depository by the representative of the Third District. This information was obtained from the publication, Government Depository Libraries: The Present Law Governing Designated Depository Libraries, Revised April 1972, U. S. Government Printing Office, Washington, 35 p.

A recent Act of Congress, Pub. L. No. 92-368 (Aug. 10, 1972) authorizes the library of the highest appellate court of each state to become a depository. The procedure for the library becoming a U. S. Government Depository under this Act is very simple. A short one-page application is filled out by the librarian. The application should emphasize that the State Law Library of West Virginia is the library for the highest appellate court of the state. The application form may be obtained from

the Public Printer, U. S. Government Printing Office, Washington, D. C. 20401. For a discussion of this method see Taylor, Raymond M. "Federal Depository Status for State Appellate Court Libraries," 66 Law Library Journal 63-67 (Feb. 1973). Therein it is pointed out that there are several advantages of becoming a depository under this method. The main advantages are that the appellate court libraries are not required to provide special custody or service for depository materials, are not required to be located in an accessible area, are not required to make periodic reports to the Superintendent of Documents, are not required to have a certain number of books other than government publications, are not required to maintain the government publications in any particular manner, and are not required to keep the government publications permanently--all of which are required of depository libraries that are designated by senators and representatives.

A word of caution is in order. Although the library may select all depository items, only those depository items specifically needed and desired should be selected. There is too much manpower and space involved in receiving items not needed.

A copy of List of Classes of United States Government Publications Available for Selection by Depository Libraries will be furnished to the West Virginia State Law Librarian by me in the event he desires a copy and so requests.

Checked thereon are the items currently being received by the Alabama Supreme Court Library. This list could be used as an initial guide in the selection of depository items. Each month new items are offered to the library for selection and occasionally items are dropped from publication.

The State Law Library of West Virginia is currently receiving some of the items available to it as a depository. It purchases some of these and some are received by being on various mailing lists. Once an item is selected as a depository item then it will come to the library automatically in the future, unless it is discontinued by the library. This fact facilitates acquisitions. To cite an instance in point--the library does not now have the latest set of the Code of Federal Regulations, but would have received this set automatically as a depository.

The following list of U. S. Government Documents Aids is suggested for purchase by the library and should be in the library whether or not the library is a depository:

Ames, John G. Comprehensive Index to the Publications of the United States Government, 1881-1893.
Washington, GPO, 1905. New York, Johnson Reprint Corp., 1970.

Andriot, John L.
Guide to U. S. Government Serials and Periodicals.
Documents Index, McLean, Virginia. 1962-

Body, Alexander C.
Annotated Bibliography of Bibliographies on Selected Government Publications and Supplementary Guides to the Superintendent of Documents Classification System. Kalamazoo, Western Michigan University, 1967-

- Boyd, Anne Morris, and Rae Elizabeth Rips. United States Government Publications. 3d ed. rev. New York, H.W. Wilson, 1949.
- O'Hara, Frederic J. Reader in Government Documents. Washington, NCR/Microcard Editions, 1973.
- Poore, Benjamin Perley. A Descriptive Catalogue of the Government Publications of the United States September 5, 1774-March 4, 1881. Washington, GPO, 1885. New York, Johnson Reprint Corp., 1970.
- Schmeckebier, Laurence F., and Roy B. Easten. Government Publications and Their Use. 2d rev. ed. Brookings Institution, Washington, 1969.
- U. S. Congress. Senate. Library. Index of Congressional Committee Hearings (not confidential in character). Washington.
- U. S. Documents Office. Checklist of United States Public Documents, 1789-1909. 3d ed. GPO, Washington, 1911.
- U. S. Documents Office. Index to the Reports and Documents of Congress. GPO, Washington, 1897-1933.
- U. S. Documents Office. Numerical Lists and Schedule of Volumes of the Reports and Documents of Congress. GPO, Washington, 1934-
- U. S. Documents Office. Selected United States Government Publications. GPO, Washington, 1928-
- U. S. Documents Office. United States Government Publications Monthly Catalog. GPO, Washington, 1895-
- United States Historical Documents Institute. Departmental Index to U. S. Government Author-Organizations, 1789-1970. Washington, 1972.
- United States Historical Documents Institute. Keyword Index to the Publication-Issuing Offices of the U. S. Government, 1789-1970. Washington, 1972.

United States Historical Documents Institute. Su Docs Classification Order Index of U. S. Government Author-Organizations, 1789-1970. Washington, 1972.

United States Historical Documents Institute. U. S. Government Author-Organization Index, 1789-1970. Washington, 1972.

United States Historical Documents Institute. U. S. Government Serial Titles, 1789-1970. Washington, 1972

U. S. Library of Congress. Legislative Reference Service. State Law Index. GPO, Washington. 1925-

U. S. Library of Congress. Monthly Checklist of State Publications. Washington, 1910-

U. S. Library of Congress. Serial Division. Popular Names of U. S. Government Reports; a Catalog. Washington, 1966, 1970.

U. S. Superintendent of Documents. Catalog of the Public Documents of the Congress and of all Departments of the Government of the United States. Washington, GPO. (Binder's title-Document Catalog)

U. S. Superintendent of Documents. Monthly Catalog of United States Government Publications, Decennial Cumulative Index, 1951-1960. GPO, Washington, 1968.

Wood, Jennings. United States Government Publications; a Partial List of non-GPO Imprints. Chicago, American Library Association, 1964.

It is recommended that the library become a U. S. Government Depository on a selective basis under the provisions of Pub. L. No. 92-368 (August 10, 1972). This status will save money and facilitate the acquisition of needed government documents.

B. Library Space

The present library space is entirely inadequate for a state and supreme court law library. One would actually expect to find better accommodations in a county law library. The space is so inadequate that it is a wonder that the library personnel are able to do any productive work and that any competent research is ever done in it. The library's space consists of one small entrance room with a few tables for library users, one small office for all of the library personnel, a small stack area consisting of four levels dimly lighted with very low ceilings and no study areas, a small upstairs area called the "Law Library Annex" which is partly used for non-library purposes.

The library's physical facilities are entirely out of character for a state law library and for the magnificent capitol building in which it is housed; and adequate library service cannot be performed in the present non-library environment. An item of high priority is more space which should be arranged into a library setting. A visit to any recently built, modern, non-law library in the area will give a good idea as to how the West Virginia State Law Library should look as to library environment. The major difference between a good non-law library and a good law library is that the law library has a substantial collection of law books in addition to a good collection of non-law books. The work areas, procedures, and services should

be substantially the same.

A charging desk should be provided near the entrance to the library. This desk should be manned at all times by at least one knowledgeable person. The duties of this person will be described later in this report.

Adequate study areas should be provided for the users of the library. Ideally, these areas should be scattered throughout the library and near the books to be used. In a new library setting this arrangement can be planned. In the present library setup, about the only thing that can be done is to provide some study areas on each stack level and to use some of the space in the law library annex for library study areas. Large library carrels which give some privacy would be much more desirable than tables. The standard library carrels are not large enough for law library users, but larger carrels can be constructed locally using one of the standard library carrels as a guide. These carrels should be "wet," i.e., they should be lighted and have an electrical outlet. The study tables at the entrance to the library should be moved to areas of privacy. Visual control of law library users is not necessary and is not desirable. The problem of communicating with library users will be treated at a later point in this report.

The office and work space for the library personnel is entirely inadequate. In planning new library facilities space should be provided as follows:

- Head Librarian - 150 sq. ft. min. in private office
- Two Professional Librarians - 125 sq. ft. min. in private offices
- One Professional Librarian - will work at charging desk
- Four Clerical Personnel - 100 sq. ft. min. each

This gives a total minimum requirement of 800 square feet of office and work space. See Chapter 13 of Planning Academic and Research Library Buildings by Keyes D. Metcalf, McGraw Hill, 1965 for a good coverage of space requirements.

The immediate problem of what to do for adequate work space in the interim period before new library facilities are acquired is not an easy one to solve. All of the staff should be kept fairly close together; therefore, it would be impracticable to put part of the staff on another floor. One plan, which is the only practicable one that I see, is to move the library tables out of the entrance area into the stacks and library annex and to use this space for a library charging desk, a public catalog, and desk space for the additional library personnel recommended in this report.

A receiving and shipping area should be planned in the new library facility and the space now being used for this purpose should be expanded and equipped with such things as postage scales, larger scales (bathroom scales will do), wrapping paper mounted in a bracket, an assortment of reinforced tape mounted in dispensers and an assortment of shipping envelopes and containers.

This is necessary because there is a considerable amount of shipping and receiving and the library should be properly equipped to perform this function.

The space now occupied by the Archives would make an ideal library. It is recommended that the Court acquire this space if at all possible and that it be properly planned and equipped for a law library.

C. Library Communications

The library presently has a difficult time locating its own personnel and patrons of the library if they are not near the entrance to the library. There are many important patrons of the library. It is not uncommon for telephone calls to be received for these patrons. Some of these people are there when the calls come in for them, but many calls are received for people who are not in the library at the time. These calls cannot be ignored. For that reason, much of the staff's time is taken up with looking for people who may or may not be in the library. This situation is different than that of a law school library where, practically no effort is made to locate patrons of the library.

The solution to this problem is very simple and inexpensive. Install a "library music paging system" with enough speakers to give complete coverage in the entire library including each floor

of the stacks and the library annex. Install a microphone on the desk of each person who receives telephone calls for the library. Then, when a call comes in for a patron the person answering the telephone will simply page the patron. The patron can be located instantly by this system.

At least two soundproof private telephone booths should be placed in the library stacks on different stack levels for the patrons to use and receive calls. The way to acquire these booths is to have them constructed locally. Put good lighting in them and make them a little larger than a standard telephone booth. A shelf at standing working height should be provided in each booth. Extensions on all of the telephone lines of the library should be put in each booth to avoid the confusion of the calls coming in on the wrong line.

The 3M Company has a good library music paging system and there should be others. The library owns the system. When the system is on, soft background music plays, but it does not interfere with the paging. Most of the library patrons will like the music, but a volume control should be placed on each speaker so it could be turned down if necessary. This will slightly increase the cost of the speakers, but will greatly improve the system.

It is recommended that a music paging system be installed. It will save considerably on staff time and will solve the very difficult problem of locating library patrons.

D. Copying Machine

The library has a great need for a self-service, coin-operated, copying machine. The one now shared with the Clerk's office as presently operated does not serve the purpose. Such a copying machine will facilitate the administrative work of the library, will take the pressure off the demand for books to be loaned, will facilitate the filling of inter-library loans, and will help the patrons of the library obtain inexpensive copies of the material needed.

The first question that arises concerns the legality of a library copying machine. This is no problem at the present time because a considerable amount of the material in the library is not copyrighted; and then the recent case of Williams & Wilkins Co. v. U. S., 42 LW 2282, holds that library copying of copyrighted material is fair use and does not violate the copyright laws. This case reverses a prior decision found at 40 LW 2550.

There may be other machines but the best machine for this purpose appears to be the Xerox 1000 with a 10¢ coin mechanism on it. The Xerox 1000 has a 9" x 14" image and will accommodate paper up to 10" x 15". The library should stock all three sizes of paper and use the size appropriate for the material to be copied and the format desired. These are letter size, legal size, and large size (10" x 15"). The large size is not a stock size paper but most any paper company can cut and supply xerographic paper in

the 10" x 15" size.

One advantage to using the 10" x 15" paper is that the full 9" x 14" image of the Xerox 1000 can be utilized. Both legal and letter sized paper is smaller than the copying image of the machine. Another advantage is that two pages from most law books will comfortably fit on this paper. That makes the cost to the patron just 5¢ per page because he can get two pages on a copy for 10¢. The large paper will be used for most copying; therefore, a good paper cutter or trimmer should be located near the Xerox machine.

The coin mechanism on the Xerox 1000 can be set for 5¢, 10¢, or 25¢. The best price to charge appears to be 10¢ and then use large paper whereby two pages can be copied on one copy. Mail order service and copying by the library staff should be charged at 25¢ a copy to encourage patrons to do their own copying.

Charges to state agencies for copies of library materials should not be made for reasonable amounts of copying. One of the functions of the State Law Library is to serve the state agencies. By following a no charge policy, state agencies will reciprocate thereby making it easier for the library to obtain needed materials from them. The proceeds from such charges in all likelihood must be deposited in the general fund, which would be a further reason not to charge other state agencies. The following form is suggested for use with state agencies.

CONTINUED

1 OF 2

WEST VIRGINIA STATE LAW LIBRARY

(letterhead)

XEROGRAPHIC COPIES OF LIBRARY MATERIALS

SCHEDULE OF CHARGES

Self service by patron	10¢ per copy
Mail order service and copying by library staff	25¢ per copy

CHARGES TO STATE AGENCIES

The library's policy is not to charge agencies of the State of West Virginia for routine copying. In the event the volume is excessive, charges are to be made as set out above.

The following form is to be filled out by the person requesting copies at no charge for a state agency and signed by the library staff member who permitted the copying. The right is reserved by the library to bill the state agency for these copies if such appears to be appropriate.

DATE _____ NUMBER OF COPIES _____

STATE AGENCY _____

PERSON OBTAINING COPIES (Signed) _____

(Printed) _____

(Signed) _____

Library Personnel

The library personnel will use a key to bypass the coin mechanism for library and court copying. The key will also be used when copies are made without charge to other state agencies, for mail order service, and for volume copying when coins are not available. Printed invoices in triplicate sets should be prepared to facilitate billing for Xerox copies when such is necessary.

A tight control system should be set up for accounting for the proceeds from the Xerox machine. A bound receipt book in duplicate should be used to record "every penny" taken in by the Xerox machine. The original of the receipt is to be given to the person making the payment. Monies taken out of the coin mechanism should also be recorded in this receipt book.

As a further check on the monies taken in by the coin mechanism a separate meter should be installed on the coin mechanism. This meter should be read and the reading recorded in the receipt book everytime money is taken out of the coin mechanism. This gives good control over the coins taken out of the machine. The Xerox 1000 does not come with a separate meter on the coin mechanism but Xerox will install one if that is a condition to your using their machine. The separate meter on the coin mechanism is a must for accurate accounting purposes.

Patrons of the library should be encouraged to bring their own change but that will not be sufficient for a smooth operation. Change should be kept at the charging desk and at least one other

library employee should have a money box with ten dollars worth of dimes in it.

The Xerox machine will not bring in as much money as it costs but it will pay off in service rendered and in keeping the books in the library. An alternative to acquiring another Xerox machine would be to put the one in the Clerk's office outside in the hall with a coin mechanism on it and have keys for library and the Clerk's office. This decision should depend upon the present amount of copying being done on the Clerk's machine and whether it could accommodate more use. In any event, whether another Xerox 1000 is acquired or whether the one in the Clerk's office is used, this machine should be located in the hall outside the entrance to the library due to its noise level.

A good smooth operating copying system will greatly enhance the quality of service and prestige of the library in the eyes of its patrons. It is recommended that a coin-operated Xerox 1000 be provided for the library.

E. Book Lending Service

The library currently has a book lending service which began in 1967. This lending service is an admirable effort to make the library materials available to the patrons of the library; but is not in the best interest of the library or the legal

profession. Annual reports of the librarian indicate that this service has grown over the years. The number of books loaned are as follows:

1967-68	481	1970-71	2423
1968-69	not available	1971-72	2226
1969-70	1247	1972-73	4120

General libraries measure their service to the community by the number of books they have loaned during the year--the larger their circulations, the more service they have rendered, and the more success they have had. Law libraries do not measure their service and success by the number of books they have loaned. Their service to their patrons and success as a law library is measured by the number of requests for legal material they successfully fill and how fast they are able to fill these requests.

A law library is a research library. It is only valuable to its users if it is kept together. It may on occasions for specific purposes, and for a limited period of time, lend a few books; but it is not a lending library. A person doing legal research must be able to locate quickly all of the material to which his research leads him. If the books are loaned out, his chain of research is broken and he winds up with inadequate research on his subject of interest.

The demand for the book lending service has grown because the library is inadequate in several ways. First, the library environment and study areas are not conducive to research in the library. A rearrangement of study areas in the present library

and the acquiring of better library space will help solve this problem. Second, the patrons of the library do not have adequate access to the library. This matter will be discussed under "Library Hours." Third, there is no adequate copying service in the library. The establishment of such a service will remedy this problem and will take the pressure off the need to lend books.

Besides destroying the library's value as a research collection, the lending of books has taken up a considerable amount of the staff's time which could better be devoted to productive work. The staff has done a good job in getting the books back, but it has taken a lot of effort.

John W. Heckel, Head Reference Librarian of the Los Angeles County Law Library, had the following to say on the lending of law books in 11 Library Trends at page 277 (Jan. 1963):

Loaning books is usually one of the basic activities of a library. However, most law libraries do not circulate their materials, or if they do so, it is on a very limited basis. The whole collection is viewed as a reference unit, not to be divided by borrowing. In law school libraries, an exception is made for faculty members or graduate students when their research makes borrowing a necessity. Except for treatises not on reserve for particular courses, loans to students are made on an overnight basis or during the time that the library is closed. In practitioners' libraries, loans are made for a few hours when original authority must be presented in evidence to the court. An exception to the rule of no circulation has developed in recent years; some law libraries, wanting to be as liberal as

possible, will loan duplicate copies and certain types of material which has infrequent use. The latter is generally loaned with a proviso that the book will be returned immediately if needed. This aspect of service facilitates the work of the profession and is usually appreciated. Some state and county law libraries serve the profession by mailing books throughout the state. For example, at Los Angeles County Law Library, books are loaned through the facilities of the United Parcel System.

The Los Angeles County Law Library has over 500,000 volumes with many duplicates in its collection. One of its main purposes is to lend law books. It is a lending law library and apparently is the only one of its kind.

The State Law Library of West Virginia is a research library and should not promote the lending of its books. A good example happened recently here in Montgomery. A local attorney asked if the Alabama Supreme Court Library would open on Saturday. When informed that it was not open on Saturdays, but that we would lend most any book that he needed over the weekend, his reply was "I do not know what I need, and I would not want to use the library on Saturday if you were lending books out over the weekend because the books I need would not be there."

The following recommendations are made concerning the lending of books:

1. That library materials circulate freely within the Court and among its personnel.

2. That all library materials leaving the library, including those to the Court and its personnel, be checked out at the library charging desk on an individual throw-away charge card to be filled out by the person taking the material out. This is, in effect, a self-service charge out system. A sample charge card has been furnished the librarian.

3. That the records at the charging desk reflect accurately at all times all materials out of library and its location, and that materials needed, which are out of the library at the time, be immediately temporarily returned to the library for inspection and copying by the patron or library staff. This will make all library materials available to all library patrons at all times during library hours.

4. That lending outside of the Court and its personnel be limited to overnight, over weekends, and over closed holidays insofar as possible; that loans beyond these periods be negotiated, i.e., that they be for a specific time and for a specific purpose such as to take to court or some other emergency reason.

5. That library patrons be encouraged to copy their material and that mail requests be filled with Xerox copies when possible. By doing this, the attorney can have the legal material needed for a particular case in his case file at a very small cost. It saves his time and permits him to do most of his work in his own office.

1871

1872

1873

1874

1875

1876

1877

1878

1879

1880

1881

1882

1883

1884

1885

1886

1887

1888

1889

The American Library Association has done some work in this field and they have two recent publications for sale on this subject. These are: Cleaning and Preserving Bindings and Related Materials by Carolyn Horton, 2d ed. 1969, and The Restoration of Leather Bindings by Bernard C. Middleton, 1972. The Newberry Library, 60 West Walton Street, Chicago, Illinois 60610 has instructions for "Treating Leather Bookbindings" which they will send free of charge upon request.

The American Library Association and the Newberry Library recommend the following products for the treatment of leather bookbindings:

Formula No. 6 Leather Dressing
(40 per cent anhydrous lanolin and 60 per cent neat's-foot oil)

Leather Protector (Potassium Lactate Solution)
(7 per cent potassium lactate and 0.25 per cent paranitrophenol)

Krylon No. 1301

A kit containing an eight ounce bottle of each of the two preparations is available from the Newberry Library for \$4.50. Krylon No. 1301 should be available locally. All three of the above preparations are available in larger quantities from the Technical Library Service, 104-5th Ave., New York, N.Y. 10011 at reasonable prices.

It is recommended that the library purchase the above listed two books from the American Library Association and that it investigate the possibility of preserving some of its old

books in their original bindings by treatment with the recommended solutions in accordance with the Newberry Library instructions.

G. Library Hours

The hours of the library are from 8:30 a.m. to 5:00 p.m. Monday through Friday and 8:30 a.m. until Noon on Saturdays, a total of 47 1/2 hours per week. These hours appear to be adequate for the court personnel; or, if not adequate the court personnel needing more access to the library have keys. These hours do not appear to be adequate for the attorneys of the state.

A busy practicing attorney is not able to do his work and research during the hours that the library is open. He needs access to the library after hours and in cases of emergencies on the weekends.

A recent survey of law school libraries reported in 66 Law Library Journal at pages 88-95 showed that the open hours for small law school law libraries ranged from 78.8 hours to 99.0 hours per week with an average of 91.2 hours per week. For large law school libraries, the range was 84.0 hours to 148.0 hours with an average of 100.1 hours open per week. Beyond these hours many of the law schools issued keys to special groups such as Legal Aid, Law Review and Moot Court; and some law schools issued keys to all law students. When keys were issued the open

hours tended to be shorter.

There are no current statistics available at the present time for hours of operation for state and supreme court libraries, but a recent survey was made by Mrs. Laura M. Pershing, Idaho State Law Librarian. Mrs. Pershing's survey, among other things, included hours of operation and should be published in the May or August 1974 issue of the Law Library Journal. It is expected that this survey will show official library hours for state and supreme court libraries to be about the same as that of the West Virginia State Law Library; but this survey will not show the unofficial after hours use of these libraries.

For comparison purposes, it is noted that the Alabama Supreme Court Library has official hours of 8:30 a.m.-5:00 p.m., Monday through Friday with no open hours on the weekend; and the library is open on all but the five major legal holidays. In addition to the official hours, the library is unofficially available to members of the bar of Alabama from 7:00 a.m. until 12:00 Midnight, Monday through Friday. The unofficial hours are not published. The building is unlocked at 7:00 a.m. and attorneys can come in at that time. The building is locked at 5:00 p.m., but attorneys can come to the library up to 12:00 Midnight through the building custodian's office. A library register is provided for the signature of patrons of the library. Beyond these hours, keys are loaned by the librarian (not his staff) in emergency cases

only to attorneys to use the library over weekends. In addition, each judge and justice has a library key which he loans, if he feels the situation justifies it. All of these keys are returned at the opening of the next business day and duplication of keys loaned is prohibited. The loaning of keys is not publicized and is kept to a minimum.

This gives the attorneys of Alabama unrestricted access to the Alabama Supreme Court Library 85 hours per week with provisions for emergency access beyond that. With the 7:00 a.m.-12:00 Midnight access, there is very little emergency weekend use of the library.

It is recommended that the Court devise some plan whereby the West Virginia State Law Library is available to attorneys for from 80 to 85 hours per week. The hours recommended are from the time of the opening of the capitol building in the morning until 12:00 Midnight, Monday through Friday. There might need to be an adjustment of the library staff hours, but some of these hours could be with the library unattended. One solution would be to let the library janitor come in at 5:00 p.m. and stay until Midnight. Or, it might be that the problem could be solved by letting patrons, who are in the library at 5:00 p.m., stay until Midnight.

As a general rule the loss of library books and materials does not increase with unattended after hour use of the library by attorneys. It appears that the more you trust them the more they

can be trusted; and the fact that the librarian is bonded for the faithful performance of his duties should not be involved in the decision to permit after hour use of the library. He is not an insurer and is not personally liable for every book that is lost from the library.

If access to the library is available to attorneys until Midnight and if an adequate copying service is installed, there probably will not be a need to open the library on Saturdays. Saturday use could be put on an emergency basis if this use dropped off, which it probably will do. More access to the library is needed. How it is accomplished is a matter for the librarian and the Court.

H. Personnel

The personnel of the West Virginia State Law Library are all very courteous and helpful. They do their best to give good service under very adverse conditions. The comments heard most frequently by the law library consultants while on their on-site visit were: "very helpful," "very cooperative," "do not have adequate library training," and "very helpful but inadequate." These comments fairly accurately reflect the personnel situation in the library.

The crux of the personnel problem in the library is the fact that there are no library science trained librarians on its staff and there never has been such personnel on the staff during the entire time of the library's existence. The librarian is an attorney, but neither the librarian nor any member of his staff has formal library training. The methods and procedures in the library were designed and installed by non-library trained people; and it is obvious from a cursory inspection of the library that professionally trained librarians have never worked in the library. No personal criticism is intended toward the present staff of the library. They are performing well in their jobs and can continue to so perform provided an adequate professional staff is added in addition to the present staff to perform the required professional librarians' duties and to give the proper professional guidance in library procedures and operations.

The present library personnel are:

CREASEY, J. ALEXANDER, Librarian; LL.B.; has several years experience as an attorney and as a member of the West Virginia Board of Probation and Parole; has been librarian since May of 1965; had no prior library experience and no professional library training; pay is \$18,000 annually.

ROBINSON, BOBBY L., Assistant Librarian; has 2 years of college; has several years of experience on various non-library jobs and as a painting contractor; joined the library staff in December of 1966; had no prior library experience and no professional library training; pay is \$12,300 per year.

BOARD, JUNE M., Secretary, high school graduate with commercial courses; total of over 6 years in the library; no other library experience; pay is \$8,355 per year.

BOLLAND, JANET L., Catalog Clerk; high school graduate, adult education courses, legal secretary 6 years; joined the library staff in February 1974; no prior library experience; pay is \$5,200 per year.

CRAIG, LORENE B., Janitress (day); assists with library work in addition to janitorial duties, joined staff in January of 1972.

As set out above, the present library staff consists of one professional--the librarian, three non-professionals plus one part-time employee. The librarian is classed as a professional because of his law degree and the janitress is considered as part-time help filling about one half of one full-time position. Such a staff is entirely inadequate from the standpoint of size, training, and experience.

It is estimated that the West Virginia State Law Library has 75,000-80,000 volumes. A law library of this size requires a staff much larger than its present size in order to properly operate the library and to render adequate service.

Some statistics are available on the subject but adequate statistics are not available for state and supreme court law libraries to show their staffing requirements. The survey recently conducted by Mrs. Laura Pershing, Idaho State Law Librarian, for publication in the May, 1974, issue of the Law Library Journal should show the size and qualifications of their staffs; but this

survey, when published, will not show whether these staffs are adequate and whether the respective state and supreme court law libraries are performing adequate service.

For the purpose of this part of the report, the writer has arbitrarily divided law libraries into three categories. These are small (up to 75,000 volumes), medium (75,001-150,000 volumes), and large (over 150,000 volumes). Under this criteria the West Virginia State Law Library is a medium-sized law library. The statistics in "Statistical Survey of Government Law Libraries" by Silvia González, 66 Law Library Journal 290-310 (August 1973) for the 21 reporting medium-sized law libraries show that the average number of professional librarians employed in such libraries is 2.4; the average number of non-professionals is 2.7; and the average number of part-time employees (full-time equivalent) is 1. Here again these statistics do not show the adequacy of the staff nor whether they are performing adequate service. It is a known fact that some of the state law libraries included in the report are not in much better condition than the West Virginia State Law Library.

The best statistics available appear to be those concerning law school law libraries.

Using the information in the "1972 Statistical Survey of Law School Libraries and Librarians" by Alfred J. Lewis reported in 66 Law Library Journal 189-213 (May 1973), it was determined that

the average number of employees for the 51 medium-sized law libraries (75,001-150,000 volumes) reported therein was as follows:

Professional Employees	4.13
Non-Professional Employees	4.75
Part-time (Full-time Equivalent)	6.2

Alfred J. Lewis is Assistant Law Librarian, University of California at Davis and is Statistical Consultant to the American Association of Law Libraries Statistics Committee. He reports that 148 of the 149 libraries surveyed responded. His survey apparently uses the statistics gathered by the American Bar Association in its annual survey of approved law schools for the academic year 1972-73.

The annual ABA survey of approved law schools conducted in the fall of 1973, which is not yet published, discloses substantially the same number of employees for medium-sized (75,001-150,000 volumes) law libraries. There were more libraries in the medium-sized bracket in this survey, 61 as opposed to 51 in the 1972 survey) because several libraries had grown. This survey shows the average number of employees for medium-sized law libraries to be as follows:

Professional Employees	4
Non-Professional Employees	4.8
Part-time (Full-time Equivalent)	7.4

The above 1973 ABA statistics are dependable and accurate as to the present staffing of law school law libraries and should be a good guide for use in state and supreme court law libraries.

The Executive Committee Regulations of the Association of American Law Schools as amended through March 1973 says:

- 8.3a. The librarian should have both legal and library education and he should have met the certification requirements of the American Association of Law Libraries.
- b. In the case of a library of 60,000 volumes or more, the librarian, where practicable, should be provided with at least the following staff: three professional assistants, qualified through training or experience, with responsibility in the following functions, acquisitions, cataloging, reference and administration, and other necessary professional and clerical assistants.

It is observed that a law school is required to have a law librarian trained in both law and library science. The librarian is also required to meet the certification requirements of the American Association of Law Libraries. A person with both a graduate library science degree and a law degree must have at least 2 years of professional library experience to meet the certification requirements of the American Association of Law Libraries. See page xii Directory of Law Libraries, 1972 edition, American Association of Law Libraries. It is further observed that the above Executive Committee Regulations of the Association of American Law Schools requires that the law librarian with a library of over 60,000 volumes have at least three professional assistants and other necessary professional and clerical assistants. A state and Supreme Court of Appeals law library should be as good as or

better than a small law school law library. It cannot hope to be unless it meets the minimum staffing requirements.

For comparison purposes it is noted that the Alabama Supreme Court Library, which is the state and supreme court law library, has a law librarian trained in both law and library science; has three library science trained assistants, all of whom have had some courses in law; and has four non-professional assistants, some of whom have had some courses in law or library science; making a total staff of eight. The Alabama Supreme Court Library falls in the category of a medium-sized law library the same as the State Law Library of West Virginia and meets the minimum requirements of the American Association of Law Schools.

The head librarian of medium and large law libraries, and to some extent of small law libraries, in the past have mostly been either lawyers or library science trained people. A law library needed both lawyers and librarians to make it run efficiently and properly, but it did not insist that these qualifications be in one person. Several years ago the trend began for the head librarian to have both legal and library science education. As was said by Morris L. Cohen, now law librarian and Professor of Law at Harvard, in "Education for Law Librarianship," 11 Library Trends 306 (Jan. 1963):

For the higher positions in law librarianship, the ideal education is clear. Law Librarians are by and large agreed that an optimum educational background for the

important administrative positions in law school libraries and in all other large research law libraries consists of a broadly based liberal education, evidenced by a bachelor's degree; a full law school program, leading to an LL.B. or J.D. degree; and a master's degree in library science.

At the present time qualified law librarians are available with all three degrees; not in great numbers, but some are available; and most law libraries looking for head librarians only consider applicants with both law and library science education with at least two years of law library experience. This experience need not be as head librarian.

Up until the last few years library school graduates were scarce and hard to find; but at the present time there is a surplus of these people. There may be a shortage in a particular locality and good law library catalogers are hard to find; but, if the price is right, qualified library science trained people are available.

The next question is how much do you pay for a head librarian and his library science trained assistants. The "1972 Statistical Survey of Law School Libraries and Librarians" 66 Law Library Journal 189-213, which was previously referred to, shows the salary range of law school head librarians to be from \$9,752 to \$32,000 per year. The 1973 ABA survey previously referred to shows their range to be from \$10,800 to \$34,500 with a median of \$20,266.50. In order to get a qualified man the starting salary for the head

librarian at the West Virginia State Law Library should be in the neighborhood of \$25,000 per year. This takes into consideration the scarcity of qualified people for this position, the fact that they will have to relocate, and salaries of law clerks who are not required to have two graduate degrees as is the law librarian.

The 1972 survey also showed that the salaries of professional librarians, other than the head librarian, ranged from \$5,220 to \$22,000. The 1973 ABA survey showed the range to be from \$5,760 to \$24,500. For comparison purposes, the range in the Alabama Supreme Court Library for professional librarians, other than the head librarian, is \$8,957 to \$11,856. On October 1, 1974 the range will be \$9,321 to \$12,246. It is anticipated that the State Law Library of West Virginia can obtain its library science trained personnel within these limits. Some more might have to be paid for a good law library cataloger.

The obvious question at this point is how are you going to organize the library staff and how does the present staff of the library fit into this organization? It should be pointed out in the beginning that the new head librarian should have the necessary authority to hire the new staff members and to organize the entire staff into an efficient working unit. The key move for the Court is to hire the new librarian and let him do the planning and organizing

How does the Court locate and hire a qualified head librarian? There are several approaches. One would be to look locally for a qualified person. It is very unlikely that such a person will be found locally. Another method would be to ask qualified law librarians for recommendations. This method might produce some good prospects for the job. A third and the best method would be to contact the placement officer of the American Association of Law Libraries for his list of prospective employees. In addition, ask him to list your job in the next issue of the American Association of Law Libraries Newsletter. The March 1974 placement list was compiled by Professor Cameron Allen, Law Librarian, Rutgers University Law Library, 180 University Ave., Newark, N.J. 07102, telephone (201) 648-5675. The following is a suggested listing for publication in the AALL Newsletter:

WEST VIRGINIA

State Law Librarian. M.L.S. and LL.B. or J.D. required. Prefer an experienced head law librarian; will consider applicants with at least 2 years of responsible law library experience; former practice of law helpful. Salary commensurate with training and experience. Contact:

It is suggested that a good place to interview applicants would be at the annual meeting of the American Association of Law Libraries in St. Paul, Minnesota, June 22-26, 1974. The AALL placement officer should be contacted ahead of time unless individual arrangements with applicants are made. If possible, an on-site visit should be had by the applicant prior to employment.

No good purpose would be served at this point in writing up a detailed organization for the library personnel. Suffice it to say that the professional librarians would be in charge of Reader Services; Government Documents; Serials; Cataloging and Classification; Purchasing; and Technical Services. It will be the head librarian's job to organize them in accordance with his plans for the library.

Some mention should be made of the present library staff. All of them will fit into the new organization without too much difficulty. The present librarian should be used on the desk and be in charge of Reader Services. He will do a good job there. The present assistant librarian can continue as one of the non-professional employees. He is doing a good job filing loose-leaf services, which is about a full-time job. The other non-professional personnel will fit into the new library organization without any difficulty. They will be an asset.

The charging desk is the station for the Reader Services Librarian and will be the focal point for library information if properly manned. It is to this desk that patrons call or come for help. When this happens, help should be forthcoming quickly. A patron may want a specific item or he may want suggestions as to the library's holdings in his area of interest. In either event, his needs should be supplied promptly.

The West Virginia State Law Library, through its Reader Services Librarian, should be able to identify all materials requested both

legal and non-legal and supply most of them. Not all of these materials will be, or should be, in the library. Many will have to be obtained from other library and non-library sources. The head librarian will help with the most difficult requests and use his expertise and many contacts to obtain the material. If a patron can ask for something, the library staff should be able to get it for him. This is a big order, but a good professional library staff can produce.

Reader Services is much more important in a supreme court and state law library than it is in a law school law library where they let the students, and faculty to a great extent, fend for themselves. The present law librarian, with the help of the other professional staff members recommended in this report, can operate Reader Services initially. When this position becomes vacant, it should be filled with a library science trained professional with library reference experience.

Personnel Recommendations:

1. It is recommended that a qualified State Law Librarian be hired and that he be given the authority to hire at least two library science trained assistants; and that he further be given the authority to run the library.

2. It is recommended that the present State Law Librarian be the new Reader Services Librarian and that this position eventually be filled by another library science trained person.

3. It is recommended that the library staff be encouraged to participate in the local library association, in the Southeastern Chapter of the American Association of Law Libraries, and in the American Association of Law Libraries. Sufficient money should be budgeted for their attendance at meetings and institutes.

4. In addition to the personnel discussed and recommended, it is recommended that a one-time project be set up and staffed with sufficient professional and clerical personnel to catalog the library. The cost of such a project would be \$50,000-\$75,000 and should last about one year. North Carolina Supreme Court Library is about to complete such a project under LEAA.

I. Subject Access

The West Virginia State Law Library has an excellent basic legal collection; but this collection cannot be effectively used, because access to the collection is very difficult. Ideally, a stranger to the West Virginia State Law Library, who is familiar with other law libraries, should be able to locate most of the materials in the library by using the card catalog and the various signs and instructions posted in the library. This situation does not exist in the library at the present time, and never will exist completely; but, that should be the goal.

Access to library collections, whether they be legal or general libraries, is provided through cataloging and classification

of the collection. Up to this time there has been a complete absence of cataloging and classification in the West Virginia State Law Library as these terms and procedures are known and practiced by professionally trained librarians. It is true that the library has a "wheel" which it calls its catalog but this device is entirely inadequate as a catalog and, if it were adequate, it is not available to the patrons of the library. The "wheel" is a large rotary file arranged alphabetically. This is not to say that the "wheel" should be discontinued immediately. Apparently it is the only record that the library has of its holdings. It relates more to the financial aspects of the operation of the library than it does to user access to the collection.

Some comments follow on user access to the collection, which includes cataloging and classification; but, the internal operations and procedures of the library will have to be designed and carried out by the new head librarian recommended in this report. For that reason, much is left to his sound discretion and a complete analysis here is not attempted. It should be said, though, that the main reason for having a professional library staff as recommended in this report is to provide access to the library collection through recognized library practices and procedures.

The terms cataloging and classification are usually used together but they are two separate and distinct procedures. The term cataloging means describing the book or other library material and

adding subject headings and other entries. A standard set of catalog cards usually consists of five or more cards for one library item. These are filed in the card catalog by author or publisher; joint author, if there be one; title; series, if there be one; and the various subjects; so that each library item will appear in about five different places, more or less, in the library's card catalog. This gives access to the material through many different approaches.

The West Virginia State Law Library should be cataloged. This means that each item in the library should have one or more cards in the "public catalog" for use by the library staff and library patrons. This will involve making catalog cards for all of the present library holdings and adding cards for new materials as they are acquired. In order not to be misunderstood, I should say that the large sets of books such as the reports would have only one set of cards for the entire set.

Classification is the assigning of classification letters and numbers to books according to an accepted subject plan. This is a subject arrangement, or by subject and jurisdiction. It is an arrangement whereby similar books are shelved together. It provides a distinct "address" for each book on the shelves in the library. The term used for this number is the "call" number. The "call" number is placed on the spine of the book and on each catalog card for that book. The classification numbers are relative as far as the library shelves are concerned. Books are not assigned to

specific shelves. The system expands and contracts so that books can be moved freely and still keep their relative positions to each other on the shelves, and the library records do not have to be changed.

The West Virginia State Law Library now assigns each book to a particular floor, section, and shelf of the library. This would give access to the library materials if this information were available to the patrons, but it causes an undue burden on the library staff changing the many records when books are moved as they must be from time to time. A law library does not need to classify its entire collection initially. The real need is in the text, treatise, and pamphlet area.

In the general library field the two classification systems are the Dewey Decimal and the Library of Congress. The Dewey Decimal System is adequate for a small general library but is not adequate for any library with a substantial law collection.

The two leading classification systems for law libraries at the present are the Los Angeles County Law Library Class K-Law and the Library of Congress Classification, Class K. For a law library classifying for the first time, the choice appears to be between these two systems. There are advantages and disadvantages of each.

The Los Angeles County Class K-Law scheme has gone through several editions and is complete. It is indexed and is supplemented periodically. It is not as detailed and as complex as the LC Classi-

fication promises to be. It includes provisions for general reference books and medical texts. It was designed for a large autonomous law library but can be used by a general library for its law books and has suggestions for its use by small law libraries. For retrospective classification, the Los Angeles County Law Library shelf list with classification numbers is available. The Berkeley-Davis shelf list also contains the Class K-Law classification numbers. Law Librarians who have used the Los Angeles County Law Library scheme report that it works well. Its disadvantages are that original classification must be done for each law book as it is processed into the collection. This includes the assignment of a classification number and a Cutter number from the Cutter-Sanborn table. LC cards could be used, but the LC classification number could not be used. The classifier using this scheme would, of necessity, have to be a professional librarian and would process fewer books due to the greater amount of original classification required.

The Library of Congress System is a complete system including cataloging, classification, and subject headings. The classification will be integrated with LC subject headings with the correct classification number printed in the subject headings for many subjects. Library of Congress cards will contain complete call numbers including author notation. The Berkeley-Davis shelf list and parts of the Library of Congress shelf list are available for retrospective classification. Library of Congress cards and Library

of Congress proof sheets are available for current classification work. A professional librarian would be needed, but you could use more clerical help in the processing than you could with Los Angeles County Class K-Law. Only a few books would require original classification under LC. The disadvantages of LC are that it is made for a large law library and is very detailed; it is not complete and no definite completion date is predictable.

As stated by Philip Wesley in 61 Law Library Journal at p. 285, "the choice is not which is the best classification, but which is the best system for a given library." Mr. Wesley was formerly Head Catalog Librarian, Los Angeles County Law Library. He felt that the "answer should be easy. ...While custom design may be attractive and may even fit better, standardization is far more efficient. The Library of Congress, our national library, is standardizing cataloging and classification for the libraries of the United States." The writer is inclined to agree with Mr. Wesley. Considering all factors, the Library of Congress system is the best for a law library large enough to use a classification scheme.

The following cataloging and classification tools are recommended for purchase by the West Virginia State Law Library:

American Library Association.
ALA Rules for Filing Catalog Cards. 2d. ed. Chicago, 1968.

American Library Association
Anglo-American Cataloging Rules. Chicago, 1967.

American Library Association.
The Use of the Library of Congress Classification.
Edited by Richard H. Schimmelpfeng and C. Donald Cook.
Chicago, 1968.

Anglo-American Law Collections: University of California
Law Libraries, Berkeley and Davis. South Hackensack,
N.J., Fred B. Rothman & Co., 1970.

Immroth, John Phillip. A Guide to Library of Congress
Classification, Rochester, N.Y., Libraries Unlimited,
Inc., 1968.

Morse, Grant W. Filing Rules: A Three-Way Divided Catalog.
Hamden, Conn., Linnet Books, 1971.

Piper, Patricia Luster. A Manual on KF: The Library of
Congress Classification Schedule for Law of the U.S.
South Hackensack, N.J., Fred B. Rothman, 1972. (AALL
Publications Series, No. 11)

U. S. Library of Congress. Classification. Class K. Law.
Draft Outline. Washington, 1970.

U. S. Library of Congress. Library of Congress Classification
Schedules: A Cumulation of Additions and Changes Through
1970. Detroit, Gale Research Co., 1972.

U. S. Library of Congress. Outline of the Library of Congress
Classification. 2d.ed. Washington, 1970.

U. S. Library of Congress. Subject Headings Used in the
Dictionary Catalogs of the Library of Congress. 7th ed.
Washington, 1966.

Serials

A.A.L.L. Publications Series. South Hackensack, N.J., Fred B.
Rothman & Co.

Law Library Journal (American Association of Law Libraries)

Library Resources and Technical Services. (American Library
Association)

U. S. Library of Congress. A Catalog of Books Represented
by Library of Congress Printed Cards...

- U. S. Library of Congress. Classification Schedules.
(especially classes H, J, and K)
- U. S. Library of Congress. L.C. Classification-Additions
and Changes.
- U. S. Library of Congress. The National Union Catalog: A
Cumulative Author List Representing Library of Congress
Printed Cards and Titles Reported by Other American
Libraries.
- U. S. Library of Congress. Subject Headings Used in the
Dictionary Catalogs of the Library of Congress.
Supplement.
- U. S. Library of Congress. Processing Dept. Cataloging
Service.
- U. S. Library of Congress. Proof slips.

It is recommended that the West Virginia State Law Library catalog its entire collection and that it classify its text, treatise, and pamphlet material under the Library of Congress System, and that appropriate LC classification schedules be used, i.e. for both law and non law. A one-time project should be set up to do the material now in the library and an adequate permanent professional staff should be added to do the future work.

J. Comments on Parts II and IV

Part II is an excellent analysis of the collection. I agree with it almost in its entirety. There is one point upon which I would elaborate. As mentioned in Part IV, the library has an outstanding collection of loose-leaf services. It is my belief

that this may not be to the best interest of the overall library collection and development. Loose-leaf services are very expensive in both cost of personnel and time. They are finding aids only, and should not be cited as authority for a decision, because they continually change. A critical evaluation should be made to determine which ones are being used, which are needed, and which ones should be discontinued. Law schools need more loose-leaf services than a state law library. The West Virginia State Law Library, according to its librarian, is now spending over 30% of its book budget on loose-leaf services. It is suspected that this is too much and that some of this money should be spent on things of more permanent value such as developing the legal periodical and treatise collections.

Part IV was not available to the writer for comment. See IX. SUBJECT ACCESS of Part III for my views on this area of the report.

Respectfully submitted,

William C. Younger

PART IV

CATALOGUING AND CLASSIFICATION

BY

WILLIAM E. JOHNSON
LAW LIBRARIAN AND ASSOCIATE PROFESSOR OF LAW
WEST VIRGINIA UNIVERSITY COLLEGE OF LAW

IV. CATALOGUING AND CLASSIFICATION

As discussed earlier in this report, the basic collection of the State Law Library is excellent. However, to maximize its usefulness, there must be a better means of access to it, i. e., the collection, especially the treatises and related materials, must be classified and the entire collection cataloged.

At present the State Law Library does not have a true card catalog. First priority must be given to the preparation of one. This is a very expensive project, but the money must be provided for it if the State Law Library is ever to achieve maximum usefulness and efficiency for the Court and its other patrons. It is through the card catalog that patrons are able to determine if the library has a certain book in its collection by using either the author or title approaches. Also if the patron is seeking material on a given subject but does not have in mind a specific title or author, he can by using the card catalog find what material is available in the library by looking under a specific subject such as Office Management or Roman Law. The card catalog should be a dictionary type with the author, title, and subject cards filed alphabetically together. From this basic outline, the usefulness and necessity for a true card catalog becomes obvious.

What is currently referred to as a card catalog in the State Law Library is not one in reality. The information on the "cards" does not follow a standard system of descriptive cataloging and does not follow a standard subject heading list. In addition, not all of the library's

holdings have been put on the "cards." Also the use of the two "wheels" rather than standard card catalog drawers in cabinets makes use of the existing systems awkward and cumbersome at best. The card catalog must be available in the public area of the library and not in an office.

Before anything else is done an immediate search for a properly trained catalog librarian should be initiated. As has been stated earlier in this report, such professional persons are difficult to find - especially with experience in law libraries. They also can demand substantial salaries.

After the search for a qualified catalog librarian has been undertaken, certain basic equipment and materials should be purchased. The public card catalog cabinets should be ordered. The cabinets are available in many sizes and styles, A standard supplier is Gaylord Brothers, Inc., Box 61, Syracuse, New York 13201. Other manufacturers are the Estey Corporation, Drawer E, Red Bank, New Jersey 07701; the Myrtle Desk Company, P. O. Box 1750, High Point, North Carolina 27261 and Library Bureau, a division of Remington Rand, 801 Park Avenue, Herkimer, New York 13350. There are several others. This is only a representative sample.

The actual catalog cards can be prepared and reproduced at the library. This, however, is an exceedingly expensive and time consuming proposition because the catalog librarian must prepare each set of cards for each item being cataloged from the item itself. Most libraries now purchase the card sets from the Card Division of the Library of Congress, Building 159, Navy Yard Annex, Washington, D. C. 20541. After receiving the cards the catalog librarian then puts the appropriate subject, added entry, and classification number on the cards as required. These are then filed in the card catalog.

Certain card sets are not available from the Library of Congress for various reasons. Therefore, some original cataloging must be done at the library. After the catalog librarian has prepared the main entry card, the additional cards needed can be reproduced on special Xerox card stock or a stencil can be cut and mimeographed on a Mini-Graph Catalog Card Duplicator which is available from Gaylord Brothers, Inc.

The treatise and related material collection should be classified. Classification essentially places all materials on the same subject in the same place on the shelves. The classification system now generally in use in law libraries is the one developed by the Library of Congress. The various Library of Congress classification schedules are available for purchase from the Card Division of the Library of Congress. In addition the Library of Congress Subject Headings list should be ordered from the Card Division.

After the materials have been classified and the appropriate notations made on the catalog cards, the classification notation must be placed on the spine of the book or on the side if the spine is too narrow. There are various ways to accomplish this, but the best one appears to be the Se-Lin Labeling System which is fully described in the Gaylord Brothers, Inc. supply catalog.

In addition to the public catalog, the catalog librarian will also undoubtedly want to keep a shelf list card catalog and an official card catalog. The shelf list contains one card for each item classified in classification order, *i. e.*, the order in which the classified material appears on the shelf. This is very useful for inventory purposes. The official card catalog contains

one main entry card for each item classified in alphabetical order. These catalogs will require the purchase of additional card catalog cabinets.

Initially, the catalog librarian will not need a set of the entire National Union Catalog which consists of hundreds of volumes and is accordingly very expensive. What would be helpful is the Combined Catalog of the Anglo-American Collections of the University of California Law Libraries at Berkeley and Davis. This is a duplication of the card catalogs of these two libraries in the stated area. It contains the Library of Congress classification numbers for the entries. Also since it is a photo duplication of the cards themselves, it is possible to use it for obtaining the Library of Congress card order numbers. The ten volume set is available from the Fred B. Rothman Company, 57 Leuning Street, South Hackensack, New Jersey 07606, for \$750.00. It is well worth the price.

Emphasis has been placed on the classification of treatises and related materials. Nothing has been said about the classification of codes, reports, periodicals, encyclopedias, form books, etc. This is not an oversight. These and similar types of legal materials do not require classification since they are really self-classifying by form and physical arrangement within the library. In summary, there is no real need to classify these types of materials.

Once the State Law Library has been fully cataloged and the treatises and related materials have been classified, the usefulness and efficiency of the library to all its patrons will be greatly enhanced.

END