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Nowhere to Run; Nowhere to Hide: The Reality of Being a Law Library Director in Times of Great Opportunity and Significant Challenges

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“Nowhere to Run; Nowhere to Hide”: The Reality of Being a Law Library Director in Times of Great Opportunity and Significant Challenges*

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Introduction

Spencer L. Simons

¶1 This article originated in discussions between Penny Hazelton and Joan Howland regarding the need to support newer directors at a time when so many first-time directors are filling directorships and the challenges facing all directors are greater than ever. The initial idea for a workshop for newer directors was further developed during discussions about adopting the workshop as the 2014 annual program of the AALS Committee on Libraries and Technology. Scheduling conflicts at AALS required pushing the program back a year. Under the leadership of Spencer Simons, the workshop for newer directors was planned for January 5, 2015, at the AALS Annual Meeting in Washington, D.C.

¶2 As the workshop organizers further refined the content, they decided to emphasize not only the traditional challenges and rewards of becoming a director but also emerging issues in legal education, such as the need to increase a director’s value and perceived value to the law school and, particularly, the dean. If the headings to the sections seem edgy, consider them frank appraisals of the current status of legal education and the unprecedented challenges and expectations these changes hold for the newer director.

¶3 In the first session, the context for the workshop was set by Penny Hazelton’s discussion of the emerging issues faced by law library directors. The subsequent presentation and panel discussion focused on ways in which directors can provide greater service to the dean and law school, and on how law library directors and deans can best work together. The afternoon sessions addressed the ever-present question of how to find balance in meeting all the obligations of a director, the forms of status for a director, and the responsibilities of a director to participate in the intellectual life of the law school, to understand and respond to trends in legal education, and to facilitate the law school’s adaptation to a rapidly changing legal environment.

¶4 A striking aspect of the workshop was the number of “not new” directors in the large workshop attendance. In his introductory remarks, Spencer Simons noted that, in a sense, all directors are “newer directors” in this rapidly changing world of legal education.

¶5 After the workshop, the organizers realized how robust the discussions had been and decided this important content should be preserved and disseminated in Law Library Journal.
Now That You Are a Director There Is No Place to Run, No Place to Hide

Barbara Bintliff

§6 For many of us, being the director of an academic law library is a major career goal, if not the career goal, that we set many years ago when we decided to become law librarians. And now you have, or almost have, achieved that goal. Congratulations! A whole new phase of your career—a directorship—is before you!

§7 I was asked to cover the positives and challenges of being a director. The positives are mostly easily identified. After all, as director, you are the boss. You set the tone, you call the shots, you make the rules. You get to guide the development of the library in a way that can reflect yourself, your values, and your opinions. You can hone management and administrative skills. You can often decide your own hours and choose your own projects. You have new opportunities to write, teach, speak, and be involved professionally. You have enhanced status and prestige, and more visibility around the law school and on campus than in previous positions. You’ll hobnob with deans, faculty, and important alumni. There is potential for tremendous job satisfaction and personal achievement. What fun! Why would you ever run or hide from this?!

§8 Yet still, you may feel a little uneasy. You are concerned that nothing in your background has prepared you for this job, even though you have been steadily rising through the ranks in law libraries for some years. You realize that the library is a more complex organization than you experienced previously, and you are intensely aware that you are now responsible for almost everything that occurs. On top of that, you have a layer of law school, and maybe even university, responsibilities that feel new and a bit foreign. And then there are the rapid changes in the world of legal education, coupled with the significant modifications to the ABA standards for accreditation. The economy is fragile, if recovering, but still affecting the law school’s budget. You know all of this can, and probably will, affect the library. You are keenly aware that there may be some tough decisions—regarding personnel, budgets, or space—looming on the horizon. Suddenly, you feel like you are standing alone, very exposed. You may well want to run or hide.

§9 Positives and challenges abound in a law library directorship. There are too many of each to list, and, to a great extent, they will vary from person to person. However, the biggest positives and challenges can be summed up in one word: people. As a law library director, your life revolves around people—staff, students, faculty, the dean, other administrators, donors, and patrons. You hire, supervise, pay, motivate, evaluate, and otherwise manage people. You communicate and network with people. You provide information resources and plan services and programs for people. You negotiate budgets, licenses, purchases, and physical space...
with people. You operate in the context and environment of an academic law library but, except for the real—and rare—emergencies like natural disasters, almost everything that happens in the director’s day revolves around people. And it all happens while you, as director, are trying to manage your own performance and expectations.

Because every director’s job is different, I am going to highlight several challenging situations that are often encountered by directors who are new to their positions. I am focusing on the director’s relationship with the library staff because that is the primary source of challenges; the day-to-day interactions offer endless possibilities. I hope that, by being able to anticipate them and plan a response, you can turn these situations into positives instead of feeling the need to escape.

Your first few days on the job will likely be a blur. You will have university orientation, benefits information sessions, and maybe a faculty orientation meeting. But it’s likely that no one will give you any real information about what is expected of you as director of the law library. The dean doesn’t want to have to think about the library because he or she has other things to worry about. Your staff isn’t going to tell you what to do. You will probably walk into your new office and find an empty desk and not much waiting for you to do. Until you sort out what you will be doing, it is important to have something to work on. I suggest you have a project of some sort—an article or a syllabus or a professional association report, for example. You don’t want to look lost and be wandering around the library offices!

“The place seems to be running, so where,” you think, “do I fit in?” Your staff is asking a version of the same question: “What will the new director do?” Part of your job will be to create your job—a challenge if there ever was one, but also a tremendous opportunity! You need to ask yourself what should, and what do you want, your specific responsibilities to be? Does it—or should it—matter what the last director did? Certainly you are expected to run the library, but how does that translate into specific functions? It may be helpful to talk it over with your mentor or other new directors before making your decision, and it’s useful to remember that your job will change many times over the years.

As you settle on specific job responsibilities and functions, remember that your entire staff depends on you to allocate resources, set priorities, delegate responsibilities, follow up on activities, and, basically, do your job in a timely manner. Your decisions provide the oil for the library to run like a well-oiled machine. Your carefully planned day will almost inevitably be interrupted by questions and concerns from staff members, and you will be faced with numerous, competing demands on your time. You have to make sure the library’s work continues to flow, so time management is an essential skill. As you structure your personal functions, be careful not to overwhelm yourself with too many duties at one time. You need to learn how to read a new institution’s budget reports, decipher its personnel rules and procedures, navigate a new physical facility, and acquire countless other bits of knowledge. Remember that you can phase in additional duties as you become comfortable with the first array you assume.

In all likelihood, especially if the director’s job was vacant or occupied on an interim basis, other people will have been doing parts of what you have been
informed or have decided is now "your" job. Consider how you will inform those people who are currently performing those functions that you are changing their job responsibilities. What will they think about giving those responsibilities to you? Will they gladly turn over the records, or will they resent you taking "their" job? How will you deal with the transition and how will you learn the specifics? Is the person performing those functions an unsuccessful, and maybe unhappy, internal candidate? How you handle this transition can set the tone for your relationships with a lot of people with whom you may have to work for many years; bring your best people skills. And, however you choose to structure your personal duties, be sure to thank the people who have been doing what will now be your job.

¶15 Building a staff and motivating your employees are tremendous challenges, but they can also be the most satisfying parts of your job. To begin with, you need to understand how the library's work flows and how job responsibilities are allocated. It is almost guaranteed that there will be different processes at your new library than were at your previous one. One challenge will be to avoid making big decisions immediately, barring a problem that must be resolved right away. You will need to accept that many procedures and activities that appear to you to be in need of change have developed over the years for logical reasons, and the wiser course is to try to understand why this is before making changes. Your new staff will feel that you are marginalizing and criticizing them if you immediately start changing everything, but if you have patience and listen to their explanations (including the most hated explanation ever, "we've always done it this way"), you are giving them the respect and attention they want from their new boss. Spend the first few weeks and months listening and asking questions; you will learn many things, and your staff will feel that you are interested in understanding them and their work instead of just criticizing their jobs.

¶16 You also need to learn how your staff interacts. What is the informal library hierarchy? Who are the opinion leaders? Who does everybody like and respect? Who are the gossips? Who are the go-getters? Do you have a poison personality in the group? You can know with certainty that the staff members talk to each other about more than work; the grapevine in your library is alive and flourishing. And you are not part of the grapevine, at least not as it relates to your staff's favorite topics: the library's personalities, especially you.

¶17 Understanding your staff's informal structure is important. It can give you insight into what issues concern the staff, who you can trust, and who needs more work to do. It can point out issues for which better communication is needed. It may provide you with advance notice of a personnel change. You cannot kill the grapevine. You should think twice before trying to manipulate it, because it's easy for your staff to figure out that they are being fed information "from the top." That kind of manipulation will not soon be forgiven or forgotten. But if you spend time walking around the staff offices and forging personal relationships with staff members, you can use the grapevine to your advantage; you will hear about matters of concern relatively quickly and, hopefully, in time to avert morale (or other) problems by openly communicating the "correct" information or more privately addressing individual problems.
¶18 You should outline your basic expectations to your staff early in your directorship. These are matters that you think are important for everyone to know and follow, and might include statements regarding civility and respect in the workplace, everyone’s responsibility for open and complete communications, appearance/dress code requirements, an understanding that change will occur but will be undertaken as fairly as possible, and so on. Your expectations should be broad principles, not rules, and offer an explanation of how staff members should perform. An open meeting works better than written memos because staff members have an opportunity to see your delivery of the information and clarify your comments. Confusion should be minimized when they all hear the information at the same time, and you can observe how they react. (Individual evaluative criteria also need to be set, but not in an open meeting.) Written memos with specifics should follow. There is always the possibility that your new institution’s personnel rules will govern in some areas; you should consider a discussion with the law school’s human resources contact before having this meeting. It is challenging to deliver this information without sounding like a dictator, and you might want to practice before the meeting to find a professional but friendly way to word your comments. Give your staff some context for what you are requesting of them. Your staff needs this information. It’s only fair for them to have it, and by setting the tone at the beginning of your directorship, people will know where you stand and can behave accordingly. Clear expectations help you and your staff understand each other.

¶19 Just as you expressed your expectations to your staff, so, too, should you clarify your dean’s expectations of you. Forging a working relationship with your dean is critical to your, and your library’s, success; without decanal support, everything you try to do will be difficult. Deans sometimes don’t have the best management skills and may not have engaged in a similar process with other law school administrators. However, you need to know what, exactly, your dean wants of you and how he or she will evaluate your success. It may smooth this conversation for you to “manage” your dean by bringing a list of possible expectations and evaluative criteria. Any kind of agreement you reach on expectations and, possibly, evaluative criteria, will help you give your best performance.

¶20 One overriding challenge in law librarianship is that the time is long past when the library was a fiefdom unto itself and when no one dared question a strong library director. The library is now unquestionably part of the law school, and we as directors have to learn to work with the dean and other administrators. If your expectations were that you would be completely and utterly in charge, you will have to change them; you are now a middle manager in the law school’s eyes. Learn to choose your battles. You cannot operate in a constant adversarial state, you will not win every battle you fight, and you have to prioritize your library’s needs. But a fuller integration into the law school can give you better knowledge of the larger enterprise and help you keep the library relevant by creating new and more tailored services and programs. The excitement of interacting with a group of other administrators, and working together in the best interests of the law school, turns the challenge of the move away from complete library autonomy into a positive development.
¶21 These are just a few of the challenges faced by almost all new directors. You will face others. As director, you have a tremendous amount of responsibility but an equal amount of opportunity. You will be able to guide your own career in a new way and develop professionally in many directions. To conclude, I offer three pieces of advice to help you meet the specific challenges that you will encounter and turn them into positive developments:

1. Have a trusted friend or mentor outside your institution, or multiple mentors for different perspectives. The law library director's position in a law school is unique and often isolating—at the same time faculty, staff, and administrator—and having someone knowledgeable with whom to discuss your ideas and concerns is invaluable.

2. Be proactive. Think ahead and prepare for what may be happening. What is on the law school’s or university's calendar that might affect the library’s operations or its personnel? How might you position the library to take advantage of changes in leadership, for example? How should you anticipate the needs of a new first-year class of students? You want to have thought about as many possible scenarios as you can and have a plan for maximizing the library's participation.

3. Learn how to apologize. You will make mistakes. Apologizing and accepting responsibility, offering solutions, and learning how to move on are signs of a mature administrator.

¶22 You have reached your career goal, and, by now, you know that facing challenges, even the hardest ones, can help you grow and mature. Frequently the same challenge also can offer the chance of growth for your staff. Even though running and hiding might seem the easier way to deal with difficult situations, it is a short-term solution. Turning that challenge into a positive is far preferable.

Nowhere to Hide: Emerging Issues for Directors

Penny A. Hazelton

¶23 We all know the tremendous external pressures of the environment in which we work:

- Competition in legal education—for students, prestige/status, faculty, private funds, legal jobs
- Changes in legal practice—consolidation, outsourcing work, fewer high-paying jobs
- Huge unmet need in serving people who cannot afford a lawyer
- Cost of legal education and debt burden of law students

1. Washington State is the first to create another kind of legal practitioner—the Limited License Legal Technician. See this research guide linking to the Supreme Court order and other important documentation: Washington Limited License Legal Technician (LLLT) Research Guide (Mar. 20, 2015), https://lib.law.washington.edu/content/guides/llltguide.
Within the law library, questions about our very soul are on our minds. What is a law library today—space, collections, services, something else? Maybe more important, what does it need to be tomorrow? These internal issues arise on a daily basis for academic law library directors:

- Traditional law library autonomy is being questioned because of pressures to economize and do more with less
- New ABA standards about assessment and outcomes need our input
- Rethinking the status of the law library director
- The future of print collections
- Integration of the law library into the fabric of the law school
- Repurposing of library space
- Limited resources and staff
- Preservation of legal materials and gray literature

It is like a giant jigsaw puzzle. The pieces are on the table, and we have turned most of the pieces right-side up. We have been looking for the border pieces. We know the rest of the pieces will be easy to put together if we can just build the border first. But none of the pieces look like border pieces! We can't even tell if those pieces were ever in the box!

Even if we can put together the library pieces, how will they attach to other elements of the puzzle? Where will they go in the puzzle? In the center? At the edge? Which of the library pieces even belong in this puzzle?

To make better sense of the puzzle pieces we do have and can recognize, and to help us create some of the edge or border pieces we need, there are two tasks you should do for you, your law library, and your law school.

First, add to the preceding list of external pressures and communicate it concretely to your library staff. Use data and visual graphics to enhance your messages. While most library staff probably realize that law libraries are undergoing very rapid changes, they may feel that they can ignore what is going on with student loan debt and a tight job market for lawyers as irrelevant to the library and to them personally. But as we see every day, these forces are driving important, impactful decisions in law schools and are completely relevant to every law school employee. Every law library staff member needs to understand the significant changes that are taking place in the practice of law and in legal education today. How these changes are handled and managed today will define legal education in the future. And they will define our law libraries.

A second task every law library should undertake is a SWOT analysis. Take a hard look at your strengths and weaknesses, and identify the opportunities and threats posed by that analysis. I invite you today to begin making your lists. I chal-

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lenge you to use your strengths to take advantage of the opportunities in order to create new models of legal education and new visions and roles for the law libraries of the future.

 ¶30 As I have watched us all try to fit the pieces into this puzzle without borders, I would like to make two general observations.

 ¶31 First, everything and everyone is set back to zero. By that I mean knowing how to do our jobs well today and in the past is not a sign of success for tomorrow. The assumptions of the past make no guarantee about success in the future. My favorite futurist, Joel Barker, makes this point very concretely in his DVD, The Business of Paradigms. He claims that paradigms, the rules and regulations we use to decide how to do our best work and make good decisions, may actually blind us to innovation and change.

 ¶32 One of the challenging questions he asks is, “What, if you could do it today, would fundamentally change your business?” There is no doubt that digital texts have utterly changed the world of libraries forever. So the question today is, how do we as librarians adapt and change our ways of thinking within this new paradigm? Similarly, the old paradigm of legal education—expensive, elite, students not practice-ready or able to pass the bar, emphasis on scholarship not skills, light teaching load for faculty, few clinics—cannot continue in light of current developments. How does it need to change?

 ¶33 This notion of going back to zero—that we are all starting at the beginning—was brought home to me recently in my own law library. We joined a consortium of thirty-eight academic libraries in three states to find a new integrated library system that we hoped would increase efficiencies on the library side, reduce our individual library costs, and make collaboration easier with improved customer service for our users.

 ¶34 The system selected was new to everyone in the consortium—and, to say the least, it was not really “ready for prime time.” For example, the new system seemed to think libraries had only electronic resources. Print serials? Why would we need to keep track of them? On one subscription you receive replacement volumes and pocket parts and other materials. There is certainly no need to keep track of them, is there? The result was a software program that was constantly being tweaked and changed on a weekly, if not daily, basis over the course of eighteen months!

 ¶35 What did this constant state of change mean for the library staff implementing the new system? Training sessions were virtually worthless because the process for doing a discrete task inevitably changed a few days after the training. Documentation about how to do a particular task was similarly worthless because those steps would not work the next month.

 ¶36 Not surprisingly, staff morale was very low. At first I thought this was just because they didn’t want to learn a new system. The library staff just didn’t want to change. When I looked harder at this question though, the answer was more complex. Library staff wanted to continue to do their work in an outstanding manner.

They were willing to learn new procedures and processes. So what was the problem?

¶37 First, staff could not do their jobs, sometimes not at all. Want a list of our new acquisitions? The system can't do that yet. Need to know what you paid for volumes of the *Washington Reports, 2d* last year? Sorry, that data is in the record, but the system does not know how to retrieve it. Second, the way they did the work they could do changed all the time. Third, there did not seem to be an end to the constant change in the ILS. Something would get fixed or improved and something else would break. Whether staff were working with the behind-the-scenes software (Alma) or the public catalog and discovery platform (Primo), the problems were constant.

¶38 These issues still plague us today. While some of the kinks have been worked out, the bottom line is that this software will never be complete or done. In fact, all software will always be changing—that is its nature, after all.

¶39 But here is the lesson: rote processes using computer systems are out. Experimentation, testing, and retesting are in—and not just for the software developers. No longer will a library staff person be able to do a repetitive task using the same steps every time. As the system changes, the steps will change as well. When this happens, library staff will need to be able to “look around” the system and discover another way of doing the task.

¶40 Does this sound efficient? No. This way of working puts the burden of development and use of software squarely on the user of the system. But this way of working is here to stay. And it has important implications for the skills library workers need to have now and in the future.

¶41 Many of us did not like WestlawNext when it was introduced. It has taken several years for WestlawNext to come of age and for us as librarians to learn to how to use it effectively—and how to teach others to use it! A constant stream of new systems awaits us: Lexis Advance, Casetext, and Ravel, to name a few. The skills that make the best reference librarians are needed by all library workers.

¶42 Successful library workers will all need to have these qualities:

* The curiosity bug
* Problem-solving skills—the willingness to figure it out themselves
* The patience to try and fail and try again
* The desire to continue learning many new things every day

¶43 If all library staff have been set back to zero (or will be), how can we as managers help them be successful in this new environment? First, be sure they understand that this state of affairs is not just temporary. Second, give them a chance to grieve the passing of a different time, the old way of getting their jobs done. And then, inspire them to help put the library pieces back into the puzzle by creating entirely new puzzle pieces and contributing to the border that needs to be built.

¶44 The second of my general observations is not to forget our users’ needs as we try to adopt technological solutions to increase our efficiency and productivity. Sometimes in our effort to be efficient, our new policies or procedures do not serve our users. A recent situation at my institution serves to make my point.
As part of the collaboration with our three-state alliance, we were required to merge our catalog with the catalog of our university library. Several months of preparation by our wonderful transition team highlighted the many policy decisions we would need to review as we worked to integrate our records and our practices with the main campus system. Both libraries were coming from Innovative systems, but since we had gone our separate ways in implementing Innovative twenty years ago, our practices and policies needed to be reconciled before we could move to join the new Alliance integrated system.

Law librarians serving on various committees with the university libraries accomplished the review and decision-making required to move ahead. In one particular area—circulation—we had a strong policy conflict with the university libraries. They serve tens of thousands of users; we serve about 1000 who mostly “live” in the law school building. They fine for overdue books, and if the books are not returned or renewed, the patron is charged for replacement costs at $150 per volume and a nonrefundable fee of $30.

In the law library, we had never fined our users for overdue law library books. In addition, we automatically renewed books held by law faculty and required that the books be returned only when someone else wanted to borrow them. The result is that many law faculty had books that had probably been checked out with our ancient paper system!

Our policies and the policies of the university library collided. We were able to get the university library to program the software to continue our practice of no fines for overdue law library books. But we were not able to eliminate the requirement of return or renewal, which triggered the replacement invoice and surcharge for being billed. We told faculty and staff to ignore the first e-mails from the university library sent by “the system” listing what they had checked out. The system was not operating correctly in most cases. But when the first law faculty member got a bill for $18,000 for replacement copies of books, the situation spiraled out of control. Over a period of six months, we worked with law faculty to resolve their individual situations. We tried amnesty. We tried helping faculty look for books. If the faculty member claimed the book had been returned but we could not find it in the collection, we “returned” it ourselves. All the while, the invoices were piling up, and some were sent to collection agencies or the faculty member was prohibited by “the system” from checking out other books.

It was a disaster. The university library was incredulous that we had been so lenient. We were incredulous that “the system” could not take into account our particular situation and policy choices. Faculty did not want to have to watch for the renewal notices that came to their e-mail from a university library office they had never heard of. Many of our most prolific users said they would quit using our print collections altogether—not the reaction you want to have! The situation kept escalating until the law school’s elected faculty executive council was asked to review law library policy with the dean.

Bottom line is that instead of the efficiencies we had hoped to gain by joining the Alliance, we have created time-consuming workarounds to handle circulation for faculty. The staff are not working more efficiently as we had hoped. And the
law library's reputation as a user-friendly organization has been tarnished among people who were the library's best supporters.

¶51 Perhaps we should have seen this coming. We could have handled it differently (we certainly wish we had!). Hindsight is always a useful tool. But the main message here is just a reminder that as much as we may wish (or have) to be more productive and efficient, changes in policy may be hard to implement if they directly conflict with the culture and values of an organization. And an argument that it takes too much library staff time to work around "the system" (especially if it puts the burden on faculty and staff) will be unlikely to prevail.

¶52 Have fun finding the border pieces to your puzzle!

¶53 By the way, law schools are trying to put their puzzles together, too. Building the border pieces or edges of the legal education models of the future is a daunting yet exciting prospect. You have a lot to contribute.

Making Your Dean an Offer She Cannot Refuse

Spencer L. Simons

¶54 A major theme of this workshop is the increasing challenges for law libraries in a time of great change in legal education. The theme of this part is the opportunities we can make for ourselves.

¶55 The focus of the academic law library has long been, and will continue to be, advancing the law school's mission through service to faculty and students. All of us here today have been "upping our game" as we have recognized that the future of the law library depends on providing more and better service. Still, the questions persist as to whether law libraries are providing value commensurate with the resources they absorb. The answer increasingly is yes, we are providing good value. The question remaining is how do we make that evident to the allocator of resources, our dean?

¶56 Deans have largely evaluated the director and the library based on their perceptions of how well we serve the faculty and students. Now, the demands on the dean have increased greatly. Many schools are struggling, and almost all have fewer resources. Deans are expected to supply solutions, and the performance of many is measured by onerous formal metrics. More than ever, a dean will ask what value the library provides. My thesis is that we can best demonstrate our value by directly helping the dean in her efforts to find solutions.

¶57 How can we help the dean? We can leverage our existing competencies. We are researchers and analysts. We are networkers and diplomats. We are organizers. We are team players.

Researchers and Analysts

¶58 Deans must be fundraisers, and a key part of fundraising is identifying and developing alumni donors. The library may already be searching daily for news items referring to the law school, including references to alumni. Officers in the development and publicity offices should be included in the distribution. The library also can research who is who in the local legal community and who is likely
to have the resources and inclination to be a substantial donor. Fund-raising also might include planning events and receptions. The library can help by gathering information, such as who are alumni in the area of the event or other potential invitees, such as judges, along with their backgrounds and contact information. In addition, such services can enhance teamwork by involving us more closely with other members of the dean’s team.

§59 We can put our research skills to work in customized data-gathering projects. Examples include faculty salary comparison surveys, comparative faculty publication surveys, surveys of promotion paths and standards, and comparative curricular studies. We can also help in faculty recruitment by searching for potential candidates with highly specialized knowledge and skills. Another function many of us already perform is helping the dean evaluate faculty performance by regular publication and citation studies.

§60 Many deans continue scholarly work while serving as dean. Often, they hire teaching assistants to help with their projects. We are better and more dependable researchers than are student TAs. Offer your library as the proper researcher, updater, cite checker, and “Blue Booker” for the dean’s publications. The dean also receives regular invitations for media appearances and topical discussions. Offer your library’s services to research issues, analyze data, and prepare executive summaries for the dean.

Networkers and Diplomats

§61 As a director becomes more established within the law school and the parent institution, opportunities arise to help raise the profile of the law school within the institution and to gather information that may be useful to the dean. If you are eligible for the faculty senate, try to get appointed and then play an active role in its committees. Similar opportunities may exist for participation outside the faculty senate structure. As you become a known quantity, you may be asked to participate on campus advisory boards and search committees. Seize these opportunities and really work at them. If bylaws need drafting or revising, volunteer to be the drafter; you are probably the only lawyer in the group. Another opportunity to visibly contribute to the law school and its community is to offer public education programs, such as CLE’s or other programs targeted at recent graduates and alumni. A side benefit of all these efforts is establishing the law library as an integral part of the law school and developing the perception of the law library as providing value to the parent institution.

Organizers

§62 I won’t say too much about this aspect, but we can contribute to the dean’s success by lending our expertise in organizing events and displays. Many of us already do this, and it is appreciated.

Team Players

§63 I have already mentioned how news searches by the library can aid the development and publicity officers on the dean’s team. This is just one example of
how we can work with the dean's team to leverage up their success and, thus, the dean's success. Being a team also means advising the dean candidly and with full information in order to help her meet her goals for the school. Being a team player means accepting that not all the dean's decisions will please you, but you must support and help implement them, once made.

In sum, we have many skills that can help the dean and the law school succeed. Tell the dean what you have done. Promote your services and urge the dean to use them. Carry through on any requests that result.

The Carry Through

A reality is that, as the dean's direct report (usually) and liaison, you as the director will very likely do quite a bit of the work on dean's projects yourself. Larger projects will, however, also require support from staff. To help smooth the way for additional work that will result from your promotional efforts, you must prepare and educate your staff. As Penny Hazelton emphasized, explain the current legal education environment and the implications for the dean and for the library. Explain why these new initiatives are essential to library success and even, perhaps, survival. Prepare your staff for the likelihood of increased task assignments.

Quite possibly, not all staff will understand, adjust, or cooperate. You will explain, you will confer with them, but ultimately you will make the decisions and assignments. In the end, you are the guarantor of results, even if you have to do the bulk of the work yourself.

What if there is resistance from other members of the dean's team? This is quite possible. This is change and may not be welcome. Some team members may view any change as a turf intrusion. Others might resent any perceived expansion of the library's presence, even if there is no tangible loss to them! How to respond? Keep close to the dean's team. Remember to keep your friends close and your enemies closer, and that enemies often become allies. Offer to work with team members in ways that enhance them or make their lives easier. This may be a long-term project, even a matter of years. Work consistently and diplomatically to build trust. Your dean will appreciate it.

Providing Your Dean with Support and Counsel

Introduction and Questions to Panelists

Penny A. Hazelton, moderator

As we think about how to make your dean successful, I was reminded of Janis Johnston's excellent article, Managing the Boss. Written in 1997 when she was the associate director at the University of Notre Dame Law Library, Janis outlines and discusses nine important tips. I repeat them here for those who have not read her excellent article:

1. You must take responsibility for building an effective relationship with your dean
2. Learn your boss's goals and objectives and develop ways to help your boss achieve them
3. Understand the pressures your boss is under
4. Evaluate your own behavior—do you help or hinder the boss's goals?
5. Learn your boss's preferred work habits
6. Know your boss's strengths and weaknesses
7. Keep your boss informed
8. Manage the flow of information to your boss
9. Make your boss's decision making easy

¶69 Keep in mind that you are working with your boss to improve your performance as well as the performance of your boss. You are not working at this relationship to manipulate the dean or be controlling. These thoughts lead nicely into the questions I have today for our panel.

¶70 Question 1: Does being on the dean's administrative team conflict with the role you occupy as the law library director? Please share some tips about how you balance being a team player in the law school administration and still advocate for the law library.

Spencer L. Simons, panelist

¶71 I see no conflict. Being a team player is a core function of the director. My view is that the role of the director, in relation to the dean, is to be an objective counselor, a frank adviser, and to provide facts, as a truth seeker in partnership with the dean. A core role of the dean is to allocate scarce resources to achieve institutional priorities. The director's duty is to help the dean succeed.

¶72 Although the main focus of my remarks is on the dean/director relationship, I should note that the director also contributes to the success of the dean and law school by working effectively as a team player with the dean's team.

¶73 Note that I have spoken of objective, frank advice, and facts, but not of "advocacy." For reasons I will develop further, I would like to avoid the use of the term "advocacy." Ultimately, the most effective advocacy comes from others, as a result of useful and visible service to the law school and the parent institution, service that contributes to the success of the dean in furthering law school and institutional goals. Enthusiastic praise from faculty, students, campus administrators, and other members of the dean's team is the best advocacy for the library.

¶74 Allow me to put in context what I see as a shift in emphasis from the director as library advocate to truth-seeking counselor. Academia as a whole is evolving from being a world of largely autonomous and siloed individuals and units to a managerial world of command and control. The law school and its dean are fully subject to the trend, and so are law libraries. We can no longer afford to feel (semi-) autonomous or to be siloed. We are sharing the uncomfortable change felt throughout the academic world. In fact, current trends in the legal market have further exaggerated the magnitude of these changes.
¶75 The director is a participant in the administration of a very large institution. Consider the typical chain of command: (outside influences) > Chancellor > Provost > Dean > Director > Library staff. The chain of command largely determines the dean’s goals and the decisions he or she will make in rationing scarcity. The law library director, as a middle manager, answers to a boss, the dean, who is operating under severe mandates and performance metrics. The director best serves by helping the dean meet his or her goals. In this new world, if we do not help the dean succeed, we and our libraries will not be favored. If the dean perceives us as “advocating” for the library’s priorities, not the dean’s, we will hurt the library.

Joan S. Howland, panelist

¶76 Serving as a member of the dean’s team complements, rather than hinders, a library director’s role as an administrator within the larger institution. Being part of the administrative team provides the director with the opportunity to be “at the table” during critical institutional conversations and to actively participate in discussions about institutional issues that may have implications, whether positive or negative, for the law library. More important, as a member of the dean’s administrative team, the director will be able to communicate the needs and concerns of the law library while also having access to similar information about other units within the law school. This engagement and sharing of information is critical to a library director’s ability to serve as both an advocate for the library and as a skilled administrator who understands the “big picture” and is sensitive to broader institutional concerns.

¶77 Just as every good real estate agent chants the mantra “location, location, location,” every astute law library director constantly mentally repeats the words “relationships, relationships, relationships.” No law library director can stand in “splendid isolation” apart from the rest of the organization. To remain relevant and responsive to the evolving needs of the greater institution, a library director must continually nurture existing relationships and develop new ones with all law school administrative units, including student affairs, career counseling, LL.M. programs, finance, human resources, facilities management, and alumni affairs. In developing these relationships, a library director should look for ways to not just support other units, but to help them truly excel. For example, the library can provide individualized tours for admitted students with specific academic interests, conduct specialized training for LL.M. students from foreign jurisdictions, offer the library as a space for receptions, provide research assistance to the alumni office, and work with the student affairs office to sponsor special orientation events.

¶78 Obviously, the library director must work closely with the academic dean as an avenue to ensure that the law library can anticipate changes in faculty research patterns and respond to curricular developments. With the increasing emphasis throughout legal education on professional training, experiential learning, and program outcome assessment, the library director must maintain contact with all relevant faculty and administrators to determine natural “fits” for the library, especially in light of the legal research training skills and knowledge that members of the professional library staff possess. Another critical relationship that
needs continual fine tuning is that with student leaders. Reaching out to these individuals will not only assist a library in supporting the work of the student government and special interest groups, but also help to develop relationships that will prove invaluable when unanticipated issues arise, such as a budget crisis that causes a reduction in library hours.

¶79 Another symbiotic relationship to be cultivated is that between the law library and the law school’s office of communication and/or marketing. By actively soliciting research requests from this office, the library director can demonstrate the value of the library and gain a better understanding of the institution’s advancement initiatives. Through the fostering of this relationship, the library director might be able to ensure that the law school’s publications regularly highlight library developments or allow the library director or other members of the staff to provide articles.

¶80 During this time of economic constraints at almost every law school, the relationship between the library director and the law school’s chief financial officer merits particular attention. Rather than waiting to be asked to provide information, the library director should reach out to the CFO on a regular basis to educate him or her about how the library is managing its budget and to emphasize any factors, such as inflation, that are impacting library operations. Through frequent communication, the CFO should gain a better understanding of the evolving financial picture of the library and will probably develop a sense that the “library knows what it is doing.” These conversations also will educate the library director to the changing landscape of the law school’s, and perhaps the university’s, finances. Understanding these elements may help the director plan for potential decreases (or, in his or her dreams, increases).

¶81 Of course, the library director’s most important relationship is with the dean. The library director must position him- or herself and the library to support the dean in every way possible. Rather than cause problems, a primary aspect of the library director’s job is to keep problems off the dean’s desk and to fully support the dean in all of his or her initiatives. By staying in frequent contact (albeit being sensitive to the dean’s heavy responsibilities and time constraints), the library director can keep the dean apprised of what is going on in the library. Simultaneously, the library director can keep a pulse on the dean’s expectations and priorities for the library. One critical aspect of maintaining a positive relationship is to remember that, much like a library director, deans do not like surprises. It is crucial to always give the dean a “heads up” when any issues related to the library might be brought to her attention, whether it be an unhappy employee who has threatened a grievance, a faculty member who is upset because the library cannot check all the footnotes in a 500-page treatise, or an alum who is annoyed because the library cannot offer twenty-four hour access.

¶82 However, at the heart of this relationship is the truism that a dean should be able to expect complete loyalty and support from the law library director. Although a library director may disagree with a dean’s decision or even a dean’s general view of the value of law libraries in the twenty-first century, the library director must in public always voice full support of the dean and his or her vision of the institution to everyone, especially the library staff. For example, even if a
library director has articulated to a dean the reasons why not filling two library
vacancies would have a serious negative impact on the library's ability to fulfill its
mission, once that decision has been made the library director must signal that he
or she realizes the financial constraints that are facing the law school and the
library's job is to respond to any staffing cuts to the best of its abilities. Even if the
library needs to cut services, the library director should never voice any criticism
of the dean. If a library director cannot support the dean, he or she should look for
another position.

Pauline Aranas, panelist

¶83 For a law library director, serving on a dean’s administrative team is a key
and complementary role. It’s important to have a seat at the table and be an insti-
tutional or team player. It’s also an opportunity to build relationships among the
senior administrators, to understand the school’s priorities, and to be fully inte-
grated with the life of the law school.

¶84 As directors, we have multiple roles within the institution: library director,
faculty member, and senior administrator. It’s vital to understand each role and to
keep each role distinct and separate. The role of library director is that of an advokate
and manager or leader; the role of faculty member is that of a teacher and
colleague; the role of a senior administrator is that of a member of the dean’s senior
staff team.

¶85 When one thinks of participating on a team, concepts such as collabora-
tion, cooperation, communication, and support come to mind. As a member of the
dean’s administrative team, the library director’s role is to offer honest guidance if
the dean needs a sounding board for proposed programs or strategic planning;
communicate information that impacts positively or negatively on the school’s
operations or programs; cooperate and collaborate with colleagues to further law
school goals and objectives; and support institutional initiatives, programs, and
policies.

¶86 In Janis Johnston’s insightful article Managing the Boss, she notes that
“managing the boss” means “taking responsibility for the boss’s performance and
effectiveness.” She states that efforts to enhance the boss’s performance result in
enhancing one’s own value to the boss and to the organization. Among the prin-
ciples articulated in Janis’s article, I would highlight (7) keep your boss informed
and (9) make decision making easy. Your dean needs to know any information that
impacts the school either positively or negatively. No leader wants to get blindsided
or appear out of touch. I echo Joan’s and Spencer’s points regarding decision mak-
ing: if you report a problem to your dean, you need to also offer solutions. Direc-
tors gain respect and credibility if they are seen as problem solvers. As a member
of the dean's team, it is also important to exercise discretion and maintain confi-
dentiality regarding sensitive or confidential matters.

¶87 Regular meetings either with the dean individually or with other senior
administrators keep you informed regarding law school operations and programs,
and present educational and advocacy opportunities. As an example, at my institu-

7. Id. at 22.
tion, each administrator distributes in advance of our deans’ group meeting a brief report that highlights departmental activities. I use these reports to highlight the library’s instructional, research, and collection services, and to illustrate the depth and range of our activities. Reading my colleagues’ reports helps me stay abreast of law school developments, particularly in areas such as admissions and career services. ¶88 This team environment provides you with an opportunity to offer library services or expertise with a project, even if the project is not a traditional library one. Librarians have administrative and project management skills that can be leveraged to add value to the institution. Seizing such opportunities can lead to diversifying services. In this context, some library directors have assumed additional institutional responsibilities, either on an interim or a permanent basis. For example, several colleagues administer technology services for the entire law school; others are managing the school’s law reviews. I know of peers who, on an interim basis, oversaw other law school units, such as admissions, career services, and the budget office. In these situations, the dean needed an experienced administrator to keep these offices functioning until permanent hires came on board. ¶89 As I mentioned, it is critical to keep distinct the multiple roles you have within the institution and understand what actions are appropriate given your role. For example, as a faculty member, you have a governance role and can make independent decisions regarding institutional policies. However, the role of a senior administrator differs. As Spencer advises, your role is to support your dean’s decisions whether you agree with the decision or not. Once the dean makes such a decision, then your role is to lead implementation, if required, and publicly and privately support the decision. ¶90 I offer an example that illustrates this situation. I was involved with a law school building renovation and new addition project. The library was situated between the new classroom addition and the existing building. An issue arose about whether to add a second entrance to the library. The library’s main entrance is on the same floor as faculty offices, and some faculty proposed adding a second library entrance so that faculty could conveniently access classrooms in the new addition. Although I advocated for a single library entrance, the dean ultimately decided to add the second entrance. Once the decision was made, I wholeheartedly supported the decision. I assumed responsibility to oversee the implementation and develop policies that would balance the faculty and student access needs and the library security needs. ¶91 Finding balance between being a team player and being an advocate is a challenge, especially in these economic times. Your knowledge of budget constraints due to decreased J.D. enrollment or the lack of general university support might cause you to refrain from asking the dean for library budget increases. I admit I tend to lean more toward being a team player than an advocate at times, but overall, I believe my efforts with teamwork have demonstrated and enhanced the value library services and staff offer to the law school. ¶92 Question 2: Daily there are questions about whether law libraries are giving good value for the resources they require. What are some of the biggest challenges
new directors may face, and how can these challenges be turned into a win-win for the dean and the law library director?

Pauline Aranas, panelist

¶93 You need to consider how library services and priorities align with the law school’s mission, goals, and objectives. In this ever-changing environment, we all need to be flexible and nimble in defining our role to support our institutions. While what we do has not fundamentally changed—acquire, manage, and provide access to information—how we perform these services has dramatically changed, and technology is at the heart of this change. Our collections look vastly different now. We are all shifting from primarily print to primarily digital collections. We also are shifting from a simple materials acquisition system to a more complex one. Moreover, library facility design no longer focuses on housing and securing the physical collection, but rather on student spaces and library service areas.

¶94 Managing continuous change is a challenge for any institution. Effective communication, formal and informal, is key to managing this challenge. First and foremost, discuss the school’s and the library’s strategic vision and priorities with your staff, especially with your professional staff who have the frontline responsibilities to manage and adapt to change. Staff who have a good grasp of the “big” picture regarding legal education and its relationship or impact on the school can advance your strategic priorities. Engage and communicate with faculty regarding library policy decisions, especially resource decisions. Library directors and deans seek to support faculty research and scholarship. Direct engagement with faculty makes them informed users, and they can help you and the dean shape the library’s future.

¶95 Take note of the strategies and efforts engaged in by our law firm librarian colleagues to demonstrate their value to partners and clients. Over the last couple of decades, law firm librarians have had to migrate from paper to digital collections and have seen their library space shift from a spacious showcase library to a much smaller, less prominent footprint. In the not-too-distant future, most academic law libraries will more than likely look like private law firm libraries.

¶96 As I stated earlier, what we do hasn’t changed, nor do I believe it will change. But the “how” is ever changing and evolving, and this challenges us to be nimble, flexible, and adaptive.

Joan S. Howland, panelist

¶97 Perhaps the biggest challenge, as well as the biggest opportunity, for a law library director is identifying new ways the library can be relevant to the larger institution. As law schools try to distinguish themselves in an increasingly competitive environment to attract stellar students and faculty, the library must be nimble in determining how it can assist the law school in meeting these goals. The library director must continually do her “due diligence” by keeping in contact with all units throughout the institution, as well as following general trends in legal education, to determine how the library can respond to the law school’s changing needs. If a dean or others in the institution can see how the library is assisting in moving
the law school forward, the value and importance of the library will be clear. The library must be proactive, not reactive, in this role.

§98 A library director should pay particular attention to those law school initiatives that are designed, at least to some degree, to generate income for the institution. For example, if the law school is expanding its LL.M. programs or developing a master's degree program for nonlawyers, the library should aggressively find out as much as possible about the programs and determine whether the library can play some role in supporting the initiative such as providing training, offering to set aside a certain number of carrels, and even helping to recruit applicants. The library also should identify revenue-generating initiatives it could develop (of course, always in consultation with the dean) such as legal research CLE's offered on-site or at local law firms.

§99 Data to back up one's arguments is always helpful to justify an operation's value. Using programs such as Libanalytics to track reference requests not only will help a library director in analyzing how and by whom the library is used, but can demonstrate to the dean how the library is supporting the curricular and research needs of the faculty and students. Circulation figures also can be helpful, especially if they reflect how the library is supporting local law firms and businesses. The dean might find this information helpful in promoting the value of the law school to alums as well as to others.

§100 A law library should be proactive in identifying cost savings and operational efficiencies rather than waiting to be asked to do so. A librarian who, without prompting, "offers up" $50,000 out of the library budget to the dean not only is going to be demonstrating her abilities to be an innovative manager but also will undoubtedly impress the dean as being an astute administrator. The one caveat is that the dean or a subsequent dean may not factor this "gift" into the equation during the next round of cuts. A partial defense would be to keep careful records.

Spencer L. Simons, panelist

§101 The challenges we most commonly think of are innovating and improving services, staffing adjustments, collection rebalancing and cancellations, space demands from the law school, and budget reductions. These have in common the need to implement change. Rule: change is unwelcome. Fact: the new director will be a change agent, to a greater or lesser degree. There might be an explicit mandate for change from the dean, the faculty, or both. Even without an explicit mandate, the new director will inevitably make changes. Remember: change is unwelcome.

§102 My advice to the new director is that the director no longer has the luxury of the traditional advice to "wait a year" before changing anything. The new director should have a change plan formulated before the first day on the job (provisional: there are always surprises). Inform the staff you will be making changes, and tell them why. Seek input and advice, consult, but don't be ruled by the responses. If you seek consensus, there will be no change. Once you have initiated a change, you become its guarantor, even if you have to bear much of the burden yourself.

§103 Successfully implemented changes, assuming they further the dean's and law school's goals, will benefit the dean. Make sure the dean knows of successes and
be sure to share credit for successes with your staff and with the dean. Any failures are yours alone, of course.

¶104 A key to successfully turning a challenge into a win-win is to anticipate change and to make necessary adaptations before the dean imposes them. For example, in my library I identified a number of possible efficiencies and economies, in personnel and the collection, and implemented those changes in my first years at the library. I made sure the dean knew of these. When the time came for budget cuts, the dean said that every department needed to make percentage cuts, except for the library, because “they have already done it.”

¶105 I am going to finish by veering away from the question and giving a little “Dutch Uncle” advice. The advice is to avoid mistakes I have observed over several decades in several careers and jobs.

1. The dean hired you to solve problems, not to bring problems to him or her.
2. Do not go to the dean about conflicts with faculty, members of the dean’s team, or other staff, and do not seek cover from the dean.
3. Do give the dean a heads-up before a problem is brought to him or her by somebody else.
4. Protect your dean’s political capital. He or she must ration it carefully. Help this process.

“Uptight? It’s All Right.” The Challenges and Rewards of Being a Law Library Director—Part I

Michelle Wu

¶106 Good afternoon. Steve Barkan and I have been asked to address balancing responsibilities beyond administering the law library, including developing a research agenda and finding time to write, assuming teaching responsibilities for substantive law courses, and participating in professional service activities. We decided that I should speak first, as my talk dissects the program description section by section whereas his presentation takes a more holistic approach.

¶107 I want to start by defining balance, as it changes with context and can mean different things to different people. I am not talking about balance as you would see on a scale, where each activity is equally distributed. A director’s job is fluid, with so many different components, that it’s often hard to predict whether one day will look like the next. There will be days when you are overwhelmed, when one particular aspect of the job—be it a personnel matter, unexpected budget cuts, or looming deadlines—takes a disproportionate amount of your time and energy.

¶108 Instead, balancing activities as a director is more like balancing on a tightrope or a balance beam, where conditions or the execution of a skill requires the individual on the rope or beam to adjust in order to remain standing. The key to balance is threefold: understanding the conditions, recognizing what effects they can have, and making constant adjustments.

¶109 Let’s take each of these components in turn. Understanding the conditions first means understanding the standards by which you’ll be evaluated. Some of these are in writing—like tenure standards—but more often, expectations are
unspoken. In those cases, you can ask your dean directly, but he or she may not always be able to articulate these expectations. It will be up to you to determine, through your meetings with the dean and your observations of his or her interactions with others, what the law school values and what it doesn’t. Understanding the conditions also means learning the culture and subcultures of your school. The administration may have a different culture than staff or faculty, and your students may have yet another; your responsibility is to be able to navigate all of these effectively. Understanding the conditions is not a one-time task, but is something that you’ll continually assess throughout your directorship. Deans, faculties, staff, and students change, and not just when personnel or enrollment turns over. Deans and communities evolve over time, views changes, and so do expectations.

The second step is recognizing the effects those conditions have. Another way to phrase this is: know the parameters of your responsibilities and understand the different options available to you if conditions change. For instance, how much of a time commitment does a committee assignment require? When is asking for an extension possible or acceptable (for example, for long-term illness)? Under what conditions might a request for a reassignment be appropriate?

The last element is using what you have learned in the first two steps to adjust “on the fly.” You will develop enough agility to keep your footing, no matter the circumstances, by knowing what is within your control at any given moment and exercising that control as needed. Always know what things can be put on the back burner, what can be delegated, what can be substituted, and what can be abandoned.

With this overall idea of balance in mind, I now want to speak to the activities mentioned in this program description: publication, teaching, and professional activities. I’ll start with general advice and move to more specific suggestions.

I have three basic tips on how to incorporate publication, teaching, and service into your routine while maintaining balance, and all of these are geared toward making these activities as easy as possible for you at the outset of your career.

First, do what you know or have a passion for whether in writing, teaching, or professional activities. This is not intended to discourage people from tackling new course preparations or topics for publication, but when you’re learning a new institution or the ropes of a directorship, you can reduce the stress on yourself by choosing a course, publication topic, or committee assignment that uses knowledge you already have. Leverage what you know—and librarianship provides fertile ground—into your other activities and give yourself a head start at a time when one is needed.

Second, find someone to share the load. Whether coteaching or cowriting, having someone else work with you can provide you with more balancing tools. Such an arrangement not only gives you a natural sounding board, but it also provides a safety net if an emergency crops up; your partner can cover for you and you for him or her as needed. The key here is in picking the right person, as choosing someone whose style does not work with yours will make the burden heavier instead of lighter. Be frank with a prospective partner about both of your expectations and working styles before you enter into a cooperative venture.
¶116 Third, don’t kill yourself trying to be everything to everyone. It is acceptable to say “no” occasionally, as long as you do it thoughtfully and strategically. Most of the people with whom you work will see you performing only one aspect of your job (for example, other administrators may work with you primarily on administration). They may not know how many hats you are wearing, and they may be inclined to ask you to participate in activities at the level expected had you been wearing only one hat. In responding, be diplomatic and strategic. Take into account not only who is asking but also how the library might be able to benefit from your participation. If you decide to say no, suggest alternatives where possible (for example, other colleagues within or outside the library who might enjoy the project), and take the time to inform the person making the request. For example, when turning down a committee request, you may mention that you’re already on six committees. If the average number of committee assignments at your school is two, this information conveys clearly to the requester that your declining the new assignment is not personal, nor does it signal an unwillingness to be a team player. This information also may help the requester to adjust expectations, if that person is also your supervisor and believes that a more recent assignment is more critical to the success of the institution than an earlier assignment. Last, be realistic. If you’ve accepted a responsibility and cannot meet it, be forthright about it and give the decision maker as much notice as possible so that alternative strategies can be developed. It is better to extract yourself from a project than to fail to perform an assigned task completely.

¶117 Here are some specific tips for each category of activity described in the program description:

¶118 First, in publishing, know the standards against which you’ll be measured. There are typically two different types of research agendas you can adopt: a deep dive into a narrow area or a shallow dip into a variety of topics. Faculty are more familiar and comfortable with the former, as it is fairly straightforward to measure your development over time when you write in a single subject area. If you choose the other route, then you need to take steps to ensure that the faculty understand how to value and evaluate your publication efforts across multiple topics (e.g., that this approach is common within your field).

¶119 Set aside time to write. It is easy to let writing slide to the bottom of your to-do list as it often is not an explicit requirement in your position description. You can avoid this error by setting aside specific blocks of time to write, even if these times are outside of your usual working hours. These do not need to be long, but they should be consistent. Having reserved, dedicated time to tackle this responsibility throughout the year will ensure that you continually develop your work instead of scrambling at the end of the year to meet your school’s publication requirements.

¶120 Don’t overthink it. Many prospective authors get bogged down thinking that they cannot start writing until they come up with a tremendously novel idea or until their research is complete. First, ideas that may seem commonplace to you may be not be as obvious to others. If you have performed a preemption check and have not found your topic covered, put it in writing. Chances are that you will find readers interested in what you have to say. Second, if you wait until you know
everything on a topic, you will never write anything. One of the benefits of writing is getting input from colleagues, through workshops or informal discussions, about your work. This is a natural part of the publication process, and your paper will evolve through its numerous drafts.

¶121 Next, in teaching: find out what is expected of you. Some schools require you to teach and others to do not. This is a signal to you, as the schools that do not require teaching may instead assign you more service or nonlibrary administrative responsibilities, such as managing journals. Even if you are expected to teach, consider asking for the first year off. This is similar to the “light loading” that many new faculty have during their first year. That year off will give you time to learn the ropes without the added pressures of course preparation. If you are not expected to teach but want to do so, just make sure that you can still meet your primary duties while teaching. Even though you often will be rewarded for undertaking activities outside of your job description, if doing so causes you to fail in your principal responsibilities, you will lose more ground than you will gain.

¶122 Seek out experienced teachers. If the course is taught by others, whether inside the institution or without, do not be shy about reaching out for course notes or advice. Most faculty and librarians are more than happy to share what they know about the institution or how they teach the class.

¶123 For minorities, including women, be aware of cognitive biases and how these play out in course evaluations. Numerous studies have documented that minorities are more likely to receive non-course-relevant criticisms on their teaching evaluations than other faculty. If you get a particularly harsh evaluation the first time you teach at a new institution, don’t panic. Talk to your academic dean or another faculty member similarly situated to get a more objective read on whether the comments should be taken seriously. The people who have more experience, and particularly those who will be evaluating your teaching, will be able to separate out relevant comments from those that aren’t.

¶124 Last, in engaging in professional activities, be aware that the types of professional activities available to you as a director are more diverse than you will have previously encountered. Seek out new opportunities and exposure to different types of committees (for example, AALS) or assignments (for example, ABA site inspection teams).

¶125 If an activity requires an unusually large time commitment, talk to your dean first to make sure that he or she supports the effort.

¶126 In conclusion, balance as a director is not always easy to achieve, but you will get more adept at it as you gain experience. As you start out on this path, make it easier on yourself by leveraging the expertise and resources at your disposal and by not overcommitting yourself.

Beyond Directing the Law Library

Steven M. Barkan

¶127 I was asked to discuss some of the factors that a newer law school library director should consider in deciding whether to get involved, or to what extent to get involved, in activities beyond the core responsibilities of directing or managing
the law library. These are most commonly teaching, scholarship, and service—the traditional aspects of faculty work. While my comments can apply to a range of activities, I would suggest, specifically, that newer directors consider activities that typically are not in the portfolio of a law school library director. These might be, for example, teaching subjects other than legal research; writing about subjects other than law librarianship and legal research; advising and judging moot court competitions; participating in local, state, and national bar activities; pro bono legal work; and the like.

¶128 A point that must be made, that too often is overlooked, is that just as all politics are local, all careers are personal. We work in different circumstances and environments. We have different goals, interests, personalities, skills, and talents. Our institutions differ, and our deans, faculties, and library staffs make differing demands on us. Our family situations vary. Beware of well-meaning people, like me, who don't know you or your situation, offering advice about your career. What was right for me might not be right for you.

¶129 When I look back on my career I am struck (at least) three realities. (1) Nothing was designed. While I had a desire, from the time I entered library school, to be a law school library director, I never could have predicted the path of my career. In hindsight, I am pleased with the extent to which I was willing to take risks and challenge perceptual boundaries—some imposed by others, some self-imposed—about what I, as a law librarian, should or should not be doing. I would encourage you to do the same. (2) Although much was fortuitous, nothing was random. I had what I thought were coherent reasons for career choices that I made. I cannot think of a professional activity for which I, at the time, could not offer a rationale for how the activity advanced the interests of both my employer and myself. (3) Nothing could have been achieved without support and opportunities provided by others—family, friends, mentors, library staff, faculty, and deans. Many aspects of my career could not have been predicted or controlled and, most important, depended on relationships with, and support from, others. I suspect that most of my peers would confirm this reality.

Advantages to Involvement

¶130 Let me suggest a few reasons for getting involved in teaching, scholarship, and service—and then a few reasons for not doing so.

¶131 First and foremost: your job might require it. You are either in a tenure-track position or some types of teaching, scholarship, and service are required for promotion and advancement in your non-tenure-track position. In either of these situations, the question is not whether to get involved in teaching, scholarship, and service, but which types of teaching, scholarship, and service are best for you.

¶132 As noted earlier, I am suggesting that newer directors consider activities that frequently are not pursued by law school library directors. These activities can be stimulating, challenging, and enjoyable. These activities can force you to engage with different subject matter and different people in different contexts, expand your horizons, and be involved in the community. Involvement in these activities can benefit your mental health, as you are forced to keep a broad perspective, both
on your work and your life. They can diversify your portfolio—as important to
your career as it is to your investments.

¶133 These kinds of activities will benefit the law school, and they also will
enable you to expand your role within the law school. While staying rooted in the
library, your value to the law school can expand. Moreover, as your role in the law
school expands, your influence and your ability to represent the interests of the
library also can increase—a direct benefit to the library.

¶134 Engagement in these activities can benefit the library indirectly, especially
the library staff. As demands on your time increase, you will be forced to commu-
nicate more clearly and to empower your staff to make decisions and to function
with less oversight by you. This is good for them and for you.

Obstacles to Involvement

¶135 Despite the advantages that can be realized from participating in these
activities, there are reasons why they might not be an option for you. First, your
environment, broadly speaking, might not be conducive. Your dean and faculty
might prefer that the library director focus time and energy on the library and
library-related issues and concerns. Perhaps your library is understaffed, your
library still needs a high level of oversight, or your duties as director do not provide
for sufficient time or flexibility. Your responsibilities as a parent, spouse, or partner
also might limit time available to pursue various types of teaching, scholarship, and
service activities.

¶136 Moreover, even if you have the flexibility and time to engage in these
activities, some might not be right for you. If the nature of the activity does not
energize you, be cautious about pursuing it. While it is important to be willing to
take risks and get out of your zone of comfort, self-awareness also is important.
Often we don't know whether we're good at something or energized
by
something
until we try it. However, to the extent that activities are discretionary—that is, not
required by your job—be selective and do things that interest you.

On Finding Balance

¶137 Of course, participating in any types of teaching, scholarship, or service
requires time and energy that must be shared with other responsibilities. We all seek
something called “balance”—balance between our work life and our nonwork life;
balance between and among administrative duties, teaching, writing, and service,
and so on. We all must find ways to allocate our time and energy among the many
aspects of our lives and our work. It is such a common problem that there exists a
plethora of self-help books to assist busy people in this effort.

¶138 I have found balance to be both an elusive and an illusive concept, like a
mirage—always desired but never realized. Given the many things that demand
time and attention, balance seems to be understanding and accepting the reality
that we can't do everything we want to do to the extent we want to do it, and per-
haps accepting the fate of being a jack of many trades, but a master of very few.
This, of course, would depend on the nature and variety of the things that one
attempts to balance. Certainly, the more diverse the range of activities, the greater
the challenge in balancing them.
¶139 Rather than seeking balance, I prefer to view this effort as an intentional and realistic process of identifying and evaluating necessary “tradeoffs” that can and should be made. This, too, is both elusive and illusive. The tradeoffs, or the effects of the choices we make, are not always apparent—they too often are visible only in hindsight.

Conclusion

¶140 In making decisions about what kinds of teaching, scholarship, or service activities to pursue, be selective. Consider what might be right for you and the tradeoffs that might be required. Work with your dean, faculty, and library staff to earn their confidence and support. Consider activities that might not typically be pursued by a law school library director. Be willing to take risks, and don’t look back!

“Uptight? It’s All Right.” The Challenges and Rewards of Being a Law Library Director—Part II

Darin K. Fox

¶141 With all of the changes occurring in legal education, it is easy to get down. For the fall 2015 admissions cycle, applications to law schools are half of what they were just ten years ago. There were 98,000 applicants to ABA-approved law schools in 2004, and there will be an estimated 54,000 applicants during the fall 2015 admissions cycle. In addition, we are enrolling the smallest number of first-year law students since the 1970s, despite having forty more law schools than in the 1970s. Furthermore, we have seen the twenty-fifth percentile LSAT score of matriculating law students slide from 155 in 2010 to 152 in 2013 nationwide, while at the same time first-year enrollment fell from approximately 52,000 in 2010 to approximately 39,000 in 2013.

¶142 With fewer students enrolling in law schools, faculty hiring is also down. Approximately forty law schools advertised entry-level faculty jobs in the AALS Bulletin in the fall of 2014, as opposed to more than eighty schools just three years earlier, and more than one hundred schools in the years prior to the recession. There is also a lot of stress among faculty as we try to work through curricular and other changes to adapt to new ABA standards and increasing employer requests to produce “practice-ready” graduates. Finally, faculty and staff attrition is occurring at many schools through retirement and leaving open positions unfilled.

¶143 According to the Bureau of Labor Statistics, new graduate hiring in the legal field has not recovered to prerecession levels. We have recovered only about half of jobs the legal sector had prior to the recession. Finally, our collections and services are undergoing radical change. As academic law library directors, I think that kind of context is helpful for us to know, and not just nationally, but for our local markets as well.

¶144 Having said all of that, I think this is a great time to be a law library director. Is it a challenging time? Yes, but I think we have many fantastic opportunities now to contribute to the success of our law schools, perhaps more opportunities
than in my previous twenty years working in academic law libraries, and I have lived through the birth of the web, instructional technology, social media, the rapid shift to online content, and the ongoing data revolution.

¶145 As has been described, our law schools are undergoing a time of great change. As our schools plan and make changes to adapt to the new realities, they are literally starving for information: How should we adapt to the new ABA standards? What are our competitors doing? What new skills do our graduates need in the post-recession era? How should we change our curriculum? Should we lower tuition? How can we make optimal use of our scholarship funds? Should we change our admissions standards? Are there other ways we could be recruiting? What impact will changes have on our U.S. News, National Jurist, and other rankings? What new facilities do we need? What should we expect from our faculty in terms of teaching load, scholarship, and service? How should the library change given our shrinking budget and new curricular needs?

¶146 These are questions being asked by law school administrators and faculty committees all over the country. All of these decisions require information, and we are the information experts for our organizations. Data is driving a lot of decision making now, and we can provide that information and help to provide meaning to the data.

¶147 I want to briefly mention a few ways that law library directors can contribute to our institutions in this new landscape of legal education. In general, we must develop a “culture of yes” in our institutions. Students are coming to law school with higher expectations every year. We have to be open to new ideas. We have to ask “why not do that?” of any suggestion. Faculty and administrations need new types of support, from empirical research to competitive intelligence. Faculty and students want more modern collections with access to e-books and fast response to questions. As Penny mentioned earlier today, we must take stock of how our libraries fit into our school’s mission. Here are some forward-looking ways that we can support our institutions now.

**Fact Checker**

¶148 As Spencer and Joan have said, every law library director should strive to be thought of as the law school fact checker. Forge a good relationship with the public relations director. We have the research skills to verify statements, and we have the big picture about our school because we attend administrative meetings. When you hear one of the questions that I just mentioned above, your reaction should be: Would you like me to gather some information about that? We can also be helpful to our school’s public relations office. Deans want to be certain that a public relations statement will be accurate. We can become the person who is consulted before any factual statement (best in this or best in that) is made.

**Data Analyst**

¶149 As Spencer said, if we can provide information and data to our internal constituents, then that is a great service. If we can provide analysis and meaning to that information, that is an even more valuable service. Deans and faculty are overrun with information. If we can help to provide meaningful analysis of information,
we will be valued. For example, I run a *U.S. News* model for our law school. I stay on top of admissions, placement, faculty hiring, and other trends, and I try to keep key administrators and faculty committees informed. Ask your dean whether you can gain access to the ABA take-off reports for your school. Depending on how much data analysis other deans in the building are doing, you can provide helpful insight into data gathered by LSAC, NALP, *U.S. News*, *National Jurist*, and other sources. However, be careful; there is a lot of misinformation out there. There are many bloggers crunching numbers who simply are not checking authoritative sources. Perhaps consider taking a course in statistics, such as the Coursera course, *Statistics One*. To provide meaningful data analysis, you will need to understand concepts like the distribution of data, mean, median, perhaps standard deviation and z-scores too. This is necessary for an understanding of the annual *U.S. News* "Best Law Schools" ranking.

**Survey Master**

¶150 More and more schools are doing regular surveys to gather data about their performance and to meet the recently adopted ABA standards on assessment. We can become our school’s experts on that. The library administers many of the surveys at my school. Become an expert in SurveyMonkey or Qualtrics. Know university rules about conducting surveys, especially as you do surveys for faculty and courses.

**Competitive Intelligence**

¶151 It is a sad reality that legal education has become more competitive. We compete more intensely for students, faculty, and public relations than we did ten years ago. Knowledge of legal education as a business is becoming more important. We are experts on current awareness. If we can help to provide the most valuable information, not a just a fire hose of information, to our faculty and deans, we are helping the school succeed. Question every blog post before you forward it.

**Regulation and Accreditation**

¶152 As Pauline said earlier, depending on how your school handles ABA and other accreditation matters, this is an area where law librarians can help. We are detail-oriented, organized, and conscientious, and we have experience filling out numerous surveys every year, such as those from the ABA, ARL, *U.S. News*, NELLCO, MALLCO, and so on. We make good candidates for being in charge of the annual ABA questionnaire, *U.S. News* questionnaire, and ABA site visit process for the entire law school, especially since more and more is being expected of associate deans for academic affairs.

**Curricular Innovation**

¶153 With a greater emphasis on skills training in the recently revised ABA standards, many professors are looking for ways to incorporate skills elements into their courses. We can help provide research and technology support for these efforts. For instance, this year I am training all trial techniques and legal clinic students to use TrialPad on the iPad to present information in courtrooms and board-
rooms. Another librarian at the University of Oklahoma is providing research support and training, almost as a co-instructor, to students in a seminar course that produces research papers for a U.N. program.

¶154 In addition to the services and responsibilities described above, some traditional areas of responsibility for law library directors have become even more important in the new landscape of legal education.

**Budgeting**

¶155 Recent changes in legal education are putting immense pressure on law school budgets for most law schools. We have to actively manage our collections and staff expenditures now more than ever. We have to be completely on top of every penny that is spent on the collection, and we have to be completely on top of what our students and faculty need in terms of services, facilities, and collections. Let's say a faculty member needs access to a new database that costs $5,000 per year. We should try to manage our budgets to accommodate those requests without having to ask the dean for additional funds. Also, we must be able to anticipate costs. A three-year cost trend for every title and every vendor is a must in this day and age.

**Facilities and Space Planning**

¶156 Law schools need space for new staff and programs. We need to be completely honest and proactive with our deans and faculty about our space needs and whether space is available in the library for other uses. It is not our space. It is the school's space. At my school, we recently gave up a chunk of space for our new graduate programs, and honestly, it was space that we no longer needed in technical services due to previous downsizing. I offered this space, in a similar fashion to how Joan offered $50,000 of collection funds back to the school, and this can earn you immense credibility with the leadership.

**Staffing and Services**

¶157 The library often has the biggest staff in the law school. As our collections change, we have to be candid about our staffing needs. At my school, I voluntarily, without the dean's prompting, eliminated three of our fourteen positions over the last five years through attrition. All were technical services staff positions primarily responsible for maintaining the print collection. So, we are now eleven staff. We have another retirement coming up this summer. My dean asked whether this position would need to be refilled, and in this case, I told him yes, it needs to transition to a public services position. He accepted that, I think, because I had been candid about our staffing needs in the past.

¶158 Finally, I was asked to say a few words about status. I am a tenured faculty member at my school. For me, the biggest benefits of faculty status have been (1) service on faculty committees; (2) participation in faculty meetings; and (3) encouraging a balance of service, teaching, research, and administrative responsibilities. I currently serve on the Admissions Committee. I have served on the Faculty Hiring Committee, the Site Visit Committee, the Library Committee, and various other committees. These committees allow you to work closely with faculty and administrators, and they give you another chance to be valuable to the school.
Attendance at faculty meetings helps us to know when new programs or curricular changes are happening, and this is critical because we support the curriculum. Finally, it is easy to allow library administration to completely take over your life as an academic law library director. Being a tenure-track faculty member has forced me to set aside some time for research and service, and this helps to inform my teaching and decision making as an administrator.

Obligations of All Law Library Directors

Keith Ann Stiverson

¶159 I want to begin by paying tribute to the scholars in the room. We have just heard Steve Barkan and Michelle Wu discuss the balancing act they have, as they attempt to find time for their own research and writing while trying to manage the library's staff, budget, and services. I freely admit that I could not keep a scholarly agenda of my own and be as effective at what I do well, which is managing a library. In addition, many of you teach doctrinal courses as well as research and skills programs, while my teaching has been limited to serving as an adjunct in the Graduate School of Library and Information Science program at Dominican University. I have justified this commitment by telling my dean that it helps me find out about great new law librarians before they are hired by others.

¶160 All of our schools are a little bit different: our opportunities, resources, and challenges are not exactly the same, so there is not one formula for success that all of us can follow. Nevertheless, I have some basic suggestions that I think work well for everyone who provides good customer service in any setting, not only in a law library. These are tips that we may all know, but I am surprised to find that few actually follow them.

¶161 Perhaps the most important responsibility of a library director is to be present and to be visible. Don't stay in your office, and when you're in your office, keep your door open most of the time. An open door policy with everyone makes it more likely that people will drop in to talk with you about new ideas, problems, and everything else. You'll be amazed at what you will find out that you'd otherwise miss.

¶162 I am fortunate that my office is in one of the faculty corridors, not the library. I run into my colleagues all the time and have an opportunity to be the "quality control officer" by asking how well they are being served by library staff, whether all their needs are being met, and so on. If your office is in the library, get out and walk around. Occasionally show up in the faculty lounge and sit around for fifteen minutes or have lunch. Look for other opportunities to be part of law school activities. For example, when we had a "Day of Giving" at Chicago-Kent, I volunteered to call alumni and ask for donations, and when there was a public service day during orientation for 1Ls, I volunteered to lead a group of students on a day-long public service project. I volunteer to mentor two to three 1L students every year.

¶163 While you are walking around, convince the librarians to walk around too, and be sure to add the librarians to the workshop alert list. Ask them to attend events, especially when faculty are discussing works in progress; it shows interest. When the librarians are visible, they become part of everything, too, and are then
considered colleagues by faculty, rather than people who are found only in the library. Know what staff members are doing for faculty, and then you can check to see whether they are getting the service they want. Convince the librarians to ask more questions of faculty: the librarians should analyze and synthesize, not simply send a list of links that faculty could find themselves. Be sure to thank and compliment staff members who do a good job. I forward complimentary e-mail messages to all professional staff. I meet with all professional staff at least twice per month to find out what they're working on and to see whether they need anything from me.

¶164 It is important to attend as many faculty workshops and job talks as you possibly can, to be visible at school events, and to volunteer for both law school and university committee opportunities. Another good way to be visible, and learn new things at the same time, is to get the ABA training and start serving on law school accreditation teams. You'll meet people from many other schools and bring home new ideas for your law school and library. Find out the information needs of everyone at the law school and the legal information needs of the university. Be sure to meet everyone. If you are new to your job and nobody has given you an orientation, contact the department heads and go meet them on your own. Invite them for coffee or lunch, or get an appointment to talk with them. Ask whether they've worked with the library in the past, and find out what their information needs are and how you can help them. You may find, as I did, that they are purchasing expensive resources that are duplicates of things you have in the library. They may benefit from Westlaw, LexisNexis, and Bloomberg Law training. You may have resources they don't know about that can help them in their work. Meet the attorneys in the university's general counsel's office to see whether their legal information needs are being met. Show up at events on the main campus and introduce yourself to the provost and president if nobody else has thought to introduce you. Go to lunch with the university librarian and meet with him or her now and then so you will be better informed.

¶165 If there is less call for research help, look around for other needs. For instance, our librarians offer law school staff training and also sponsor faculty brown bags to explain a new software tool. One of our librarians noticed that student organization websites were terribly dated and showed the student leaders how to use WordPress to make organized, attractive sites. Several library staff members are assisting the Public Affairs Office with the burgeoning social media needs of the law school. The librarians researched alumni names to help Institutional Advancement with planning a 125th anniversary gala for the law school.

¶166 When the work changes, be sure to update staff job descriptions and do what you can to enable them to learn new skills and get more compensation for new duties whenever possible. In my experience, staff members are more willing to accept change when their contributions are recognized and appreciated. Additional compensation helps too!

Status of the Law Library Director

¶167 I began my career as a government employee, and, as a consequence, I was never very interested in job status. I never wanted a tenure-track position when I started working in law schools, and I didn't pay much attention to who had tenure
and who didn’t; it just wasn’t something that mattered to me. After working for years in law schools, however, I have changed my mind. I realize now that one important reason I can do my job is that I have a faculty appointment. It is important that faculty accept you as one of their own, not simply consider you an administrator. In my case, if I didn’t have a faculty appointment, I would not even be on the faculty listserv at my school, so I would miss all sorts of information that faculty share and I need to know. I can do a better job when I am well informed about who is annoyed, what people are thinking, and so on. I end up forwarding messages to senior staff who are law school department heads because the sender of the message often forgets about them and sends it only to the “faculty full-time” list.

**Luck Helps Too!**

¶168 As I mentioned earlier in my remarks, I am very fortunate to have an office in the middle of a faculty corridor, so I am very visible to everyone in the law school. Sometimes I have to remind myself to be more visible in the library!

¶169 Another bit of luck: a few years ago I was asked to supervise the faculty support staff. After a few years of effort, we have a wonderful group of well-educated, high-tech young people who handle all the clerical tasks for faculty and work with the librarians to ensure that members of the faculty are well served.

**One Last Bit of Advice**

¶170 For all of you who are new directors: feel free to call any of us! Everybody in this room wants to help you succeed and is generous with his or her time. We also want to help you avoid anything that we had to learn the hard way.

**Conclusion**

Spencer L. Simons

¶171 The workshop drew more than eighty attendees, not only library directors, newer and not so new, but also several deans and law faculty members. The presenters and panelists were very experienced directors and frequent commenters on developments in legal education and law libraries. It was fascinating to see that many participants agreed on a number of observations, but also that our widely varying experiences in widely varying institutions contributed to different emphases and to a diversity of solutions and adaptations. When combined with the range of experience and roles represented in the audience, the interplay of ideas in the give and take during the sessions and in the aisles was palpable. There is no one solution to the challenges faced by law libraries in a rapidly changing legal education environment. Each director, new or “not so new,” must forge his or her own solutions. Opportunities to share and compare experiences, perspectives, and responses to change, such as this workshop offered, give us new tools and skills for our tasks. The workshop concluded with the communal agreement that we had all gained in understanding. The faculty of the workshop urge others to continue this tradition in future workshops.