

# Don't Count Them Out: The Digital Age Hasn't Supplanted Print. It's Complemented It

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Once upon a time, virtual law libraries were the vision of the future, like flying cars to "Jetsons" fans. Junking books in favor of Internet Resources and CD-ROMs would let firms reallocate library space. Lawyers would do their own research from desktop computers. Marion the Librarian, exit stage left; techies to center stage.

In 1995 Baker & McKenzie went so far as to fire all 10 members of its main library staff in Chicago, asserting that the move would save money and thrust its lawyers into the digital era. Fearing for their jobs, law librarians across the country mobilized to prove they were more than mere shelvers and shushers.

Fortunately for those librarians, low points are often also turning points. While many of them cite 1995 as their *annus horribilis*, the layoffs at Baker prompted the American Association of Law Librarians to form the Task Force on the Value of Law Libraries in the Information Age. Its goal: to assess the state of the profession and figure out how to stay relevant. The group urged librarians to be more vocal about how much they do for lawyers and for the firm as a whole -- and to trumpet the value of books as research tools.

The Baker move was "a wake-up call for the profession," says Nina Platt, a member of the association's executive board and director of information resources at Minneapolis's Faegre & Benson. "Law firms who have tried doing without [librarians] have found they're worse off. The more information they get their hands on, the harder it is to manage."

Contrary to popular expectations, the digital age didn't supplant print. It complemented it. And it hasn't rendered librarians obsolete, either. In ALM's fourth annual survey of Am Law 200 librarians, 71 percent of respondents reported bigger budgets in 2005 than 2004, while 24 percent say their budgets are about the same. Spending on library staff salaries has risen to an average of almost \$916,000 in 2004 (up from \$783,000 in 2003). And despite recent accounts of university libraries eliminating books altogether, 75 percent of respondents report spending more on print products last year than in 2003.

The survey results also show that, increasingly, librarians are contributing to the bottom line. As partners and clients alike realize librarians often track down information more efficiently than associates and paralegals, more firms are billing for their research time. "There is an acknowledgment that it is much more cost-effective to have expert researchers," says Wilmer Cutler Pickering Hale and Dorr chief librarian Jean O'Grady. Therefore, most firms have boosted their hiring standards: It's not unusual to find librarians with advanced degrees in law, business, the physical sciences, and information technology, as well as library sciences. Even library paraprofessionals are expected to have a bachelor's degree from a top school, plus library or legal experience, says Ruth Carter Armstrong, director of information resources at Goodwin Procter.

As the caliber of the library staff has improved, the work they are being called on to do has become more sophisticated. Instead of shelving and minding card catalogs, librarians now spend more time doing advanced research -- often in support of the firm's marketing or information technology departments. Survey respondents report that their staffs spent 29 percent of their time in 2004 researching non-legal information compared to 26 percent on legal research. "Law firms are acting more like businesses," says Wilmer's O'Grady. "They want to be more knowledgeable about the business side of their clients, [so] librarians are doing a lot of research ... to help anticipate what the emerging needs of clients are."

Law librarians also assist in business development efforts by staying abreast of industry news affecting clients. They work with the technology department on intranets, tracking information about the firm, its clients, and the library itself. And they train lawyers to use the library's resources.

Patricia Barbone has been a librarian at Hughes Hubbard & Reed for 13 years, the past 10 as director of the library. "There was a time when we staffed libraries with clerical staff," she says. Today, most cataloging and filing work has been outsourced, and her three-person reference staff spends 75 percent of their time doing business development and case-specific research and reference. "Ten years ago, they were spending more time pulling books," Barbone says.

Wilmer's O'Grady says she's also been able to professionalize her staff by cutting back on administrative duties. Shelving that used to require two full-time staffers now takes just an hour each day. Because the Washington, D.C.-based firm does a significant amount of government work, the shift to digital distribution of federal documents has enabled the library to cut out messengers onçe busy fetching each day's reports from various government agencies. O'Grady hopes that those remaining print newsletters Wilmer uses to monitor specific industries will ultimately shift entirely to online distribution, letting her eliminate the clerical post dedicated to printing, stapling and handing out the newsletters.

Elimination of administrative duties hasn't cost the library manpower, says O'Grady, who has both a J.D. and an MLS and is partway through an LL.M. in intellectual property. Rather, the efficiencies have allowed her to look for new hires with similarly strong backgrounds. "I don't only look for people with law library backgrounds," she says. "I also want people with business and government backgrounds -- and academic librarians because they are familiar with resources that we don't have." Still, library credentials remain essential. "It's an art to interview people about what they need," says O'Grady. "They often come in and ask for the wrong thing because they don't know what they want. People limit their requests by what they think is possible."

Though the stereotype of the "librarian as the keeper of the physical room" does linger, says Platt of Faegre & Benson, firms increasingly recognize their contributions to the bottom line. Thus, investing in library staff has become more palatable to partners. Platt says the total number of hours billed to clients by Faegre's library staff has doubled since 2002, up to 4,700 hours in 2004. Total hours spent on market research during that time has quadrupled, says Platt. "Now we're able to [justify] pay for two librarians, with benefits," she says. "I'd like us to get up to much more than that."

The more specialized work done by librarians has allowed firms to pass on more of the costs to clients. The median number of hours a library researcher billed to clients rose to 292 in 2004 (from 250 in 2003). The median billing rate is also up, \$130 in 2004 from \$111 in 2003. Librarians know that while people may appreciate their unique skills, when it comes time to pay, "clients still think of librarians as little old ladies in buns," says Lucy Curci-Gonzalez, director of library services at New York's Kenyon & Kenyon. As a result, she has dropped the "librarian" title altogether and now refers to her staff as "information specialists." She's also careful to avoid library-speak in invoices. For example, Curci-Gonzalez says, "document delivery has a very specific meaning in library science. It's tracking down obscure texts. But to a client, it means using a messenger service." To avoid misunderstandings, Curci-Gonzalez details each step taken to track down a prize document when putting together a bill.

Several librarians reported that some firms are pushing the idea of instituting a minimum billable hour requirement for library staff. Not surprisingly, the concept hasn't won much support with librarians. One problem, says Bobbi Cross, director of research and information services at Philadelphia's Schnader Harrison Segal & Lewis, is that librarians' clients are the lawyers themselves. And library staff aren't rainmakers who can drum up extra business. "We have no say in generating the work," says Cross. Her supervisor, Schnader managing partner Diana Donaldson, says the firm has no plan to establish minimum billable hour requirements for librarians.

Kenyon & Kenyon's Curci-Gonzalez agrees that there shouldn't be a minimum, but she notes that there exists "an unwritten rule of thumb" within the profession that half of a reference librarian's time should be spent doing research that has a client billing code, even if it never gets passed along to the client. Not that clients seem to

mind much. Schnader Harrison partner Donaldson says she's heard no negative feedback from clients when presenting them with bills for librarians' work. "They've been pleased with what [librarians have] been able to ferret out," she says. And since LexisNexis and Westlaw searches are billed as separate line items, cost-conscious clients have begun demanding that lawyers improve their efficiency by using librarians who are more skilled searchers. It's here that books -- and the expertise in how to use them -- can provide a cost-effective alternative to online searching. "The way the Lexis and Westlaw contracts are," says Barbone of Hughes Hubbard, "you're constantly paying over again. That sets up an impediment to having a completely online library. With a book, you pay up front for it."

So nostalgia for books isn't just the provenance of Luddites, says Carol Sergis, who heads the library at Schulte Roth & Zabel. "Online research is expensive," she says. "Because it's separately noted, it makes the cost stand out more to clients." And since more librarians are spelling out the steps they take to accomplish their missions, the starkness of a line on a bill for some Lexis or Westlaw search becomes even more obvious.

There are other benefits to good old-fashioned hard copy. "A law library without a print collection just doesn't make any sense," says Steven Cohen, a former Rivkin Radler law librarian turned blogger (librarystuff.net). "Lexis goes down every once in a while. Westlaw goes out every once in a while. The Internet goes out every once in a while. During the blackout [in 2003], I had librarians scrambling looking for reporters."

That may be heartening for the lawyers who have had trouble shifting away from print. "Oh, my God! No! I want my books!" exclaimed John Beukema, a 58-year-old Faegre & Benson litigation partner, when he first learned of Platt's efforts to discard the firm's collection of reporters in 1999. He has since come to accept online research and even does some himself -- though he admits to printing out most of what he finds.

Most lawyers like Beukema have learned to adapt to the digital world. The bigger problem is the younger lawyers skilled in online research who gawk at books as curious antiques. "Do you know how many people don't know how to use an index or a table of authority?" says Goodwin Procter's Armstrong. "Maybe they were taught [in their] first year, but they've never gone back and used it." Schulte Roth's Sergis has gone so far as to offer training in book research during orientation. "Some partners now want to have new associates go to books before they go online," she says.

All good news for librarians, who are far from being marginalized. Even Baker & McKenzie realized the error of its ways and brought professional librarians back into its headquarters library two years after trying to do without them. Today, Sandra Campbell is Baker's North American regional library director. From San Francisco, she oversees a staff of 17, spread across nine offices. Her job, as that at many other firms, remains as central to operations as ever.

