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Workshop on Professional Organisations**

Workshop Session I

Overview of Non-Government, Non-Profit Organizations in the United States and Internationally, with a special emphasis on educational professional organizations

Law Library Associations

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Abstract

Jules Winterton will discuss the range of national, regional and international associations, and the scope of their activities and influence. He will comment on the improvements in the quality of law libraries achieved through the activities of law library associations and the consequent benefits to the users of law libraries and to the legal system.

Jules Winterton will briefly survey the development of law library associations, including recently established associations, and describe the variety of legal status adopted by associations. He will discuss the key activities of library associations: networking and the sharing of best practice; the formal expression of agreed standards and competencies; professional development and training; quality assurance and regulatory roles; representation and lobbying to government and international organisations; liaison with other organisations and with the legal profession; research and scholarship. In addition, Jules Winterton will discuss the various grants and scholarships offered by law library associations to attend conferences, undertake placements and internships, or research fellowships in law librarianship. He will comment the value of law library associations.

Introduction

I will briefly survey the development of national, regional and international associations including recently established associations, and describe the variety of legal status adopted by them. I will discuss the key activities of law library associations and the opportunities to participate in them. I will comment on the improvements in the quality of law libraries achieved through the activities of law library associations and the consequent benefits to the users of law libraries and to the legal system.

Law libraries form a distinct and dynamic group within the information world. They are defined by their focus on the discipline and practice of law and their close connection with, and mission to serve, the various parts of the legal system, notably the practising lawyers, the courts and the judiciary, government, those in legal education, those learning the law and researching it as an academic discipline.

Law libraries are a cross-sectoral group, they have parent institutions which range across the private and public spheres but they retain a common identity through their dealings with the legal profession in its various branches and their management of legal information in its various proliferations. Many libraries serve legal institutions directly; some are collections forming part of larger libraries, such as the national libraries and many of the universities. They are diverse in nature and size and the ways in which they seek to provide for their users. Their scope and number have grown enormously in recent years.

I refer throughout to law 'library' associations but I do not deal only with traditional print

libraries and traditional librarians. My remarks apply equally to those who work increasingly or entirely with electronic information and would characterise themselves as information managers or knowledge managers.

The law has always been information based and information intensive, particularly in common law systems. As organisations seek to harness and derive value from information ever more efficiently, the net for relevant information is thrown more widely, particularly in law firms. Relevant legal information is no longer contained solely in published form or in occasional 'unpublished' judgments. Information may take the form of in-house documentation, expertise, and information deriving from the practice of law and from discrete legal transactions. Many types of information are now drawn into more formal information systems and become intellectual capital within these vigorous competitive environments. Law firms are at the leading edge of law library development in the broadest sense; they invest heavily in information management both in terms of information itself, technology to store and manipulate it, and in professional skills to devise and implement information and knowledge management strategy. This is a road along which other organisations in other sectors, such as universities, are now also travelling.

The Development of Law Library Associations

There is now a wide range of national, regional and international associations (as well as local, city and specialist law library associations within some countries.) The earliest law library association of which I am aware is the American Association of Law Libraries, AALL, established in 1906 and now an organisation with over 5,000 members employing 15 full-time staff and embracing a range of regional chapters and special interest groups.

The most comprehensive list of law library and related associations, maintained by Lyonette Louis-Jacques at the University of Chicago, lists 23 national law library associations ranging from Argentina to the United States, and regional associations such as the Caribbean Association of Law Libraries and the Nordic Law Librarians' Group. I am sure no list is comprehensive (for example the Korean Law Library Association is not included).

The International Association of Law Libraries, IALL, was established in 1959 to develop communication and collaboration across jurisdictions and national boundaries and to encourage law librarianship in countries which have not yet created associations. In 2005 IALL and AALL collaborated to help create a Section of Law Libraries within the International Federation of Library Associations to participate in general policy initiatives and to serve those who work with legal materials but cannot attend dedicated law library conferences.

Law librarianship develops when the expansion of a legal system and the volume and complexity of its documentation reaches a stage where a separate role for a professional librarian is identified to control and exploit that documentation. The development of law library associations has often been stimulated by the example of AALL or by the International Association of Law Libraries through its annual conference, each year in a different country, or through its scholarship programme. The British and Irish Association of Law Librarians was established in 1969 and was initially proposed as a section of the IALL. The German Association, Arbeitsgemeinschaft für juristisches Bibliotheks- und Dokumentationswesen (AjBD), considers itself the German-speaking section of the IALL. More recently the Russian Association of Law Libraries in 2004, the Malaysian Law Librarians' Group in 2006, and the Turkish Platform of Law Libraries in 2007 have been established by holders of scholarships to the IALL conference and there has been initial work in India and among the states of the former Yugoslavia to create associations.

Notes

- List of Law Library Associations - <http://www2.lib.uchicago.edu/~llou/iall.html>
- International Association of Law Libraries - (IALL) <http://www.iall.org>
- IFLA Section of Law Libraries - <http://www.ifla.org/en/law-libraries>

Legal Status of Associations

Law library associations have adopted a variety of legal status. They are usually established as unincorporated associations or incorporated as charitable companies with educational purposes. This latter status enables the associations to operate as a legal entity which can enter into contracts, employ staff, hold funds for certain purposes and obtain preferential tax treatment as a result of their charitable purposes.

Law librarians tend to identify themselves as a distinct group within librarianship despite the wide diversity of their libraries and have formed an active and successful professional community. However, in some cases law library associations are not self-sustaining organisations in their own right. Instead they form a subject-specific section of the national library association, for example, the Malaysian Law Librarians' Group. This arrangement allows access to a range of existing administrative and support services, enables faster and less expensive establishment, and may give more direct access to national policy-making. National library associations are often keen to accommodate law librarians within their organisation. However, law libraries face different issues and situations; they are often managed separately from general libraries and require different skills. In particular those who work with legal information and have legal qualifications but no formal information or library qualifications may be excluded by national library associations but may be valuable members of law library associations.

Associations may be of 'law libraries' or 'law librarians' and this can be a significant difference. A different status is exemplified by the role of the Philippine Group of Law Librarians which is based at the national library and has a statutory role within the regulatory framework for the professional recognition of librarians. Membership of the Group is by individual law librarians rather than by law libraries since it is the individual librarian who is regulated through professional accreditation and is licensed to practise. The Philippine Librarians Association Inc. (PLAI) is the nationally accredited association and is a partner in regulating the profession. The PLAII is the umbrella group for several associations of librarians by sector or specialisation such as the PLLG. The PLAII has been at the forefront of a long struggle for state recognition of librarianship as a profession since its foundation in 1923. Official recognition of the profession of librarianship came in 1990 with the Philippine Librarianship Act and the regime for regulating the profession and licensing practitioners has been revised by the Philippine Librarianship Act 2003.

Notes

- Constitution sections of law library association websites
- Philippines. Republic Act no.6966, "Act regulating the practice of librarianship and prescribing the qualifications of Librarians". The regime is described in paper 134-E to the 69th IFLA General Conference 2003 in Berlin, 'The professionalization of librarians in the Philippines: the role of library associations' by Antonio M Santos at <http://www.ifla.org/IV/ifla69/papers/134e-Santos.pdf>
- On Starfish Island: the Philippine Group of Law Librarians Seminar of April 2008 by J Winterton, *Legal Information Management* 9, 57-61. <http://hdl.handle.net/10065/1792>

Key Activities of Law Library Associations

Law library association undertake a wide range of activities, represent an active and engaged group of professional who control considerable resources, both financial and human and have considerable influence in policy matters. The key activities of law library associations are usually summarised in a mission statement which explains their policy ambitions as well as describing their activities. These often include:

- Networking and the sharing of best practice

The process of learning each other's roles and realities takes place in every meeting, conference and professional encounter and is a vital part of professional life. In an international dimension this may require a greater intellectual leap than when one attends regional and national conferences because you may have less in common with other delegates but there is more to learn for the same reason. The process of international networking can offer opportunities to learn from each other and also to contribute by speaking, setting up a publications exchange program, a visit or an internship, even to volunteer some advice or time. However, anyone who has been involved in such programmes will know that the teacher rapidly becomes the student. The two-way nature of the process of learning is extremely important; the benefits are reciprocal.

There is much to learn from one's immediate colleagues but international aspects of law and law librarianship are increasingly important. We all know about the globalisation of law. Today we are faced not just with a growth of transborder economic activity, but every aspect of law is affected by the interconnectedness of our world. Legal systems increasingly affect each other. Whole areas of law are subject to some degree to supranational regimes whether emanating from entities such as the United Nations or from international treaty regimes. The movement of information and people creates challenges that national law is struggling to keep up with and brings more and more complex problems of public and private international law. Even the local law practice and local judiciary increasingly need to consider provisions of other legal systems apart from our own.

International networking can start at home and, of course, networking can be virtual. We can participate through lists and discussion groups, membership of other associations, reading their publications, and building up contacts by email. There are plenty of associations of law librarians and law libraries around the world and there also a wide range of discussion lists with a focus on foreign and international law and legal information.

You may have a great meeting in your own country and have all the bandwidth you want but there is a whole wide world out there waiting to meet you. If you find that you are increasingly dealing with foreign law enquiries, start thinking about a trip to meet your international colleagues at another national or international meeting. The notes below include an international calendar of events on the IALL website which might interest you; the calendar also appears in the *International Journal of Legal Information*.

Notes:

- The Way of Ignorance by J Winterton, AALL Spectrum, vol.8, no.6, April 2004. Members Briefing, p.1-4. <http://hdl.handle.net/10065/376>
- International Calendar of Events of interest to law librarians - <http://iall.org/calendar/newcal/show.asp>

- Collaboration

One benefit of networking may be increased opportunities to collaborate. One of the watchwords of modern librarianship is collaboration; we know we need each other. Take the example of digitization of materials. We need to collaborate in terms of standards, by utilizing international standards for data format, for electronic manipulation of metadata, and for metadata content. We need to collaborate in order to make the most efficient use of available funds for digitization projects and ensure that no material is digitized twice, that no project unnecessarily duplicates the efforts of another. Such collaboration is important not just locally or nationally but internationally. Many initiatives and collaborative projects rely on coordination of efforts and these ultimately rely on contacts, on contact between a relatively few people and on meetings between individuals.

Law library associations are a natural forum for bringing together libraries to collaborate or just to provide the meeting place where libraries can meet, even if the resulting partnership or consortium takes on a life of its own.

- Standards and competencies

Law library associations are the usual channel for formal expressions of agreed standards and competencies for law librarians and aspects of law librarianship. These assist practitioners in the daily work and express to employers and related professions the worth and level of professional education of law librarians. These may include competencies of law librarians which serve as a guide to law librarians in their professional development and to their employing institutions in drawing up job descriptions and allocating responsibilities and determining pay. Other agreed statements may include a code of professional ethics relating to the practice of law librarianship. Law librarians may encounter situations which require advice beyond that provided by general library associations, for example in relation to the distinction between answering enquiries and providing legal advice.

There may also be standards for law libraries or library services or collections. These are legitimate concerns of law library associations and help to define best practice as far as that can be defined while acknowledging the varying missions of libraries. I discuss these standards below under 'Liaison with other organisations' because they are often, and perhaps more properly, developed in conjunction with organisations representing those served by libraries or those who finance the libraries.

Notes

- AALL Competencies of Law Librarianship - <http://www.aallnet.org/prodev/competencies.asp>
- AALL Ethical Principles - http://www.aallnet.org/about/policy_ethics.asp

- Professional development and training

There are few degree-level programmes in law librarianship anywhere in the world, although there are many librarianship programmes and many contain some element of specialisation in law librarianship / legal information management. At present I do not know of degree-level courses endorsed or franchised by a law library association. One of the roles of law library associations is the provision of continuing professional development, mainly through the combined expertise of its members. This may take the form of publications, training sessions or one-day workshops, short courses, study conferences, or more extensive programmes of study. These may be offered by national law library associations at various locations around the country but may now be offered online either by individual distance learning or by live online seminars and discussion groups.

- Quality assurance and regulatory roles

As described above in relation to the Philippine Law Librarian Group, some law library associations and a larger number of national library associations regulate the profession to a greater or lesser extent. The association may provide a definition of a professional librarian and may administer their own examinations or recognise other qualifications but supplement them with further requirements before admission to the profession. Although such licensed professional status may not be an absolute requirement for employment, there may be certain levels of employment or salary in public service which are only open to registered professionals.

- Representation and lobbying

Law library associations promote the interests of their members by educating their employers and the general public about the role of their members, assisting employers in defining roles and levels of duties and remuneration. In part this is achieved through research by survey of salaries and responsibilities.

Associations may encourage entrance into the profession by the best young students, although law librarianship has always attracted very high achievers as we know. This is often done by speaking at library schools and the publication of explanatory leaflets about the challenges of law librarianship

Law library associations are in a position to express the views of their members and of those who rely on them for access to legal information in a coherent and purposeful fashion in relation to policy matters. These views may be in relation to the policies and pricing adopted by publishing companies and database vendors whose increasing size and power requires coordinated representation by the profession. This may be welcomed by publishers who find it difficult to analyse feedback for their customers.

Associations may equally be able to express the view of their members on issues affecting access to legal information at national and international levels. AALL maintains a Government Relations Office with full-time paid staff to alert the association to relevant initiatives and opportunities and to lobby national government on a wide range of issues including copyright, government funding, freedom of information, confidentiality.

Issues affecting access to legal information may well be decided at an international level, for example the development agenda at the World Intellectual Property Organisation. This was one of the main reasons why AALL and IALL pushed to create a Section of Law Libraries at the International Federation of Library Associations. IFLA has a well-established role in the international coordination of policy for all librarians.

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AALL Government Relations Office - <http://www.aallnet.org/aallwash/>

- Liaison with other organisations

I group under this heading, the work of law library associations in formulating joint policy with other organisations or enabling other organisations to express their views on library matters. In some circumstances this might include vendors. However, I refer here to organisations which interact with law libraries in defining the needs of their customers, law schools, academic lawyers, students, accreditation bodies for law schools, and professional associations of practising lawyers. In the past these may have simply been minimum standards for the volume and perhaps quality of collections. It has, of course, been recognised for some long time that the quality of law library provision depends on a range of factors including policy, management and staffing, services, accommodation, equipment and facilities, as well as collections and access. In the UK, the Society of Legal Scholars maintains the Standards for University Law Library Provision in the United Kingdom and liaises with the British and Irish Association of Law Librarians in an annual monitoring of actual practice in university law libraries.

Notes

Society of Legal Scholars. A Statement of Standards for University Law Library Provision in the UK - <http://www.legalscholars.ac.uk/library-standards-revision-2009/index.cfm>

- Research and Scholarship

Law library associations usually encourage research and scholarship in the field by publication of a journal, a series of monographs, or other publications. Associations may also define a research agenda and possibly commission research. They are likely to encourage scholarship through advice on getting published, grants for research projects and prizes and competitions for outstanding work.

Visiting fellowships for research can be available to law librarians as well as to academic researchers. Several years ago the Institute of Advanced Legal Studies (IALS) of the University of London created a Visiting Fellowship in Law Librarianship as part of its academic research program. Although the fellowship provides no funding, it provides a powerful argument to a librarian's employer for paid leave. It is designed to place an experienced law librarian in a research and research library environment and encourages research of mutual benefit to the Visiting Fellow and the Institute Library. Visiting Fellows have come from Australia, Canada, India, Nigeria, Norway, and the United States. The Max Planck Institute for Comparative and International Private Law in Hamburg offers a scholarship programme for visiting fellows from abroad with a modest financial grant. These are normally awarded to legal researchers but occasionally are awarded to law librarians. These are exceptionally rewarding programmes and study and research leave should be available to law librarians to undertake these programmes and enhance their expertise and contribute to the profession through their research and scholarship.

Notes

- Visiting Fellowship in Law Librarianship, IALS - www.ials.sas.ac.uk/fellows/fellapp.htm
- Max Planck Institute for Comparative and International Private Law Scholarship Programme http://www.mpipriv.de/ww/en/pub/organization/academic_organization/support_junior_scientists/scholarships.cfm

Opportunities - Grants and Assistance

Law library associations usually have programmes to offer opportunities for professional development to the members whose employers may not be able to support them financially and who otherwise may not be able to take advantage of the various activities of the association. They may also offer funding to assist those taking formal educational qualifications in order to join the profession, to those undertaking research or publication projects, and those who would otherwise not be able to participate in the governance of the association.

I would like to mention some ways in which law library associations and other institutions make it possible for law librarians, wherever they are based and whether or not they are members of the association or not, to participate in some of the opportunities which I describe above. There are various grants and scholarships offered by law library associations to provide financial assistance to attend conferences or to undertake placements and internships. There are also programmes of research fellowships in law librarianship. I will briefly mention some which may be useful and provide notes about where to find further information.

The International Association of Law Libraries makes awards to three law librarians each year, offering free registration and US\$1,500 each to assist with the costs of travel and accommodation to attend its annual conference. Details of the award and previous recipients are on the IALL Website. Several successful scholarship holders have become leading members of the Association, organisers of later IALL conference, and have been involved in the creation of law library associations in their own country. Applicants do not need to be members of IALL.

The Foreign Comparative and International Law Special Interest Section (FCIL SIS) of the American Association of Law Libraries administers the Ellen Schaffer Foreign Librarians Grant to provide financial assistance to ensure the presence and participation of foreign librarians at the AALL annual meeting and to enrich the event by sharing global perspectives.

An extended visit to a library in another country provides a more immersive experience than a conference and potentially a much more valuable experience. The IALL makes a

major grant of US\$3,000 each year to provide financial assistance for law librarians to undertake a placement or internship or unpaid research fellowship or extended visit in another country.

The FCIL SIS channels information to interested law librarians on opportunities to make visits to libraries or undertake a staff exchange internationally through the Clearinghouse for Internships & International Personnel Exchanges.

Notes

- IALL grants to attend its conferences - <http://www.iall.org/scholarship.html>
- IALL grants for placements, internships, extended visits - <http://www.iall.org/internship.html>
- American Association of Law Libraries. Foreign Comparative and International Law Special Interest Section. Ellen Schaffer Grant for Foreign Law Librarians - <http://www.aallnet.org/sis/fcilis/grantsnewsite.html>
- Clearinghouse for Internships & International Personnel Exchanges. www.lawsch.uga.edu/fcil/clearintro.html

Value of Law Library Associations

Law librarians have responsibility for the selection, acquisition, storage and preservation, arrangement, and delivery of material records of legal relevance in convenient and speedy ways suited to the nature of the legal research of their users. Law library associations play an important part in enhancing the professionalism of their members and improving the quality, cohesion and efficiency of library services. They do this in ways which I have discussed above, in mutual support and sharing best practice, continuing professional education, the encouragement of collaboration, the promulgation and monitoring of standards, and the regulation of qualifications. In addition, law library associations not only represent their members but also the consumers of legal information. In doing all this they play a vital part in the administration of justice, in the support of scholarship and legal education, and in the functioning of a social system which adheres to the rule of law.