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*If You Don't Like What's Being Said, Change the Conversation: Effectively
Marketing and Communicating the Value of an Academic Law Library*

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Submitted to Professor Penny A. Hazelton to fulfill course requirements
for Current Issues in Law Librarianship, LIS 595, and to fulfill the
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I. Introduction

Criticism of the United States law school system is pervasive, addressed by legal scholars¹, gossiped about in the blogosphere² and even commented on by members of the judiciary.³ Complaints range from the cost of a legal education versus the potential benefit, the questionable statistics some law schools use to entice applicants,⁴ and the argument that the law school system is overly theoretical and fails to prepare students for the practice of law.⁵ While legal education is hotly debated from all sides, the significance of law school libraries is disregarded in the fray.

When the U.S. News and World Report releases its annual law school rankings, collective sighs of relief or groans of despair are heard throughout law schools around the country. Reliance on the report – whether or not the rankings are a reflection of educational quality⁶ – drives many law schools to direct their efforts and funds towards the elements that are more heavily weighted in the report. The report raises a feeble nod to law school libraries – the report’s methodology takes library holdings into account for 0.75% of a school’s total composite score.⁷

Law schools engaged in playing the “ranking game,”⁸ that is to say, actively working to improve their ranking might base the value of their law library as much as the report does – which is to say, very little if at all. Allowing another to dictate the value of the law library to the law school has proved to be inaccurate and dangerous.⁹ With increasing criticism from the public, decreasing applicants and a depressed economy, now more than ever, law schools are

¹ Brian Z. Tamanaha, *Failing Law Schools* (The Univ. of Chicago Press, 2012).

² Elie Mystal, *Outsiders Criticize Law Schools, But Will Change Ever Come?*, Above the Law (Jan. 9, 2012, 11:57 AM), <http://abovethelaw.com>.

³ Katherine Mangan, *At Meeting, Federal Judge Hands Down a Sharp Opinion about Law Schools*, The Chronicle of Higher Education (Jan. 8, 2012), <http://chronicle.com>.

⁴ Elizabeth Ewing, *Are Law Schools Failing When It Comes to Employment Transparency*, 21 The Nat’l Jurist, Mar. 2012, at 20.

Stanley Fish, *The Bad News Law Schools*, The N.Y. Times (Feb. 20, 2012, 9:00 PM), <http://opinionator.blogs.nytimes.com>.

The issue of employment transparency has heated up as some law schools are finding themselves slapped with lawsuits brought by former students alleging fraud related to the law school’s employment numbers.

⁵ Fish, *supra* note 4.

⁶ Andrew P. Morriss & William D. Henderson, *Measuring Outcomes: Post-Graduation Measures of Success in the U.S. News & World Report Law School Rankings*, 83 Ind. L.J. 791, 792 (2008).

⁷ *Methodology: Law School Rankings*, U.S. News & World Rep. (Mar. 12, 2012) <http://www.usnews.com>.

⁸ Leigh Jones, *Law Schools Play the Ranking Game*, The Nat’l Law Journal, (Apr. 18, 2005), <http://www.law.com>.

⁹ The U.S. News & World Report is not only an inadequate measure of value when it comes to law school libraries, it may not even be reflecting accurate information, as some law schools have been found providing the report with false and inaccurate information. Ewing, *supra* note 4 at 21.

tightening their belts and law school libraries must fear for their funding, because of the perceived lack of value-add to the law school.

Chapter 6 of the *ABA Standards for Approval of Law Schools*¹⁰ and the *ABA Annual Questionnaire*¹¹ provide another facet of value apart from the U.S. News & World Report annual ranking. While the *ABA Standards* provide that a “law school shall maintain a law library that is an active and responsive force in the educational life of the law school,”¹² the standards themselves are vague and will not deter an administration intent on cutting library funding. The *ABA Standards* are national standards and provide some uniformity – in core collections and physical facilities – however the *ABA Standards* provide only limited benchmarks.¹³ The *ABA Standards* do not assist in any substantial way in resolving how to reflect the true value of the law library to the law school.

Law schools have little else to base their opinion of the library’s value beyond the U.S. News & World Report and the results of the *ABA Annual Questionnaire*. After all, most librarians take pride in doing a good job and letting the work speak for itself. Demonstrating the value of the law library and its librarians may be the greatest challenge now facing law school librarians.¹⁴ Law libraries compile annual reports,¹⁵ statistics and surveys¹⁶ to account for their time, and successes. The annual report may communicate a more accurate value to the law school administration however these reports are not necessarily swaying the opinions of the administration. What is being said in the U.S. News & World Report or omitted in the *ABA Standards* about the law library is unfortunate and the conversation needs to be changed.

II. The Harsh Reality

*Over the next decade we need to implement big new ideas, otherwise the role of the library will become marginalized in higher education.*¹⁷

¹⁰ ABA Section of Legal Education and Admissions to the Bar, *ABA Standards and Rules of Procedure for Approval of Law Schools* (2011).

¹¹ ABA Section of Legal Education and Admissions to the Bar, *ABA Annual Questionnaire* (2011).

¹² ABA Section of Legal Education and Admissions to the Bar, *ABA Standards and Rules of Procedure for Approval of Law Schools* 44 (2011).

¹³ Kris Gilliland, *The Successful Law Library Manager: Training and Skills*, in *How to Manage a Law School Library: Leading Librarians on Updating Resources, Managing Budgets, and Meeting Expectations* 93, 99 (Michaela Falls ed., Aspatore Books 2008).

¹⁴ William Blake Wilson, *The Importance of Communication: the Law Library’s Interaction with Students and Faculty*, in *How to Manage a Law School Library: Leading Librarians on Updating Resources, Managing Budgets, and Meeting Expectations* 69, 72 (Michaela Falls ed., Aspatore Books 2008).

¹⁵ Kristin Cheney, *Annual Reports in Academic Law Libraries*, in *Marketing Toolkit for Academic Law Libraries*, Academic Law Libraries Special Interest Section, American Association of Law Libraries, www.aallnet.org/sis/allsis/toolkit/index.asp (2004).

¹⁶ Dwight B. King, Jr., *User Surveys: Libraries Ask, “Hey, How am I Doing?”*, in *Marketing Toolkit for Academic Law Libraries*, Academic Law Libraries Special Interest Section, American Association of Law Libraries, www.aallnet.org/sis/allsis/toolkit/surveys.pdf (2004).

¹⁷ Brian Mathews, *Think Like a Startup: a White Paper to Inspire Library Entrepreneurialism*, 1, 1 (2012),

Law librarians normally have a background in librarianship with an M.L.I.S. and sometimes a J.D. but M.B.A.'s hardly ever come into play.¹⁸ While law librarian positions do not typically require business degrees, law librarians are running a business and an education in business¹⁹ may be paramount to running a library successfully. Business may not be in the obvious scope of librarianship – in fact sometimes a benchmark for success in a law library is measured by an absence of complaints.²⁰ Until recently marketing and professional advocacy are uncommon words in law libraries, but law libraries engage in marketing and advocacy whether or not they realize it!

A challenge in understanding how to market a law library is that librarians already appreciate the library's intrinsic value and recognize its utility, making it a struggle for librarians to understand why others might not value the library. Another challenge is that many librarians do not recognize the need to market. Law libraries are busy attending to the day-to-day needs of patrons and their librarians already cannot have enough hours in the day. Of course, it is hard to imagine that a library that has faithfully served its community for decades could be downsized or worse, closed. However, the reality is that good service alone may not carry a law library undisturbed through a budget cut.

Unfortunately the list of motivating factors related to the increasing need to advocate for the academic law library is long. On March 5, 2012, the San Francisco Law Library closed its Financial District branch after sixty years of service due to its inability to afford the rental rates. In a press release, the library cited a “major decline in library funding from court filing fees, greatly increased rental rates, and an unrelenting escalation in the cost of legal materials” as cause for the closure.²¹

Regrettably, the closure of the Financial District branch is only one of the problems faced by the San Francisco Law Library as there are strong indications that the city proposes to save space costs by further reducing the collection, seating, staffing and other resources, and a perception on the part of some city officials that the Law Library is not needed at all “because legal information is

<http://vtechworks.lib.vt.edu/bitstream/handle/10919/18649/Think%20like%20a%20STARTUP.pdf>

¹⁸ Only a small minority of law school library directors studied business administration formally. Gilliland, *supra* note 13, at 96. University of Minnesota Law School's Professor Joan S. Howland, also the Associate Dean for Information and Technology received her M.B.A. Director of O'Quinn Law Library and Associate Professor of Law at the University of Houston Law Center, Spencer Simons also received his M.B.A.

¹⁹ Law librarians may want to consider getting an MBA or attending management and leadership workshops. Marian F. Parker, *Meeting the Challenge: Succeeding as a Law School Library Director*, in *How to Manage a Law School Library* 107, 116 (Michaela Falls ed., Aspatore Books 2008).

²⁰ J. Paul Lomio, *The Need to Be the USAA/L.L. Bean/Fairmont Hotels/Lexus of Law Librarians*, in *How to Manage a Law School Library: Leading Librarians on Updating Resources, Managing Budgets, and Meeting Expectations*, 47, 54 (Michaela Falls ed., Aspatore Books 2008).

²¹ Press Release, San Francisco Law Library, San Francisco Law Library Market Street Branch Closed as of March 5, 2012 (Feb. 6, 2012), *available at* <http://www.sflawlibrary.org/index.aspx?page=57>.

available on the Internet.”²² The troubles faced by academic law libraries are not unlike those faced by county law libraries: increasing costs and decreasing funds. The tightening of funds has decreased law library resources and revealed that the law library is sometimes greatly undervalued within its community.

One must not confuse being undervalued as a malicious act on the part of the institution’s administration but rather a failure of the law library to shed light on its stellar work and the value it adds to the community, beyond the pitiful 0.75% allotted to it by the U.S. News and World Report. With growing pressure on law schools, the law library’s potential is seriously limited if it does not begin to advocate and market its unseen value to administrators.²³ If a change for the better is going to be made, librarians need to embrace marketing and advocating for the work they love most. The conversation surrounding law libraries is not promising and it is the responsibility of law libraries to change the conversation.

III. Using Public Relations and Marketing to Become Ubiquitous²⁴

The question of worth in terms of a law library is an enigma. How to place a value on the law library –high or low – has not been resolved in a meaningful way.²⁵ However a popular gauge of success in a law library is measuring how close the law library is to the center of the intellectual life of the law school,²⁶ or how active the law library is in law school life.²⁷ User Experience Librarian, Brian Mathews prefaces his book, “Marketing Today’s Academic Library: a Bold New Approach to Communicating with Students,” by introducing the process of “becoming ubiquitous,” not necessarily in the context of furthering the library’s agenda but rather to become more involved in the students’ day-to-day activities and to expand the definition of his involvement as a librarian within the institution.²⁸

Associate Dean, Director and Professor of Law at Charleston School of Law, Lisa Smith-Butler has shed light on the pressure to justify and defend a library’s existence and notes that the library should be seen and heard throughout

²² E-mail from Marcia Bell, San Francisco Law Library Director, to Northern California Association of Law Libraries (Mar. 30, 2012, 3:21 PST) (on file with author).

²³ Brian Mathews, *Marketing Today’s Academic Library, a Bold New Approach to Communicating with Students*, xiv (Am. Libr. Ass’n 2009).

²⁴ Mathews’ use of the word ubiquitous is apt and should be the goal of every law school library. Mathews, *supra* note 23, at xiii.

²⁵ Wilson believes the greatest challenge now facing law school librarians is demonstrating the value of the law library and librarians. William Blake Wilson, *The Importance of Communication: the Law Library’s Interaction with Students and Faculty*, in *How to Manage a Law School Library: Leading Librarians on Updating Resources, Managing Budgets, and Meeting Expectations* 69, 72 (Michaela Falls ed., Aspatore Books 2008).

²⁶ Christopher A. Knott, *Librarians as Service Institutions: Meeting Patron Needs in a Changing Environment*, in *How to Manage a Law School Library: Leading Librarians on Updating Resources, Managing Budgets, and Meeting Expectations* 79, 90 (Michaela Falls ed., Aspatore Books 2008).

²⁷ Knott, *supra* note 26, at 85.

²⁸ Mathews, *supra* note 23, at xiv.

the entire law school.²⁹ Similarly, Senior Research Librarian Elizabeth LeDoux recognizes the necessity for libraries to be in the center of their organization or law school.³⁰ Based on Mathews, Smith-Butler and LeDoux's observations, it would appear there is a general consensus that the law library needs to increase its visibility within the law school.

Both Smith-Butler and LeDoux advise adopting a public relations strategy as a means to increase the law library's visibility within the institution. Mathews points out that most law libraries are already involved in some form of advertising – although they may not refer to their activities as advertising.³¹ Marketing is sometimes perceived with disapproval as a self-serving, greedy and corporate pursuit.³² However unlike marketing for profit, the goal of marketing and advocacy in this instance is to protect the law library and its resources for its patrons. The goal is to reflect the law library's ethos: to continually improve service to patrons. Private law firm libraries have long engaged in marketing by providing concrete measures of their services. The law firm libraries gather statistics on billable hours, budget, online legal research, library users, materials, circulation, staffing and space.³³ The law firm librarian is unafraid to toot their own horn and promote the value of the law librarian and the law library to their firm.³⁴

Taking a note from the private law firm library, when the law school library adopts a public relations strategy, the law library must decide which promotional activities to undertake,³⁵ and considering one's audience is vital when making this decision. While the law firm caters to basically one type of patron, the practitioner; the law school library caters to several potential types of patron: the student, the alumni, the faculty, the public and the law school administration. The students, faculty, and public seek different resources and services from the law libraries³⁶ – as such, different strategies must be adopted to appeal to each. Each patron has different demands that must be identified, services that are needed and ways in which the law library can assert itself into the day-to-day of each patron increasing the law library's visibility and its viability.

²⁹ Lisa Smith-Butler, *Question, Questions...Are You Offering What Your Patrons Want? And Are They Aware of It?*, 15 AALL Spectrum 4, 7 (2011).

³⁰ Elizabeth LeDoux, *Marketing Inspiration: How to Move the Law Library to the Center of Your Organization's Culture*, 11 AALL Spectrum 7, 25 (2007).

³¹ Mathews, *supra* note 23, at 6.

³² "What you call love was invented by guys like me to sell nylons." *Mad Men*: Smoke Gets In Your Eyes (AMC television broadcast Jul. 19, 2007).

³³ *A Handbook for Gathering Statistics for Your Law Library*, in Guide to Statistics for the Law Firm Librarian, Private Law Libraries Special Interest Section, American Association of Law Libraries, <http://www.aallnet.org/sis/pllis/Toolkit/ToolkitStats.pdf> (2004).

³⁴ *Id.* at 6.

³⁵ Mark D. Engsborg, *Talking the Talk: a Law Librarian's Guide to Correctly and Gracefully Describing Law Library Promotional Activities*, 8 AALL Spectrum 12, 12 (2004).

³⁶ Wilson, *supra* note 25, at 76.

IV. Student Patrons

*There is little question that locating relevant legal authority and evaluating it are fundamental skills every lawyer should possess.*³⁷

Legal research is a fundamental skill in the practice of law, yet relatively little time in a law student's career is invested in developing legal research skills. While some state bar associations are exploring the possibility of adding practical training requirements on potential attorneys,³⁸ law school libraries are rising to the challenge of nurturing law students' research needs and providing legal research skills that are relevant and applicable to future practice. A bigger challenge lies in garnering student attendance.

In 2011, the University of Michigan Law Library developed a marketing plan to raise the consciousness of law students about the ways in which the law librarians can help them as students and later, as attorneys. The plan was quite a success as exhibited in a major increase in the use of the law library and its service measures.³⁹ The success of the University of Michigan's Law Library is encouraging. One of the biggest PR challenges faced by law librarians is reaching researchers with the message that the law librarians' expertise can help the researcher's skills and efficiency.⁴⁰

Expanding the law library's involvement in students' education is challenging because students are often unaware or misinformed of the law library's ability to help them in their endeavors.⁴¹ This lack of awareness highlights the need for law libraries to publicize their services and resources. Simplifying the user's experience⁴² has been a task identified by many law librarians. Clarifying the availability of the law library's services so that the law library's utility to students is well defined is almost impossible with the amount of services and resources a law library maintains.

One of the most useful tools a law library can wield in the marketing process is interacting with students. Students appreciate communication with law librarians⁴³ and the ability to have a sounding board on assignments without the risk of looking foolish in front of the classroom or in front of their professor. Efforts to familiarize students with law librarians should be made to increase the chances of student-librarian interaction. Mingling with students⁴⁴ increases the

³⁷ Ellie Margolis, *Surfin' Safari – Why Competent Lawyers Should Research on the Web*, 10 Yale J. L. & Tech. 82, 84 (2007).

Section of Legal Education and Admissions to the Bar, American Bar Association, *Legal Education and Professional Development – an Educational Continuum, Report of the Task Force on Law Schools and the Profession: Narrowing the Gap* 138-140 (Robert MacCrate ed., 1992).

³⁸ The California State Bar is creating a task force to explore adding a pre-admission practical skills requirement to the requirements for admission to the bar. Don J. DeBenedictis, *Legal Education Under Fire from Critics*, The Daily Journal. Jan. 3, 2012.

³⁹ Jennifer Selby, *Getting Law Students into the Law Library*, 16 AALL Spectrum 14, 15 (2011).

⁴⁰ Joan Shear, *Are You PR Impaired? How Would You Know?*, 5 AALL Spectrum 14, 14 (2001).

⁴¹ Smith-Butler, *supra* note 29, at 7.

⁴² Knott, *supra* note 26, at 86.

⁴³ Wilson, *supra* note 25, at 71.

⁴⁴ Lomio, *supra* note 20, at 57.

likelihood of understanding their needs and creating ways to meet their needs.⁴⁵ The University of Michigan Law Library campaigned with eye-catching posters, slogans, and photos of library staff along with pins for staff to wear.⁴⁶ The University of Washington Gallagher Law Library hosts a 1L Pizza Party at the beginning of the year – allowing the law librarians to be one of the first *friendly* faces the 1L’s encounter during perhaps the most intimidating time in a law student’s academic career. The pizza party familiarizes new students with the law library, the law librarians and the services available to students.

In fostering relationships with students, a law librarian might find that the student returns and sometimes shares their positive law library experience with their classmates and triggers other students to visit the law library looking for help.⁴⁷ After all, like most service-oriented businesses, satisfied customers often assume the role of promoting the business to friends and family.

In addition to this, conducting workshops and training⁴⁸ directed to specific assignments might be effective in drawing in students who feel overwhelmed and lost. Paying attention to course assignments, syllabi and course announcements⁴⁹ can be helpful in anticipating student needs. Targeted workshops and training allow the law library to solve the student’s immediate need by producing a solution with practical and direct relevance to student’s problem but also help fulfill the student’s future needs as a practitioner by imparting skills that may be applied to future problems. After all, the end goal for most students is presumably to find work and law firms search for desirable candidates who have developed skills making a seamless transition from school to practice.⁵⁰ This leads to the next patron population – graduates from law school or alumni patrons.

V. Alumni Patrons

*Today’s starving students are tomorrow’s wealthy alumni...*⁵¹

Every student is a future alumnus and while law libraries hardly perceive law students with potential dollar signs over their heads, the relationships built over the course of several years between law librarians and students can be

⁴⁵ When I was studying for the California Bar Exam in San Diego, I found myself spending the better part of my life in the University of San Diego Law Library even though it was not my law school. I noticed that the library stocked the women’s restrooms with feminine products on the counters. This struck me as such a conscientious service and one of the many ways the USD Law Library aspires to meet the needs of their patrons.

⁴⁶ Selby, *supra* note 39, at 14.

⁴⁷ Scott B. Pagel, *Changing Libraries and Changing Relationships: Challenges for the Library Director*, in *How to Manage a Law School Library: Leading Librarians on Updating Resources, Managing Budgets, and Meeting Expectations* 63, 68 (Michaela Falls ed., Aspatore Books 2008).

⁴⁸ Peggy McDermott, *May it Please the Court: Transporting PR Activities from a Court Law Library to an Academic One*, 12 AALL Spectrum 12, 13 (2008)

⁴⁹ Lomio, *supra* note 20, at 62.

⁵⁰ Penny A. Hazelton, *Law Library Director of the Twenty-First Century*, in *How to Manage a Law School Library*, 117, 132 (Michaela Falls ed., Aspatore Books 2008).

⁵¹ Lomio, *supra* note 20, at 52.

developed into powerful connections. While law librarian and student relationships typically end upon the students' graduation, a student's needs do not magically disappear upon the completion of their law school education – their needs transform from academic to practitioner.

Alumni are sometimes unaware of the law school library's accessibility to graduates.⁵² Although students are working towards become attorneys, perhaps the last thing to cross their minds is what resources they might need as practitioners or their law school library's policy regarding graduates.

Law libraries with alumni accessibility should publicize their ability to assist graduates *before* the students become graduates. Alumni are the law school and law school library's representatives in the practice world. They reflect the strengths and weaknesses of the law school. Alumni have the potential to be a source of pride for the law school or a source of embarrassment.⁵³ As such, it would appear that the law school and law library should share a sense of obligation in assisting graduates in continuing traditions of success.

When an alum or student succeeds, the law school trumpets the achievement in newsletters,⁵⁴ as if to say, "Hey look, our graduate's success is due, in part, to our wonderful training while the attorney was a student in our halls!" Alumni contribute as much to the success of the law school as the law school contributes to the alumni's success as a practitioner. As a result, it seems intuitive that alumni should be entitled to assistance and access to the law school library. The problem is clear that sometimes alumni are unaware of what services and resources are available to them.

Announcing alumni services and resources available to students before they graduate⁵⁵ might address some of the ambiguity alumni feel when determining where to conduct their research. Unfortunately, students are prone to disregard messages delivered en masse or via email. This is when relationships fostered during the law students' academic years might come in handy. In building relationships with student patrons, the message that the law library is a place they are welcome to return to as practitioners must be effectively communicated.

⁵² The first reference telephone call I ever had began with the caller saying, "I'm not sure if you can help me *but I'm an alumni...*" Since then, this is a question I have heard repeatedly over the phone, in person and via email and I'm always inclined to enthusiastically respond, "Of course we can help you!"

⁵³ I am sure the law schools responsible for graduating both attorneys in *Bradshaw v. Unity Marine Corp.* hung their heads in shame when the judge called described their pleadings as drafted "entirely in crayon on the back sides of gravy-stained place mats, in the hope that the Court would be so charmed by their child-like efforts that their utter dearth of legal authorities in their briefing would go unnoticed." *Bradshaw v. Unity Marine Corp.*, 147 F. Supp. 2d 668, 670 (S.D. Tex. 2001)

⁵⁴ Stanford Law Library's daily e-newsletter, "SLS Today," is an excellent example of promoting the library by promoting the law school faculty, students and alumni. Erika V. Wayne, *The Simple Elegance of Shameless Self-Promotion*, 8 AALL Spectrum 6 (2004).

⁵⁵ It is admittedly a challenge to alert busy law students to needs they will have in the future and not proximate to their immediate needs. Potential research problems in practice probably seem like a speck of dust in the future and may be the last thing on a law student's mind while studying for finals.

Some law libraries offer types of special incentives to alumni and recent graduates.⁵⁶ Even legal databases offer programs for recent graduates that are largely unnoticed. LexisNexis' ASPIRE was launched specifically for graduates during the deferral of professional practice – allowing them free access to some of LexisNexis' services.⁵⁷ Creating webpages or research guides on the law library website explaining graduate and alumni policies and informing graduates and alumni of special programs like ASPIRE or resources that are available for alumni use may be helpful in clarifying for alumni what level of service they can expect.

Contributing to every issue of the alumni magazine, email newsletters and creating webpages for alumni promote the law library's availability to alumni. Co-authoring articles with alumni practitioners for bar journals as well as other publications that reach alumni is another way to expose the law library to its potential alumni patrons.

Alumni impart value to the law school with their success, their contributions, their service to the community and their hiring of subsequent graduates. Alumni are an asset to their law school and the law school library should strive inasmuch as they can to reciprocate and be an asset to alumni.

VI. Faculty Patrons

The needs of faculty patrons have had a special place in the hearts of the law library and are typically given high priority.⁵⁸ Faculty requests are diverse and sometimes demanding, ranging from traditional reference requests to interdisciplinary research, to empirical research and sometimes even wacky reference requests.⁵⁹ However, the needs of faculty patrons may be the easiest to anticipate of all the patron types based on the relationships formed between the faculty and law librarians over time. While the lives of faculty members are recognized to be inconstant as they move from school to school – they typically remain at a given institution for longer than the three years of a law student's visit.

Despite the close relationship of some law librarians with faculty, not all faculty utilize the law library's resources available to them. While some faculty members are frequent visitors (virtual and in-person) of the law library, other faculty members tend to rely on their own skills or that of their research assistants. A law library might be most effective in developing a marketing strategy focused on individual faculty members. Law schools customarily host

⁵⁶ Duke offers discounted rate to alumni for a campus borrower card with borrowing privileges. Duke Law Library Alumni Services, <http://www.law.duke.edu/lib/alumniservices> (last visited May 14, 2012).

⁵⁷ The LexisNexis Aspire Program, <http://www.lexisnexis.com/en-us/about-us/corporate-responsibility/aspire-program.page> (last visited May 14, 2012).

⁵⁸ Margaret A. Schilt, *Faculty Services in the 21st Century: Evolution and Innovation*, 26 *Legal Reference Services Q.* 187, 192 (2007).

⁵⁹ When I asked Gallagher Reference Librarian, Mary Whisner for the wackiest faculty request she had ever received, without hesitation, she rattled back no less than five stories. One of the most memorable anecdotes involved locating a cranberry sauce recipe on LexisNexis that a faculty member had seen in the Washington Post.

potential faculty members during interviews and the law library might begin by offering a tour during the faculty member's visit.

The tour serves as camouflage for the actual purpose of the tour, to engage in a covert investigation of the potential faculty member.⁶⁰ During the tour, the law librarian can highlight the law library's resources and services to the specific faculty member's interests while also gathering information including the faculty member's interests, preferred research methods and research needs. The tour provides an opportunity to introduce the law library as a research partner to the faculty member. It is an opportunity to shift the faculty member's previous misconceptions of the law library during the faculty member's transition to a new institution.

The law library can continue its marketing process by having the director encourage faculty use of law library services at faculty meetings and events. However, perhaps the law library can be most effective in drawing the attention of the faculty member, by drawing attention *to* the faculty member. On its website, blog, and displays in the library, the Gallagher Law Library frequently publicizes recent faculty publications and encourages visitors to check out the publications.

Other libraries have engaged in similar marketing strategies for faculty members by including their works in newsletters and similar publications.⁶¹ Stanford Law Library's Director, Paul Lomio created and assembles SLS Today – a daily news e-mail that is sent to the whole Stanford Law School community as well as posted on the law library bulletin board. SLS Today is a summary of Stanford students, graduates, faculty members and staff in the news. The publication keeps the entire law school community engaged, informed and also allows the law library to be at center of the community.⁶²

Allowing the law school community to bask in the spotlight created by the law library in turn empowers the library by bringing it to the forefront of the action.⁶³ Besides the extra attention, publicizing the successes of the law school community fosters relationships between the library and its patrons. Catering to faculty patrons is imperative, after all, faculty are not hesitant to tell the dean what they like and what they do not like about the law school.⁶⁴ Praise of the law library can only help the law library in convincing the administration of its value-add to the law school.

VII. Public & *Pro Se* Patrons

Not all academic law libraries are open to the public, but for the ones that are, marketing and service to the public has the potential to promote the law school's mission of service to the public. The Bylaws of the American

⁶⁰ Humor aside, it is important to engage in information gathering. Connie Lenz, *Faculty Services in Academic Law Libraries: Emerging Roles for the Collection Development Librarian*, 96 *Law Libr. J.* 283, 286 (2004).

⁶¹ Wayne, *supra* note 54, at 6.

⁶² Wayne, *supra* note 54, at 6.

⁶³ Faculty and students now regularly send in their articles, interviews and quotes in the news to be included in SLS Today. Wayne, *supra* note 54, at 7.

⁶⁴ Lomio, *supra* note 20, at 54.

Association of Law Libraries include enhancing “the value of law libraries to the public, the legal community, and the world...the availability of legal information to all people is a necessary requirement for a just and democratic society.”⁶⁵

The number of public patrons in the law library is growing and is perhaps a result of the downturn in the economy and a decrease in public service within the legal community. The law library can further the law school’s mission of providing services to the public while also promoting a higher standard of practice within the legal community. Public patrons who visit the law library can range from one-time visitors to visitors who are more familiar with the law librarians than the students and faculty, from *pro se* patrons to seasoned practitioners.

A. *Pro Se* Patrons

The number of self-represented litigants in courts has steadily increased,⁶⁶ and that increase has been mirrored by the increase of *pro se* patrons visiting law libraries and law library websites. The diversity of *pro se* patrons and their needs can be overwhelming. Some are indigent while others are not. Some are well educated and others are not. The common goal between all *pro se* patrons is their need to access information – legal or otherwise. Service to *pro se* patrons in the law library has an impact on the rest of the legal community. Misinformation or good information impacts the time that might be spent by an attorney or judge reviewing the litigant’s case.

Perhaps the greatest way to market or publicize services to *pro se* patrons and public patrons in general is to communicate a welcome specific to public patrons on the law library website home page. In 2004, only fifteen of 179 academic law library web sites had a specifically designated or demarcated area for *pro se* users or the general public on the home page.⁶⁷

Another way to market law library services to *pro se* patrons is to publish handouts or research guides directed to a non-lawyer audience. Sometimes pointing out available resources and tools are all a clever *pro se* patron needs to do the rest. In 2004, only nineteen of 179 sites had research guides designed for use by non-lawyers.⁶⁸ Internet research guides can be invaluable in saving law librarian time while reaching a broad audience sharing the same question. A research guide on how to use the law library as a member of the public can be a starting point to answer many repeat questions, for example, “Am I allowed to use the library?” or “How do I find an attorney?” or “Where can I use a computer?” or “What databases can I access for free?”

Handouts can also be a practical way to market the law library’s available public resources and sometimes a way to help manage the occasional special patron. Brian Herzog, a public reference librarian in Massachusetts dealt with

⁶⁵ American Association of Law Libraries, *American Association of Law Libraries Bylaws*, (July 2008), <http://www.aallnet.org/main-menu/Leadership-Governance/bylaws>.

⁶⁶ National Center for State Courts, *Self-Representation Pro Se Statistics Memorandum*, (Sept. 25, 2006), <http://www.ncsconline.org/wc/publications/memos/prosestatsmemo.htm>.

⁶⁷ Lee Sims, *Academic Law Library Web Sites*, 23 *Legal Reference Services Q.* 1, 16 (2008).

⁶⁸ *Id.* at 18.

complaints about patrons looking at pornography in public terminals by drafting a humorous but helpful handout listing other places in the area catering to adult services where the offending patron might be able to fulfill their information needs.⁶⁹ Such service is helpful to other patrons while also consistent with the library's policy to refer to patrons to the most appropriate resource.⁷⁰

B. Practitioner Patrons

Practitioners must be cognizant of their information needs, the time it takes and the costs of databases and resources. Research can be one of the costliest expenditures of practice. While large law firms usually have a law library and/or a law librarian to facilitate their research needs – small firms and solo practitioners may not have the resources necessary to acquire and maintain all the research materials necessary for their practice. Some small firm and solo practitioners might visit their local court or county law library however not all are geographically convenient. Furthermore, the small firm and solo practitioners are sometimes not aware that some academic law libraries are available for their use. How does an academic law library (open to the public) put the proverbial “Welcome” doormat at their entrance?⁷¹

Addressing the needs of practitioners occurs in several ways within the law library. From the reference desk to the selector's desk – the library is consistently keeping the practitioner in mind.

Selection committees in an academic law library include practice manuals and formbooks in their material selections specifically for the small firm and solo practitioner. Databases that are sometimes too costly for a small firm or solo practitioners can sometimes be made available to members of the public in a law library free of charge. The law library can be a place where practitioners find more than they bargained for. Often a practitioner might find herself in position of needing to research non-legal information in which case, the law librarians are professionally trained to help with interdisciplinary research.

Small firms and solo practitioners who are looking to begin or expand their workplace libraries are sometimes unsure of what materials will be most helpful to them.⁷² The law library is a place where the practitioners could “sample” or “test drive” databases, practice manuals and formbooks before committing to a purchase. If the resource that the practitioner needs is one that might not be in the library collection, allowing the patron to suggest a resource is a good way to receive feedback.

Finding time to leave the office, drive to a library and find parking can be quite a feat for busy practitioners. Remote – either online or telephonic – reference services provide a good way to reach practitioners. Some law library

⁶⁹ Brian Herzog, *Reference Question of the Week – 3/25/12*, Swiss Army Librarian Blog (April 1, 2012), <http://www.swissarmylibrarian.net/2012/04/01/reference-question-of-the-week-32512>.

⁷⁰ *Id.*

⁷¹ McDermott, *supra* note 48, at 12.

⁷² Kara Phillips, *How to Set Up a Law Library: Solutions for Solos and Small Firms*, 33 *Law Prac.* 51 (2007).

research guides are constructed with a more practice-oriented approach in an effort to assist practicing attorneys confront a challenging research problem. These guides are often made available on the law library website so that the practitioner need not leave the office and can access the guide at any time (even if the law library is closed). Telephone reference is offered by some law libraries and proves invaluable to practitioners from all types of firms.⁷³

The law library's space can also be marketed as a resource for practitioners. Sometimes the hustle and bustle of the office is not conducive to thoughtful legal research and writing. The Los Angeles County Law Library offers a "Members Program"⁷⁴ that enables practitioners to use both on site and remote services of the law library. The program includes legal research databases, collections, reference materials and members-only study room specifically for practitioners who pay a fee. While some law libraries may not have the luxury of being able to sacrifice law library real estate to establish a space specifically for practitioners – the law library is a great place for practitioners in the community to congregate and network.

Practitioners – like almost all patrons – are typically unaware of the bounty of resources available to them. Advertising the law library's services can occur in several ways. Publishing an article like Mary Whisner's "Eight Reasons Solo Lawyers Should Use Law Libraries,"⁷⁵ can be helpful in 1) raising practitioner awareness of the availability of the law library's resources and 2) convincing the practitioner to use the law library.

Advertising a CLE event or research training session directed towards practitioners may be a good way to meet the practitioner's immediate need while also giving the library an opportunity to highlight the ways it can be a resource to the practitioner.

Marketing to the public (practitioners and *pro se* patrons alike) and maintaining titles almost exclusively for the public⁷⁶ may seem unproductive or counterintuitive to a law library's primary mission (the law school community), however broadly speaking, marketing to the local legal community may be a mutually beneficial custom.

Local practitioners are often employers of the law school student population whether as externs, interns, summer associates or recent graduates. Another possible benefit of directing marketing efforts towards the public is that local practitioners and public patrons are sometimes generous in repaying the law

⁷³ Some of the most pleasant reference telephone conversations I have had are with practitioners at local law firms. The practitioners are typically appreciative and surprised at the level of service offered to them by the law library.

⁷⁴ *Members Program*, lalawlibrary.org, <https://members.lalawlibrary.org/members/about.html> (last visited May 15, 2012).

⁷⁵ Mary Whisner, *Eight Reasons Solo Lawyers Should Use Law Libraries*, guest post on MyShingle, <http://www.myshingle.com/2006/04/articles/legal-research-and-writing/more-on-the-joys-of-law-libraries/#more> (April 26, 2006)

⁷⁶ Practitioner and public patrons may commonly use practice materials more, however, with the incremental trend away from traditional legal education to a more clinical approach (as exhibited by Stanford Law School) practice materials may increase in demand from the law school community. Jack Crittenden, *The New Stanford Law School*, 21 *The National Jurist*, 6-7 (2012).

school library by supporting the library financially or otherwise by sharing their materials and handbooks. Finally, providing services and resources to the public improves the legal community as a whole by improving the standards of legal research.

Garnering good will with the local legal community as well as raising the law school's reputation throughout the local legal community in the end may benefit the law school, the library, the students and the practitioners.

VIII. Law School Administration Patrons

In serving law students, faculty, and public patrons, law school administrators are sometimes overlooked as potential patrons.⁷⁷ It has been intimated that unless there are complaints about the law school library, the library might never hear from the law school dean.⁷⁸ While the law school administration, the dean's office, career services, advancement, alumni services and the law library are all working toward the overall goals of the law school – the law library is sometimes isolated from the rest of the law school and overlooked.⁷⁹

Understanding the dean's – and the administration's – goals and priorities is imperative in serving them and building an effective connection with the law school administration.⁸⁰ A law school's administration's goals typically consist of:

- Increasing the school's national reputation and recognition for faculty scholarship and professional activities
- Building positive relationships with alumni
- Increasing fund-raising
- Building international programming
- Dealing with space constraints.⁸¹

Serving the faculty, alumni and students help in furthering some of the administration's goal however the law library may seek out ways to be an active participant in supporting the achievement of the goals with the administration. Developing a regular working relationship with the dean's office and the administration is helpful in both the pursuit of furthering the law school's goals as well as keeping the dean aware of the law library's value to the entire law school community.

⁷⁷ The law school administration might consist of the dean's office, admissions, advancement, career services, alumni services, and various administrative committees.

⁷⁸ Robert H. Smith, *The Librarian's Risk of Irrelevance (in the Eyes of the Law School Dean)*, 95 *Law Library Journal* 421, 422 (2003).

⁷⁹ *Id.* at 422.

⁸⁰ Gallagher Law Library's Reference Office has built strong relationships with the law school administrative community and handles frequent questions from advancement, alumni services and career services.

⁸¹ Smith, *supra* note 78, at 423.

Partnering with other administrative directors and contributing to the success of all the law school's offices further engages the law library in the law school – bringing the law library closer to the center of the institution.

IX. Quantifying the Value of Services to Administrators – the Annual Report

*No single publication of a library can do more to enhance its reputation and increase its budget than its annual report.*⁸²

Imagining new ways to improve patron service is an ever-present conversation within a law library, probably because law libraries love making things better for the patron. Law librarians love helping, assisting and the satisfaction of a task completed successfully. On the flip side, the reality is that law libraries need to be able to translate their work into terms that are quantifiable and meaningful to administrators.

Most academic law libraries take pride in providing excellent service to all patrons – however translating this success to administrators has been the problem in ensuring the law library's value is recognized. Private law libraries have operated on a system that clearly delineates the cost of the law library against the value-add of the law library through savings, time, visits and billable hours.⁸³ Statistics play a major role in private law library reports.

Taking a cue from the private law library annual report, many academic law libraries already compile annual reports. Identifying the necessary components to include in an annual report is imperative to its effectiveness.

A. Background Information

By way of introduction, it is recommended to begin an annual report by defining parameters – who the law library serves, the law library's mission statement, the law library's operating hours and number of law library employees. This may help – as discussed earlier – the administration may not necessarily realize the breadth of the law library's service to the institution and the annual report should not make any assumptions.

Including introductory information about the library staff and their professional activities including scholarly publications⁸⁴ may also help the administration shape their view of the library when they realize that the law library is being widely used and well-represented in the legal community.

⁸² Cheney, *supra* note 15, at 1.

⁸³ LaJean Humphries, *Handbook for Gathering Statistics for your Law Library*, Private Law Libraries Special Interest Section Guide to Statistics for the Law Firm Librarian 1, 5 (2010).

⁸⁴ Marian Gould Gallagher Law Library – Reference Department Annual Report July 1, 2010 – June 30, 2011.

Private law libraries have wisely organized their reports using three strategies: the historical order, the priority order and narrative logic.⁸⁵

B. Lies, Damned Lies and Statistics

*Statistical thinking will be one day as necessary for efficient citizenship as the ability to read and write.*⁸⁶

As the story goes, there are lies, damned lies and statistics. Despite the joke, statistics are important in communicating the value of the law library to the administration and present concrete evidence of this value.

Certain figures reflecting the value of library services by providing a calculation of use of library services can be identified as service statistics. Service statistics usually go hand in hand with productivity statistics that reflect productivity of library staff by providing an accounting of library staff time. The service and productivity statistics give the administrators a basic overview of the library's day-to-day. Service and productivity statistics commonly included in a library annual report are:⁸⁷

- Visitor counts: visits broken day by day/week/month/year
- Borrower registration figures
- Circulation figures
- Number of reference requests
- Total hours spent on reference requests
- Frequent faculty users (most questions asked)
- Time spent (per faculty member)
- Breakdown of QuestionPoint (or electronic messaging/electronic mail) figures
- Training sessions/ teaching/tours:
 - Attendance
 - Time spent
- Website statistics
 - Visitor figures
 - Page view figures
 - Number of research guides
 - Most frequently viewed pages
 - Blog readership/subscription

⁸⁵ Historical Order is used to show a trend, priority order is used to provide the most important information first. Narrative logic is arranging data to tell a story. Humphries, *supra* note 82 at 32-36.

⁸⁶ Herbert George Wells, *Mankind in the Making*, 194 (1904).

⁸⁷ Susan Lewis-Somers, *Using Statistics to Market Academic Law Libraries*, Marketing Toolkit for Academic Law Libraries 4-5 (2004).

Other figures reflecting collection and library materials can be identified as collection development and expenditure statistics. Commonly used collection development and expenditure statistics are:

- Titles added (quantity from the previous year/quantity for the present year)
- Pricing of databases (changes from previous year)
- Subscriptions (quantity from the previous year/quantity for the present year)
- Volume count
- Usage per electronic title
- Expenditures per student

As discussed earlier, the ABA Annual Questionnaire and statistics are criticized, however the survey is comprehensive due in large part to the 100% compliance of law schools and law libraries. Based on the quantity and completeness of responses in the ABA Annual Questionnaire – the results provide a big picture of all the law school libraries around the country.⁸⁸ Using the ABA Annual Questionnaire to compare one law library against the law library of a competing law school (or perhaps a law school that the administration is trying to emulate) can be used as a way to convince the administration to increase funding, permit hiring, allow an addition of services, or to meet a perceived status quo. ABA statistics include:

- Number of full-time and part-time librarians
- Number of hours per week library is open
- Hours per week professional staff on duty
- Number of hours reference service provided per week
- Square footage of space assigned for library purposes
- Total seats available for library users
- Collection Information
- New services in the last year
- Volume quantity

The AALL Special Interest Section’s “Marketing Toolkit for Academic Law Libraries: Using Statistics to Market Academic Law Libraries,” identifies statistical information as one of the most effective ways for a law school library to make its case to law school administration for more resources and to market itself to the law school community.⁸⁹ Statistics give shape to the law library’s impact on the school and local legal community to the administration.

⁸⁸ Dan Martin, *Meeting the Needs of Today’s Law School Library Users*, in *How to Manage a Law School Library: Leading Librarians on Updating Resources, Managing Budgets, and Meeting Expectations* 7 (Michaela Falls ed., Aspatore Books 2008).

⁸⁹ Lewis-Somers, *supra* note 87 at 3.

C. Outcome Measures

Academic law libraries are already in the habit of relaying some statistical information to the ABA Annual Questionnaire. While the statistics represented by the ABA Annual Questionnaire do not necessarily reflect the value of the law library to the law school – they are important to the administration and can be convincing when used as a comparison to other law libraries. The figures above reflect input and output measures, however a recent and more persuasive trend toward outcome measures⁹⁰ should be included in the law library’s statistical purview.

Outcome measures are defined by the ABA as “accreditation criteria that concentrate on whether the law school has fulfilled its goals of imparting certain types of knowledge and enabling students to attain certain types of capacities, as well as achieving whatever other specific mission[s] the law school has adopted”.⁹¹ Implementation of outcome assessment measures pose a daunting challenge to law schools across the country – this challenge poses an opportunity for the law school library to further its mission and reveal to the rest of the law school community its value.

The Report of the Outcome Measures Committee recommended in 2007 that the ABA re-examine and edit the Accreditation Standards to reduce reliance on input measures and instead adopt outcome assessment measures.⁹² Outcome assessment shifts the focus from what is delivered to students to what students take away from their education experience.⁹³ Outcome measures have not been formally adopted by the ABA giving the law school library an opportunity to prepare to assist the law school community in setting educational outcome measures for their students.

The Clinical Legal Education Association believes that setting goals is not sufficient and supports incorporating common sense and sound education practice.⁹⁴ It supports the proposed ABA Standard 303(a) from October 2009⁹⁵:

- (a) In assessing student learning outcomes, the dean and faculty of a law school shall

⁹⁰ Janet W. Fisher, *Putting Students at the Center of Legal Education: How an Emphasis on Outcome Measures in the ABA Standards for Approval of Law Schools Might Transform the Educational Experience of Law Students*, 35 S. Ill. U. L.J. 225 (2011).

⁹¹ ABA Section of Legal Educ. and Admissions to the Bar, *Report of the Outcome Measures Committee 1* (2008), available at

<http://apps.americanbar.org/legaled/committees/subcomm/Outcome%20Measures%20Final%20Report.pdf>.

⁹² *Id.* at 1.

⁹³ Fisher, *supra* note 90, at 228.

⁹⁴ Clinical Legal Education Association, *Clinical Legal Education Association’s (CLEA) Comments on Outcome Measures to the ABA’s Standards Review Committee July 1, 2010*, available at

<http://www.cleaweb.org/Resources/Documents/CLEA%20outcomes%20comment%20July%202010.pdf>.

⁹⁵ *Id.* at 3.

- 1) identify, define, carry out and disseminate methods used for assessment about the attainment of its learning outcomes and determine the pedagogical effectiveness of the assessment activities;
- 2) employ a variety of assessment methods and activities, consistent with effective pedagogy, systematically and sequentially throughout the curriculum to assess student attainment its learning outcomes; and
- 3) provide feedback to students periodically and throughout their studies about their progress in achieving its learning outcomes.

Law schools and their libraries are already familiar with amassing input and output statistics, however a shift towards outcome measures is one that law schools are less prepared to implement. Suggestions have been made that the faculty should develop the educational outcomes for their law schools in collaboration with the bench, bar and alumni.⁹⁶ Some predict that law school deans will appoint an assessment committee⁹⁷ - the law library should be represented in this committee. The law library is an apt place to connect the faculty with the bench, bar and alumni (as well as the students for whom the measures are being adopted) and develop effective outcome measures.

Outcomes should be clearly articulated. The University of Washington School of Law's *Legal Analysis, Research and Writing, Program Goals and Learning Objectives*⁹⁸ are well defined, specific and measurable. Among the requirements, the objectives state students will:

- construct a synthesis of multiple case holdings;
- find and retrieve legal texts, in both electronic and print formats, at a level of competence sufficient to support first-year course work;
- develop efficient and effective skills on Westlaw and Lexis/Nexis;
- construct a research plan that identifies issues and relevant types of legal authorities for simulated client scenarios.⁹⁹

While educational outcomes adopted by law schools will likely be largely dictated by the ABA,¹⁰⁰ the law library may serve multiple purposes in designing the law school's outcome measures as well as fulfilling them.

⁹⁶ Fisher, *supra* note 90, at 230.

⁹⁷ *Id.* at 234.

⁹⁸ *Legal Analysis, Research and Writing, Program Goals and Learning Objectives*, U. of Wash. Sch. of L., <http://www.law.washington.edu/Writing/Goals.aspx> (last updated Nov. 13, 2008).

⁹⁹ *Id.*

¹⁰⁰ ABA Section of Legal Educ. and Admissions to the Bar, Standards Review Committee, *Student Learning Outcomes Subcommittee, Proposed Revisions to Chapter 3 of the Standards for Approval of Law Schools* (2010) available at http://www.americanbar.org/content/dam/aba/migrated/2011_build/legal_education/committees/standards_review_documents/drafts_for_consideration/report_of_subcommittee_on_student_learning_outcomes_jan_2011.authcheckdam.pdf.

D. Surveys

In 2005, Dwight B. King, Jr. wrote an article entitled, “User Surveys: Libraries Ask, “Hey, How Am I Doing?””¹⁰¹ The article was included as part of the AALL Academic Law Libraries Special Interest Section Marketing Toolkit for Academic Law Libraries. The creation and dissemination of surveys to assess and effectively promote library services is a tricky business and well explained in King’s paper.¹⁰²

While statistics garnered from within the law library can reflect the quantity of library services being used and the productivity of library staff – statistics gathered from survey results can provide an assessment of the quality of law library services. Surveys can be an economical way of connecting with a large population of patrons while still providing a measure of patron satisfaction, trends¹⁰³ and strategic planning.

Some academic law libraries have engaged in conducting regular surveys and have found them to be quite helpful in gleaning information that the academic library can use for effective marketing.¹⁰⁴ Positive responses can be forwarded to the law school administration as a sign of the law library’s success in keeping the law school community happy. Responses based on research or other library activities can point out trends over time and be used in convincing the law school administration for a growing need for specific resources, additional staff positions,¹⁰⁵ or opportunities to promote investment in the law library.¹⁰⁶

E. Letting Others Toot Your Horn For You

*You see, our library has the most effective search engines yet invented — librarians who are highly skilled at ferreting out the uniquely useful references that you need.... Today's technology is spectacular — but it can't always trump a skilled human. Have you hugged your librarian today?*¹⁰⁷

In the service industry, shameless self-promotion is helpful, but the most

¹⁰¹ King, *supra* note 16.

¹⁰² Rather than discussing survey construction, my focus is on using survey results to identify trends that can be communicated to the administration. I highly recommend reading King’s article before beginning work on a survey.

¹⁰³ The Stanford Law Library routinely conducts a survey of their law students every spring. Erika V. Wayne and J. Paul Lomio published a research paper that studied responses of the annual survey (for three years) specifically observing the trend towards performing online research. Erika V. Wayne and J. Paul Lomio, *Book Lovers Beware: A Survey of Online Research Habits of Stanford Law Students*, Robert Crown Law Library Legal Research Paper Series, No. 2 (2005).

¹⁰⁴ King, *supra* note 16, at 1.

¹⁰⁵ Holly Pinto, *Prove it: Using Statistics to Justify Additional Staff Positions*, 11 AALL Spectrum 8 (2006).

¹⁰⁶ King, *supra* note 16, at 9.

¹⁰⁷ The president of the Johns Hopkins University trumpeted praises of the library in the Johns Hopkins newspaper. William R. Brody, *Thinking Out Loud*, The JHU Gazette, Dec. 6, 2004, available at <http://www.jhu.edu/~gazette/2004/06dec04/06brody.html>.

credible and convincing promotion comes from customers. In 2004, Yelp was founded to help people find local businesses, it hit the World Wide Web growing steadily with over 25 million reviews written¹⁰⁸ and more than 60 million monthly unique visits.¹⁰⁹ Yelp relies on users and patrons of businesses to review establishments they had visited, providing feedback about the business that future and potential patrons might find helpful. The food service industry was perhaps the most heavily impacted by Yelp. Yelp co-founder and co-CEO, Jeremy Stoppelman, is named the third most powerful person in food; he ranked above Martha Stewart, Michelle Obama and the CEO's of McDonald's, Walmart and PepsiCo.¹¹⁰ The media was astounded by the power of compliments and complaints had on any given business.¹¹¹ Yelp's influence does not seem to have stretched to the law library world but applying the same theory to the annual report can prove to be effective in communicating the library's value to the law school.

Yelp's power is due in large part to the sheer quantity of reviews. Normally, the influence of one positive or negative comment does not have the power to make or break a business but power in numbers cannot be overlooked. Thank you notes, emails and grateful shout outs are common occurrences in the library. Like the pre-Yelp days, one or two positive comments sent to librarians – while pleasant and appreciated – were not convincing to the administration on their own, however when all the positive feedback is combined it can be as powerful as the incredible five star Yelp rating. After all, one or two “thank you's” add up quickly and serve as great reminders of reference services rendered!¹¹²

Acknowledgments in published works or at events can also serve as credible examples to the administration of the library's value to the law school. Although not as frequently bestowed, acknowledgements are just as valuable as thank you notes, if not more so, because the acknowledgment recognizes service beyond a routine reference request. An acknowledgment is also helpful because it publicizes to the law school and to any readers of the work that the law library's utility has enriched academic discourse.

Harnessing the grateful chorus of patrons in some form is invaluable in promoting the law library's interests to administrators. Including a list of noteworthy thank you's and acknowledgments garnered through the year in the

¹⁰⁸ By the end of 2011. *10 Things You Should Know About Yelp*, Yelp.com. (2011), <http://www.yelp.com/about>.

¹⁰⁹ *Supra* note 97.

¹¹⁰ Colman Andrews, *America's 50 Most Powerful People in Food for 2012*, *The Daily Meal* (Jan. 18, 2012), <http://www.thedailymeal.com/americas-50-most-powerful-people-food-2012-0>.

¹¹¹ Yelp is named as one of TIME Magazine's 50 best iPhone Apps of 2012. Jared Newman, *50 Best iPhone Apps 2012*, *Time Techland*. (Feb. 15, 2012), <http://techland.time.com/2012/02/15/50-best-iphone-apps-2012/#yelp>.

¹¹² When I began my internship at the Gallagher Law Library reference desk, a superstar Reference Librarian Sherry Leysen suggested creating a folder in my email box to store appreciative emails from patrons. Looking back, in just eight months, I'm surprised at how quickly the little thank you's filled up in my special “Compliments” folder.

annual report is not only a feather in the library's cap, but may also boost librarian and staff morale for being recognized for their stellar service.¹¹³

X. Communicating the Value of Services to Administrators

*Our jobs are shifting from doing what we've always done very well, to always being on the lookout for new opportunities to advance teaching, learning, service, and research.*¹¹⁴

As discussed earlier, the administration is often unaware of the law library's activities. Unless there have been complaints, the dean may assume that the library is functioning satisfactorily¹¹⁵ and not be inclined to be receptive to hearing about the law library's needs and goals. Preparation of an annual report may be able to showcase the law library's activities and highlight the law library's successes to the administration. The annual report can be a "powerful tool within your marketing arsenal,"¹¹⁶ when prepared and presented thoughtfully.

While the annual report is an important part of law library marketing and serves to educate law school administrators about the value of the law library it is an *annual* report. In advertising terms, the annual report might be considered the "Superbowl" for a given business – significant and a time to shine but by no means the end all and be all of any business' advertising efforts for the entire year. Hearing a message one short time in 365 days is ineffective – after all, repetition is one of the most widely used advertising strategies.¹¹⁷

Research conducted to understand the influence of different levels of advertising repetitions has generally shown that increased exposure can initially lead to more favorable attitudes toward a product.¹¹⁸ Who hasn't found themselves singing a song they initially hated?¹¹⁹ Repetition is effective and as such the law library needs to focus its marketing efforts to administrators more than once a year.

A. Designate a Marketing/PR Committee

¹¹³ The Gallagher Law Library refers to compliments, raves, and notes of appreciation as "orchids," which are always pleasant to read.

¹¹⁴ Mathews, *supra* note 17, at 2.

¹¹⁵ Smith, *supra* note 78, at 422.

¹¹⁶ Cheney, *supra* note 15, at 1.

¹¹⁷ In a study, two professors of marketing as well as two doctoral students discussed marketers' frequent employment of strategies designed to increase the number of times individuals are exposed to promotions. Curtis P. Haugtvedt et. al., *Advertising Repetition and Variation Strategies: Implications for Understanding Attitude Strength*, 21 *Journal of Consumer Research* 176 (1994).

¹¹⁸ *Id.* at 177.

¹¹⁹ In 2005, hip-hop music group, the Black Eyed Peas released their fourth album, *Monkey Business*, the third single entitled, "My Humps," reached number 3 on the Billboard Hot 100 despite being ranked first in the list of 20 most annoying songs in a poll conducted by Rolling Stone. *The 20 Most Annoying Songs*, Rolling Stone.com, <http://www.rollingstone.com/music/blogs/staff-blog/the-20-most-annoying-songs-20070702> (last visited May 15, 2012).

When a new project is undertaken within the law library, a committee of library staff and librarians is typically formed to organize efforts. While good service and marketing should be the responsibility of every library staff member and librarian, designating a marketing committee to collaborate with the law school's marketing department, organize and develop the library's promotional activities¹²⁰ may help consolidate the library's efforts more effectively. The marketing committee will be the ones responsible for creating, testing and seeing what works.

The University of Michigan Law Library's Awareness Campaign was carefully developed incorporating the law school's special counsel for communication as well as a newly formed library marketing group.¹²¹ The marketing group consisted of two assistant directors as well as the heads of units that work directly with student and faculty: reference and faculty services, circulation services, and electronic and systems services.

Selecting a committee that represents each library department dealing with patrons is necessary. Each department is exposed to different patron needs and can represent the varying "voices of the patron" to the table. Having a committee in place provides a place for ideas to be routed and unfulfilled needs to be documented. The marketing committee will be the place where new ideas can incubate.

B. Improving

After ideas have been incubated, the marketing committee will be the place where the ideas might change, grow or end. In his "Think Like a Startup: a White Paper to Inspire Library Entrepreneurialism," Brian Mathews suggests adopting three essential qualities of inspiring products when introducing concepts in the library: usability, feasibility and value.¹²²

The marketing committee will serve as the library's public relations agents. They will hear of patron needs, services needed and services in need of improvement. By being the sounding board of the rest of the library staff, the committee is then in a position to take a strategic big picture view of the best way to assist in bringing the law library to the center of the law school by creatively raising awareness of the different ways the library can provide service and assistance to all patron types.

The marketing committee will be constantly thinking about ways to improve and in some ways may be able to address how to quantify to administrators the library's value and effectiveness within the law school.

C. Communicating

¹²⁰ Selecting a group of staff members interested and excited about public relations will likely be most effective.

¹²¹ Selby, *supra* note 39, at 14.

¹²² Ohio University experimented with setting up a Skype kiosk enabling students to interact with librarians. The project ended because students did not use the service.

After assessing and improving, the marketing committee will be responsible for compiling and interpreting surveys and statistics to better communicate the library's value to the administration in the law library's annual report.

The marketing committee can address law school goals and incorporate library services in furtherance of those goals. The marketing committee can develop relationships with the administration to stay connected to the law school's goals and priorities. In staying close to the administration, the law library will also be more aware of newsworthy achievements within the law school community. By taking the initiative in generating positive publicity for school,¹²³ the law library moves itself closer to the center of the institution. The library becomes the place the law school community visits to stay up to date with law school news.

In remaining active within the law school, the marketing committee will be exposed to more of the needs of the law school administration and be present to raise awareness of the law library's skills and services available to support the law school administration.

XI. Conclusion

*Technology is easy. People are hard. Change is our friend.*¹²⁴

The definition of a professional is "a person that has the responsibility for prescribing authoritative solutions to client-centered problems."¹²⁵ This is an apt characterization of a law library and a law librarian. A librarian's motivation is service and thus, a library must be patron-centered.

With an ever-changing environment, an ever-transforming legal research landscape and changing user preferences, law libraries have held their own within law schools. Law libraries have opened their floor plans,¹²⁶ created ways to allow users to connect with the law library remotely, and moved toward the center of the law school.

Marketing cannot be ignored – patron awareness of the law library and its resources is lacking and marketing is the most effective way to remedy this. Implementing a marketing plan to raise consciousness of patrons is necessary. Taking a note from the University of Michigan Law Library, the marketing plan should apply several ideas, fostering the ones that prove to be most effective. In addition to this, the law library should be looking ahead to its addressing law school's needs – in this case, the looming ABA outcome assessment

¹²³ Wayne, *supra* note 54, at 6.

¹²⁴ In an Information Systems course, my supremely talented instructor and information systems librarian, Richard Jost would repeat this in every class. He would then instruct the class to repeat it back. I have found this statement to be the answer to many of my life's problems, both personal and professional

¹²⁵ Michael H. Harris, et. al., *Into the Future: the Foundations of Library and Information Science in the Post Industrial Era*, 43 (2nd ed. 1998).

¹²⁶ Mathews, *supra* note 17, at 7.

requirements. With each service the law library provides, it moves closer to the center of the law school and contributing to the success of all its patrons.