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Re: Memos

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Reflecting on the written memo librarians frequently use to transmit research results, Ms. Whisner offers her thoughts on its purposes, style, and format. She also contributes an annotated checklist of tips for writing such memos.

¶1 We often respond to reference requests in writing (although not necessarily on paper). Some of our messages are just a line or two long—for instance, "I printed out the case you requested and will have it delivered to your office"—but sometimes we write much longer memos, explaining our search strategy and the results we are transmitting. Over the years, I have written scores of memos and read even more by other people in my department. Along the way, I have formed opinions about the research memo genre.[1] I share some notes here—about the research memo's purposes, style, and format—in case my views and tips might be of use to others. Some of my suggestions might not be well suited to your work environment, but I think that many could be. Writing for law professors may not be very different from writing for lawyers or judges—or any other professionals.

Audience

¶2 Basic advice for any sort of writing is to know your audience. In my reference department—in an academic law library—most of our research memos are addressed to law professors; others are written for law school staff (for instance, in development or career planning). We offer e-mail reference service to our law students, but their requests (and hence our responses) are a small portion of the total business. In other law libraries, the audience might be lawyers or judges or court staff. These audiences have much in common: they are generally bright, well-educated, and knowl-

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1. By "research memo," I mean the sort of memo we reference librarians use to transmit research results. I do *not* mean the formal memorandum of law that legal writing students, summer associates, and associates toil over. On the other hand, those writers might sometimes find it useful to prepare our sort of memo. It is a good way to transmit research results (when in-depth legal analysis is not needed). It is also a good way to record one's own research.

edgeable about the law. They do not come to a reference librarian for legal advice, since they (or others in their institution) are themselves lawyers.

¶3 The situation would be different in libraries offering e-mail reference service to the public. Then one might not be able to assume that the reader of a message understands the difference between federal law and state law, the effect of a denial of certiorari, the difference between primary and secondary authority, and so on. If I check out to a law professor a volume of *West's Legal Forms* or *American Jurisprudence Legal Forms*, I do not feel it is important to explain that model forms are *only* models and should be carefully reviewed before adapting them for use. However, I would offer such an explanation to a member of the public.

¶4 Even our highly educated, intelligent professors, staff members, and law students may not be familiar with library procedures and acronyms, however. When we write to them, we should offer quick explanations of library jargon. Thus, instead of saying, "I checked OCLC," we can write, "I searched OCLC WorldCat, a database that includes information about the books held by thousands of libraries." I remember one confused student who had an e-mail message from a librarian saying that the student could get a book from ILL. The student wondered: "Why Illinois?" It is worth the extra keystrokes in "interlibrary loan" to spare a reader that confusion. (Sometimes, I might even say: "We can borrow that from another library.")

¶5 As we work with our regulars, we can get a sense of what they know. If Professor J. routinely requests stacks of books through interlibrary loan, we can probably use the acronym ILL. If we just sent a memo to Professor N. yesterday saying that we searched "LegalTrac, an index of (mostly U.S.) law journal articles from 1980 to present," then maybe this time we can say simply "LegalTrac"—or, perhaps, "LegalTrac (coverage 1980–)." If Professor B. requested a PsycINFO search, then we do not have to explain what PsycINFO is—but if someone else asked for "something from the social science literature," then we should explain why we chose PsycINFO. These steps are more than time-saving shortcuts for us, the writers. They also save the time of the readers and respect their intelligence. We should not assume that all law professors know everything about databases and sources, but we also should not assume that they know nothing. Another mistake would be to assume that they do not *want* to know anything about our tools and strategies. On the contrary, many of them are intrigued by the information universe—they want to know how we found what we did, so they can evaluate it and so they can become better researchers themselves. (I will have more to say on both evaluation and teaching later.)

¶6 Since I have worked in the same law school for fifteen years, I know a fair amount about many professors' interests, publications, courses, and personalities. I also know which professors are assiduous online searchers and which are not. I believe I can often make reasonable judgments about how to pitch a memo—for example, how much detail to give and when to use humor or offer tangential information.

¶7 In our written communications (as in all of our interactions at work), we should seek to foster trust, respect, and professionalism. Understanding the audience goes a long way. When we write to professors (and others), we try to show that we treated their requests seriously. If they asked a question, we assume that it is important enough to them to merit our best efforts. That does not mean that we never negotiate about it, however. Sometimes it is entirely appropriate to discuss how much time to spend or how thorough to be. In fact, I think that this negotiation process helps foster trust and respect. The professors are busy people and value efficiency. They do not want us wasting our time (and the institution's resources), so they often appreciate it when we explain the limits to a project.[2]

¶8 Because we are in a professional environment, we try to write professionally. That does not necessarily mean "formally" and it certainly does not mean "stiffly." But I believe that attention to spelling, grammar, and usage increases our credibility. It is not important that professors think our memos are prose masterpieces, but I do not want them distracted by errors that could make us appear careless or poorly educated.

¶9 The people we write to are very busy people, trying to get their work done. For that reason, we should strive to make it easier, not harder, for them to use the information we give them. Clear writing helps. This includes using guideposts, like a summary paragraph and boldface headings to mark different sections.

¶10 One last remark about audience: it often includes people other than the one in the "to" line. A professor gives a memo to her research assistant; a development officer hands a memo to the dean; a professor forwards an e-mail message to the entire class. When the audience can grow like that, it is even more important that the memo be good.

How *They* Use the Memos

¶11 How we write a memo is (or should be) shaped by how we think the recipient will use it. Sometimes the patron tells us up front: "I need some biographical information about Judge Cox so I can introduce him at this afternoon's panel." Or: "I am planning a law review article about this topic. Could you do a search for law review articles in this general area in the last five years?" Other times, we do not know. Moreover, even when we think we know how a memo will be used, that can change—a bibliography to help prepare for a new class could be used again when the professor writes a law review article, for instance.

2. Perhaps an example would help here. A professor asks for law review articles on a particular topic. We run some searches in LegalTrac and perhaps in full-text databases. Then we explain that we could also check the *Index to Legal Periodicals* in print if the professor is interested in coverage before 1980 but that it would take a lot of time. When the professor needs the older material, we are happy to do the research; but it is appropriate for both the reference librarian and the professor to evaluate how much time and effort are justified for a given project.

¶12 A telephone call or face-to-face interaction in the reference office is fleeting. The patron might take notes and might remember what we say, but then again, maybe not. Writing changes that.[3] The recipient might read an e-mail message almost as soon as I send it—or two weeks later. Moreover, the recipient might save it for use (or reuse) later. A couple of years ago, one of our professors asked for a lot of research during spring quarter, then he boxed up the memos, photocopies, and printouts, flew with them to another state, and settled in to write while he was away from the university for the summer. I also know of professors who put a memo into a file, so that the next time they teach that course or prepare a pocket part for that treatise, they know what they need to update (or to have us update). Many projects have life spans of several years. Among other things, this means that we should date our memos and be wary of using phrases like "the current issue of the *Journal of Legal Education*" and "last week's *New Yorker*."

¶13 The most basic use for our research memos is getting an answer to a question. Tied up with getting the answer is *evaluating* that answer. The readers' need to evaluate requires our giving them more than the answers alone. First, we should cite the source we used. Suppose a professor asks for information about a case he heard had been filed recently. We might be able to answer his e-mail inquiry quickly by cutting and pasting a couple of paragraphs that we find on the Web—but we should indicate whether those paragraphs come from the NRA, the ACLU, or the Associated Press. The source could make a difference as he evaluates the content.

¶14 For more complex projects, it is also helpful to the reader to know how the reference librarian searched. For instance, if I tell a professor: "Attached is a stack of printouts of cases about the Clean Water Act," then he might not be sure how thorough my search was. Does he need to ask follow-up questions? Should he have his research assistant do another search and see if she finds the same cases? But if the professor sees that I searched the ALLFEDS Westlaw database for sy("clean water act") & da(>1990), he can come back and say that he'd like me to broaden my search to include "federal water pollution control act" or to narrow it by adding a particular code section or restricting it to courts of appeals. Likewise, if a researcher wants a survey of social science literature on corporate restructuring, then we should not only send a list of citations but also indicate which databases we used and with which search terms.

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3. For a fascinating meditation on the nature of written expression—from cash register receipts to greeting cards—see DAVID LEVY, SCROLLING FORWARD: MAKING SENSE OF DOCUMENTS IN THE DIGITAL AGE (2001). For example:

> The brilliance of writing is the discovery of a way to make artifacts talk, coupled with the ability to hold that talk fixed—to keep it the same. The result is a talking thing, capable of repeatedly delivering up the same story at different points in time and space. This is something that documents do well and that people, by and large, don't. It's not that we are incapable of performing in such a manner. A messenger, after all, can deliver a singing telegram to multiple hotel rooms. But it is not of our essence to do so. Yet it is exactly of the essence of documents, a defining characteristic. *Id.* at 26.

¶15 Our patrons not only want answers, they want to be able to work with the information we give them. First, they may have follow-up requests, either to us or to other library departments. Anticipating those, we can simplify the process. For instance, one of my colleagues recently gathered long lists of journal articles in public health, law, and medicine for a professor who had a tight deadline. My colleague made the lists easier to use by separating them into the ones available full-text and already printed out, the ones available in other libraries on campus, and the ones that would need to be borrowed from other libraries. The professor would then be able to check out what she wanted. She would be aware of the probable time involved in getting the different articles—and our circulation and ILL staff would already have the list divided conveniently for them.

¶16 For many of our researchers, using information means being able to cite it. Sometimes it is wise to give them a little more than they might need for proper *Bluebook* citation form—just in case they are writing for a journal that follows some other format—but we should always give them at least that much. If we deliver our answers through unlabeled photocopies and printouts, they will not be able to use the information. Or, at the very least, someone will have to retrace our steps to find the citation information. (That "someone" could be us—again.)

¶17 Sometimes our patrons want to become better researchers themselves. How do I know? Once in a while, it is explicit. A professor asks a question like this: "I've been trying to find this information online for an hour and my searches just aren't working. Maybe you can come up with something and tell me how you did it." Or a faculty secretary says: "Thanks for coming up with those phone numbers and addresses last week. I need to find some more, and I'd like to find out which directories you use so I could look up the next ones myself." I also have evidence from conversations outside any particular request. Some faculty members remark that they like to do a lot of their own research, to browse online, and to rummage in the stacks. Wistfully, they say that they wish they had time to keep up and improve their research skills.

¶18 I see their interest in learning as an invitation for us to teach. There's a delicate balance here. On the one hand, we want to help them learn, but, on the other hand, we also want to convey information efficiently so that they can get on with whatever they are working on. They might wish they had better research skills, but perhaps today is not the day they have time for a lesson. Friendly tips are often appreciated, but didacticism is a drag. We do not want to insult professors who have the skills to do the research themselves but ask us to do it because of a time crunch. Happily, when we offer them adequate information to evaluate what we give them (where we looked, what we found, how we chose the items we're giving them), then a little teaching sneaks in on its own.

How *We* Use the Memos

¶19 In our reference department, we route a copy of each memo that we prepare for faculty or staff among ourselves and then file it. This serves several purposes. First, routing lets everyone in the department know what the professors are working on. That lets other librarians alert the professor of relevant sources they come across later. It helps us respond better if the professor asks a follow-up question and the librarian who handled the first request is not on duty. We can also use our knowledge of what they are working on in other work that we do—for instance, collection development and classroom presentations.

¶20 Second, routing serves an educational purpose for us. I often learn about sources and search techniques from my colleagues' memos. It is amazing what they can find! The educational use is important for our reference interns—law librarianship students who work in the reference office part-time. By skimming memos, they not only learn research sources and techniques, they also see models of faculty service. (In turn, when I see memos that the interns write, I can see the good work they have done.) Sometimes we add notes to the memos that explain the reason we took a certain approach or bent a policy in a particular way.

¶21 We file the memos so that we can refer to them later. The same professor might ask for an update, and it is convenient to have notes about what we did before. Moreover, we sometimes find that a second professor (or staff person) asks a similar question to one we have already researched. If we can find the first memo, we have a leg up on the second.

¶22 Finally, the office copy of the memo is a convenient place to record statistics. We estimate the time we spent and jot it on the copy. At the end of each fiscal year, we tally the number of projects and the hours spent. We do not bill for our time, but we like to know. It is interesting to look back over a year and see that Professor M. had seven requests (total 17.6 hours), Professor R. had seventeen requests (26.9 hours), and Administration and Development had twenty requests (28.5 hours)—while several professors had no requests at all.

How to Write a Research Memo

¶23 Analysis only carries you so far. Sometimes, you would just like someone to tell you how to do it. So here's a checklist of tips for writing research memos, with some brief notes supporting each tip.

¶24 **Use a standard template or letterhead.** When we send memos in paper, we use a Word template that is standard for all memos from our library. At the top, it has a drawing of a book and the name of our library: Marian Gould Gallagher Law Library University of Washington School of Law. This standard look is good public relations for the library. It also helps the users. When they are shuffling through a stack of papers from their in-boxes, they can tell immediately which one is a memo from the library. When we send e-mail from the Reference Office, it always has the same signature block:

Reference Office, Marian Gould Gallagher Law Library
University of Washington School of Law, Seattle, WA
http://lib.law.washington.edu

¶25 **Put the recipient's name in the "To:" field.** Even if you call the professor "Bill," put his first and last name on the memo. Why? It might be passed along, misplaced, or stuck in a file. By the way, spell the names correctly. We have one Professor Andersen and two Professors Anderson—both good names, but I am careful not to call one of the Andersons "Andersen," and vice versa. (I misspelled Professor Neilson's name until I repeated to myself several times that it was another exception to "i before e.")

¶26 **Include your name (and often your title).** In a print memo, we put our own names in the "From:" field. We add a title (reference librarian, reference intern) if we think the recipient might not know who we are. E-mail messages from the Reference Office all come from the same e-mail address, so we add our names above the signature block. Why? It helps with follow-up: "Last week Ann found some news stories for me. Could someone continue the search looking for scholarly articles?" Or, even better follow-up: "Nice work, Ann. Thanks!"

¶27 **Put something meaningful in the subject line.** Many people send us e-mail messages with subject lines that are blank or that say simply "Question" or "Request." That's fine, but when I reply, I like to change it to something that summarizes the project (e.g., "California recovered memory cases"). With bulging files and overflowing in-boxes (print and e-mail), who needs a stack of memos with the heading "Request"? Adding a heading helps us all.

¶28 **Say what the question was.** When we reply to an e-mail question, we include the original message. When we write a print memo, we summarize the question at the beginning. In either format, we often state our assumptions about the question—e.g., that we assume the requester wants only U.S. cases or only articles from law journals. Stating the question is helpful to the recipient, who might be working on more than one project and needs to be able to sort out the information that is coming in. Saying how we understand the question is also a way to let the recipients evaluate the information we give them. It might lead to follow-up questions and further research—and that would be a good thing, if it helps them get what they are really after.

¶29 **Say what you are giving them.** In the simplest cover memos, this can be quick. "You asked for the committee reports on such-and-such bill. Attached are: H.R. Rep. ____, S. Rep. ____, and H.R. Rep. _____ (conference report)."

¶30 Longer memos generally should have a summary paragraph; headings can mark different sections. For example, a health law professor recently asked my colleague Ann Hemmens to find a few good cases and law review articles on the interplay between tobacco and asbestos; the professor also wanted anything on Montana's "clean and healthful environment" constitutional right. Ann's memo had two major sections, each with subheadings: (1) Tobacco and Asbestos (subheadings: Cases, Law Reviews, Treatise) and (2) Montana's "clean and healthful environment" (subheadings: Cases, Constitutional Provision, Law Review Articles, New Statute, News Stories). Under each heading, Ann explained briefly her search strategy and what she had found. The professor got a clear guide to the stack of printouts, so that she could quickly locate the particular information she needed as she worked on her project.

¶31 **Include unsuccessful searches when appropriate.** Sometimes recipients only want "the answer" in the narrowest sense. But often they will want to know about some of the dead ends in our research. That helps them evaluate the results and gives them a better idea of the field. Talking about our failed searches is especially important when we come up with little or nothing. If we just say "I couldn't find any cases on the issue you asked for," the recipient does not know whether it was because we looked in the wrong sources, because we used bad search terms, because we constructed sloppy searches—or because the courts simply have not addressed the issue yet.

¶32 **Suggest further services, if appropriate.** We can tell the requester what else is possible. Perhaps we do not have a source, but it could be borrowed through interlibrary loan. Or we could check other databases, perhaps from other disciplines. Or we might try further searches if the professor (or whoever) gives us a little more information and suggests possible search terms.

¶33 **End with a cheery line.** I like to say something like this: "I hope these materials are helpful. If you would like anything further, please let us know." This is more than mere courtesy (although courtesy is a good thing). It also reminds the users that they are the ones who decide whether the research is enough for their purposes and lets them know that we are available to do more if they have follow-up questions.

¶34 **Write well but not obsessively.** Do write well and make sure your product looks professional. But face it: these are just research memos for in-house use. Time is too precious for us to go through multiple drafts of a pedestrian memo—it wastes our time and the time of the requester who is waiting for the information. I think that the readers understand that these memos are not our most polished work; they will forgive occasional typos. The trick is to keep the gaffes rare, so that we retain our credibility as careful, accurate researchers.

¶35 Writing is an important means of conveying our research. When we present our material well, we serve both the recipients and ourselves.