

# CONFIGURATION OF THE LAW LIBRARY OF THE FUTURE

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The framework of this article<sup>1</sup> is aimed at law schools that will be remodeling or planning new facilities within the next eight to 10 years. Of course, whenever new facilities are designed and built or existing space is remodeled, our plans assume that those spaces must last well into the future. However, even new buildings are being constantly remodeled as the school changes and grows over time. The problem is that the new or remodeled facilities must be constructed so as to be functional on opening day and flexible enough to be reconfigured as changes are needed. Quite the challenge.

The configuration of the law library of the future will be shaped by many forces, perhaps the most important of which is wrapped up in the future of legal education itself. Crystal balls are notoriously hard to read with any accuracy, so I am going to make some assumptions about law schools to lay the groundwork for my topic—the question of physical facilities for law libraries in academic institutions.

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<sup>1</sup> This paper follows the general outline of the presentation I gave on the Configuration of the Law Library of the Future at the symposium held at Amelia Island, Fla., on March 11, 2005. The PowerPoint presentation can be found at: <http://www.law.washington.edu/Faculty/Hazelton/Presentations.html>. Its main advantage is the inclusion of many images illustrating library space configuration. While I am not sure my main points have changed since the symposium, my thinking about this important question was definitely influenced at the time and subsequently by the many thoughtful and provocative comments made by the symposium participants and other speakers. This topic has been on my mind in a very real way for the past several years. I appreciate the opportunity to clarify my ideas on this subject.

## Legal Education in the Future

First, the shape of legal education in the future, and therefore, physical law school space will continue to be governed by the American Bar Association accreditation standards. These standards will certainly change over time, but are unlikely to change in the next decade in ways that will significantly alter the issues related to law school physical space.

Second, law schools will continue to seek accreditation from the ABA so their graduates can take bar exams. Thus, law schools that seek ABA approval will still have a physical facility. The law school community will continue to be a physical community composed of faculty, staff, and students. The special nature of legal education will demand that most educational programs be conducted on-site.

Third, in the century of the global village, many more distance courses will be part of the law school curriculum. These classes will run the full gamut from Web-based courses to synchronous and asynchronous delivery to short residency classes. Consortial arrangements to share educational content among American law schools will continue. In addition, American law schools will work directly with foreign law schools and foreign governmental agencies to provide educational opportunities as law schools aim to bring in revenue and to make education more cost effective for their students.

Fourth, more skills classes will be part of the law school curriculum, including advanced research classes focusing on electronic resources and specialized areas of law. Classes or clinics in everything from mediation to environmental law

to more transactional practice will affect law school space needs and law library services.

Fifth, law schools will continue to add new centers and institutes at a fast pace. Foundation and government funding along with strong moves into interdisciplinary studies will drive this phenomenon. These efforts tend to be faculty-centered. Difficult institutional support questions are raised if the key faculty member leaves or loses interest in the project or the outside funding is lost.

Sixth, the rankings wars among law schools and the fierce competition for law students will continue unabated. How this economic reality will play out is not clear. One commentator, Dean Rick Matasar, predicts that only the very best law schools and the most cost-effective law schools (read fourth tier) will survive the economic realities of our times. Those law schools in the middle will have to change radically "in form, in product, or in mission."<sup>2</sup> Or they will go out of business.

#### Assumptions About Technology in Society

It would be impossible to craft the law library facility of the future without looking at the role that technology plays in our society generally and the impact that technology will have on law schools, law libraries, and their facilities.

Clearly, technological changes will continue to grow at unprecedented rates. More sophisticated search technology, voice-recognition software, and more powerful hardware and software will drive changes in the legal information world. The Internet will expand its content, creating more competition in the legal information market. Search tools will be more intuitive and more and more historical content will be available. New finding tools for legal information will be created and value-added services will be marketed to those who can afford them.

<sup>2</sup> Richard A. Matasar, *The Rise and Fall of American Legal Education*, 49 N.Y.L. Sch. L. Rev. 465, 504 (2004-2005).

As the cost of computers and access to the Internet decreases and as wireless access is more ubiquitous, more and more citizens will have access to the Internet and will use it regularly.

You can read a lot about the future of technology and the many improvements we will see enhancing the transparency and power of information access. I cannot really address this topic in a comprehensive way in this paper. Suffice it to say, technological changes will continue to challenge us to be flexible and adaptable as we find ways to use the technology to enhance learning and access to legal information.

#### Functions of the Physical Law Library: The Intellectual Commons of the Law School Community

Despite the many naysayers, there will be physical law schools and physical law libraries in the future. I was asked to focus on the physical configuration of law libraries of the future, and thus I do not address in any depth the many ways that law libraries today are providing extensive content and services beyond their walls. My focus on physicality is not meant to suggest that I don't value and approve of the many ways libraries are reaching beyond their borders with creative and innovative services. In fact, the future of law libraries depends on reaching beyond the physical building.<sup>3</sup>

The role that libraries play in the academic institution must be explored and used as a basis for designing an appropriate facility. Since law school libraries must be an "active and responsive force in the educational life of the law school" according to the ABA Standards,<sup>4</sup> there will not be a "one size fits all" approach to designing and

<sup>3</sup> For a fascinating theoretical analysis of law libraries and their physicality, see Robert C. Berring, *Deconstructing the Law Library: The Wisdom of Meredith Willson*, 89 Minn. L. Rev. 1381 (2005). Professor Berring questions the interrelationships of the law library as a physical place, the function of digital information, and the role librarians play in the modern law library.

<sup>4</sup> American Bar Association Section of Legal Education and Admissions to the Bar, *Standards: Rules of Procedure for Approval of Law Schools*, 2006, Standard 601 at 41.

building law libraries of the future. Understanding the law school's mission and emphasis will be essential to create a law library that meets the ABA requirements and serves the needs of its community.

Recognizing the differences that exist among law schools, the following analysis may not have identical application for all law schools. However, a thoughtful consideration of these three functions is essential for success in designing and configuring law library space. By separating out these functions, I run the risk that readers will not think of the library as a distinct whole. But for practical reasons, designing space means breaking it down into discrete segments, and it is easier to discuss them separately. As an institution a law library is truly more than the sum of its parts.

#### Learning Spaces for Law Students and Faculty

A law library is the intellectual commons of the law school—a place where learning takes place. There are obviously other areas of law schools and even spaces outside of law school where learning also takes place—in reality, anywhere there are members of the law school community. Students can be alone or with other students or with faculty or staff. They may be in a classroom or accessing the Internet on their computer in a law school hallway.

Is the law library really any different than these other physical spaces in a law school? I would argue that libraries are very different and that to reduce or eliminate library space will harm the educational environment of the law school and be detrimental to student learning.

The law library provides multidimensional learning opportunities in one location. A student can go into an empty classroom and study for her next class and in many schools check e-mail or surf the Internet. But her stay may be cut short because of other classroom uses or she may be bothered by a small group of students who want to talk about the latest episode of *Survivor* or *Law and Order* or she may be asked to leave because a meeting was scheduled in the room at the last minute.

However, if she were to go to the library, she has a wide range of choices for study space. She can work at a carrel in a heavily trafficked area or in a quiet space away from the noise and natural light. She can work with other classmates in group study rooms to review notes, create an outline, or improve her opening statement for trial advocacy. She can surf the Net or do research using a book in the library. She can talk to a reference librarian to get some starting points to meet her analytic writing requirement. She can pick up a book she ordered via the Orbis Cascade Alliance.

I am not arguing that every student will choose the law library for learning every time. But the law library offers a wider array of choices to a student than other spaces in a law school building. Thus, the opportunities for learning are enhanced with more options available to students and faculty.

What is the role of the law library in providing physical space to law faculty? Since they have offices in the building, does the library need to set aside any space for faculty use? Faculty libraries have become a thing of the past, but many faculty appreciate quiet work spaces away from their telephone and other interruptions when they are working on scholarly activities. Locked carrels or small workrooms could be very useful to them.

#### Space for Those Providing Services

Even with Google and the Internet in our lives, libraries will still need staff who can help members of the law school community locate the information they need for publications, presentations, and classes. Library staff are also needed to handle circulation of the collection, locate hard-to-find resources, negotiate contracts for access to information, monitor the use of library space, and provide access to whatever kind of library resource collections we have now and in the future.<sup>5</sup> Library staff also pay the bills, order supplies, handle the payroll, manage and train

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<sup>5</sup> As far as I know, no ABA-approved law school has completely eliminated books from its collection of information resources.

staff, and keep the technology, hardware, and software working for library users and library staff alike. Physical space for these employees would be most efficient if located in or near the physical law library.

#### Space for Information Resources

Legal materials in print obviously need space. Traditionally, this means shelf space for collections of legal materials in the law library itself. In fact, most people probably think of libraries as places for housing books. For very large law libraries, remote or off-site storage is also common since a large percentage of these large research collections had relatively low use, even before the availability of much online legal information. The real question to be addressed is that given a rapidly changing environment with more and more legal materials available digitally, how many law books need to be housed on-site in the law school itself.<sup>6</sup>

In the same vein, legal information in microformat, audiotape or videotape, and other nontraditional tangible formats requires physical space. The equipment to read, print, and/or listen to these formats also requires space.

But, what about digital information? It does not require physical space, does it? Of course it does, unless the law school is satisfied not to own any intellectual content. At the moment, for a law school to receive ABA accreditation, having all information in electronic form only may violate the Standards.<sup>7</sup> But even in a completely digital

legal information world, the law library would need servers to provide access to and printing capability for all electronic resources. If, in this all-digital world, the law library wants to archive and preserve at least some of the digital content, more hardware and software would be needed to create, store, and access this content.

Obviously, the spaces needed for each of these three functions of a law library will vary depending on the institution's mission and goals. The size of the law school community, the depth and breadth of faculty and student scholarship, the array of courses offered, and the activities of the law school community in public service will all affect the size and configuration of law library space. It is my view that none of these three functional spaces will disappear from law schools completely.

#### Preliminary Considerations That Affect Law Library Design

##### Flexibility

Each law library is unique, but there are several considerations that should be taken into account while planning physical library space. The major overriding element is that the library space should be as flexible as possible. What does that mean? Floor loading for high-density (compact) shelving should be throughout the library. Power needs to be everywhere—even in places that originally do not need it specifically. Design elements should take into account that the use made of spaces is very likely to change. For example, you may want to take out a stack area and replace it with user spaces. You may want to reconfigure a staff office space to be more efficient or to add another work station. Can you bring power and data to the new space without duct taping the wires to the floor or dropping an unsightly power pole from the ceiling? You may wish to relocate a section of book shelving—is the fixed ceiling lighting appropriately perpendicular to the book stacks in the new location?

Unfortunately, making space flexible is expensive and is often value-engineered out of the program. In addition, creating flexible spaces sometimes

<sup>6</sup> For an exploration of this topic, see Penny A. Hazelton, *How Much of Your Print Collection Is Really on WESTLAW or LEXIS-NEXIS?*, 18 Leg. Ref. Servs. Q. 3 (No. 1 1999). Two very thoughtful articles prompted in response should also be read: Michael Chiorazzi, *Books, Bytes, Bricks and Bodies: Thinking About Collection Use in Academic Law Libraries*, 21 Leg. Ref. Servs. Q. 1 (No. 2/3 2002) and Gordon Russell, *Re-Engineering the Law Library Resources Today for Tomorrow's Users: A Response to "How Much of Your Print Collection Is Really on WESTLAW or LEXIS-NEXIS?"*, 21 Leg. Ref. Servs. Q. 29 (No. 2/3 2002).

<sup>7</sup> Interpretation 606-2 states, "A collection that consists of a single format may violate Standard 606." American Bar Association Section of Legal Education and Admissions to the Bar, *Standards: Rules of Procedure for Approval of Law Schools*, 2006, Interpretation 606-2 at 43.

limits current or immediate uses, compromising immediate functionality for some future unknown changes.

#### Separate or Integrated Library

Another important element to consider is the location of the library within the law school. By this I mean: should the library be integrated within the entire law school space or separated completely from the rest of the law school with one or two main entrances.

To illustrate, in the old University of Washington Law School building, Condon Hall, the law library occupied one-half of each of four faculty floors. There were three entrances to the library space on each of these floors so faculty had easy access to the collection. In our new law school building, William H. Gates Hall (opened fall 2003), the law library has one entrance and exit for all library users, including faculty.

Our old Condon Hall had no book or people security since the library was integrated with law school spaces on virtually every floor of the building. But users could get to various parts of the collection very easily. In addition, over the years as the building became more and more crowded, it was easy for the law school to commandeer student group study rooms in the library for other nonlibrary purposes. Since there was very little security in the library anyway, using library spaces for other law school purposes did not make security worse.

Separation of the law library such as we have designed in Gates Hall means that physically coming to the law library is an event, especially for faculty and law school staff. Flexibility for the future use of the library space for nonlibrary purposes may be reduced since locating any law school functions (career services, admissions, student organizations) within the library would immediately violate the security aspects that one entrance/one exit have created.

A law library physically integrated within the functional spaces of the law school building is not

the norm today.<sup>8</sup> But planning for the future may show this integrated model has greater flexibility for future changes and keeps the library at the core of the law school.

#### Access to the Law Library 24/7

Another preliminary question that needs to be addressed is whether the law library will be accessible to any users 24 hours a day, seven days a week. A decision to permit widespread 24/7 access has substantial design implications that need to be considered at the beginning of the project. The location and configuration of (1) the public circulation and reference desks, (2) the library entrance(s) and exit(s), (3) the reserve collection, (4) library security systems, and (5) computer workstations provided for library users are just some of the design features that will all be affected by a decision to be open 24/7. Access 24/7 for all members of the law school community is not the norm in law libraries today.<sup>9</sup>

#### Technology

Before wireless technology was pervasive on college and law school campuses, the law school library needed to provide computer workstations for student use. In the form of computer labs or workstations throughout the library, in recent years the number of these spaces has decreased. Wireless access throughout law school buildings, including libraries, and easy, remote access from home to the library's electronic resources have changed the quantity and nature of these spaces. Even when a school does not have a laptop requirement, the number of computer workstations that need to be provided for students has declined. However, some schools have laptop computers that can be loaned to students. Such a program does not require the space used for the school-provided computer

<sup>8</sup> The University of Chicago Law School has a library integrated into the core of the law school with faculty offices located around the perimeter of the library floors.

<sup>9</sup> For more information on law library policies related to 24/7 access, see the survey summarized on Professor Jim Milles' Web site at <http://www.aesu.buffalo.edu/~jgmilles/24houraccess.html>.

workstation, but the computers must be stored in a secure location while not in use.

Ubiquitous access to wireless networks has really changed how law school facilities are used. There are simply more spaces where students, staff, and faculty can study, do e-mail or instant messaging, order pizza, or respond to a class listserv or survey. Does wireless access mean there is no need for library space? No; the variety of spaces and services offered in a library becomes more important than ever.

The need for computer classrooms or training rooms has increased as more and more of the law library's resources have been digitized. While LexisNexis® and Westlaw® training is still provided in the law school, training sessions for legal research on the Internet, Hein Online, LLMC Digital, the BNA libraries, RIA® Checkpoint®, and dozens of other e-resources have increased, making it hard for a computer classroom to be used as a drop-in lab. Faculty and staff training to use course management systems, create Web pages, and learn to use calendaring systems is also on the rise.

As technology changes, think about how voice-activated computing might change our use of and need for different kinds of spaces in the law school and the library. How could this innovation affect use of laptop computers in the classroom? Will changes in technology mean smaller devices that reduce the amount of space needed for library users or students in the classroom? Will students provide potential employers with digital files or create Web pages that contain their resume and writing samples? What physical space will the law school have to provide for students to store and create these materials?

In programming for new or remodeled law school spaces, knowing the organizational hierarchy of each law school department is essential so the design of the spaces will provide the adjacencies required for working effectively and efficiently. Who manages information technology or is the chief information officer for the law school? If it is the law library director, should the offices of the

IT staff be in or near the library? Or should their work space be nearer to their users? Should computer labs and electronic classrooms be in or near the library or closer to students and those users these spaces serve?

#### Consortial Arrangements for Print Collections

In planning law library design, perhaps the single most influential development would be the creation of national or regional depositories of print legal materials. To be workable, these depository collections would have to be comprehensive and provide fast, easy access remotely. That is, if a law professor or student wanted to read a book from this collection, identifying the work and delivering it (electronically or in paper) to the user would have to be fast and easy.

The notion that copies of all print legal materials could be available in other locations would certainly relieve the individual law school of devoting a substantial amount of space on-site to a law collection. Is this idea practical? Will institutions be willing to dispose of print collections they own and that have cost millions of dollars to create and maintain? How and when would it happen? What will it cost? These are hard questions, especially since cooperation among private and public institutions can be problematic. There are, however, some models that work for more limited purposes.<sup>10</sup>

At this time, none of the consortium arrangements involving law libraries with which I am familiar has managed to consolidate their print collections

<sup>10</sup> The oldest and most robust of these is NELLCO, the New England Law Library Consortium. Now with 25 full members and 60 affiliate members, NELLCO is a national leader in cooperative resource sharing activities for law libraries. See <http://www.nellco.org/index.cfm?page=about>. Many other cooperatives have been formed to expedite interlibrary lending and borrowing among libraries, often with unmediated (no staff involved) procedures. See, for example, the Orbis Cascade Alliance, a consortium of public and private academic libraries in Washington and Oregon. Interlibrary loan and licensing of electronic databases are its primary activities at this time. All six of the law school libraries in these two states are part of this alliance. <http://www.orbiscascade.org/overview-03july.html>.

into fewer locations.<sup>11</sup> Even if arrangements could be made to consolidate collections, few studies have been done to determine how much law library collections actually overlap in content. Clearly, federal and state primary legal information is collected by most law libraries. However, secondary legal materials comprise the vast majority of most academic law library collections and the extent to which there are unique materials in each collection has not been quantified. There would be broad implications for what could reasonably be consolidated in regional locations and for law library space that would need to be created locally if the unique materials in most law library collections were 50 to 70 percent of the collection total. These percentages may not be completely out of line and they may well be this high even for many different types of academic law libraries, not just for collections with the highest volume count.

#### Assume: A Primarily Digital Library

For the sake of argument, let's assume that the law library for which you need to design space is primarily a digital library. And, unless you are a new law school, you have print collections to deal with. Let's further assume that very little is published in print and that your law school has decided that archiving digital materials for ownership is essential. We probably also have to assume that ABA standards have changed to permit this primarily digital library. What would the physical law library look like in this world?

#### Collections

Since every ABA-approved law school in the United States has a print collection, the first design issue the librarian will face is how much space on-site should be allocated for the tangible collection. This requires a review of the print and microform collections and their use as well as an

understanding of all library users and their needs. If continued location on-site is important, exactly which materials stay? Do you keep your rare books and other state material in print? And in what kind of system should they be housed? Compact stacks or standard shelving?

What happens to all the books and other tangible materials currently in the library collection? What should be given away or recycled? Which materials should be relegated to off-site or remote storage? Does appropriate remote storage exist, what does it cost, and how quickly can you get to the materials your faculty or students might need that are not in digital form and that the library user simply wants in physical format? Do you have a capability to digitize library materials on demand? What about the copyright issues? Is there a comprehensive national print law library to which you and your patrons have 24/7 access and a same-day turnaround time?

Once the hard questions about the disposition of print and microform collections have been resolved, the issues related to location and access to digital collections must be reviewed. How much digital content does the library "own" and therefore have to store and provide access to? Is the library scanning content to make it more accessible? Is most of the digital content simply licensed with no ownership component?<sup>12</sup> How is this balance likely to change in the future? What kind of space needs does this suggest? Bigger, more secure server space designed with the necessary environmental conditions will be essential. Perhaps space for the creation of digital content needs to be planned. New hardware and software, constantly upgraded for the fastest and best access with comprehensive and infallible

<sup>11</sup> One organization, recently established, has as its purpose the preservation of "vital paper and electronic legal information." The Legal Information Preservation Alliance (LIPA) is just beginning to create a set of models and practices that could lead to shared print collections. For a discussion of their mission and objectives, see <http://www.aallnet.org/committee/lipa/mission.html>.

<sup>12</sup> An underlying issue of the physical design of the law library of the future is the extent to which libraries and their users will stop using and relying on print legal materials, the extent to which publishers will create primarily born-digital materials, and the extent to which older legal materials are digitized. A detailed discussion of this question is not within the scope of this paper, but the shape of the academic enterprise we know as the library is completely bound up in the speed with which these developments occur.

backup systems, will be critical to the success of this primarily digital library. Funds for sophisticated search software will have to be invested and reinvested. And, finally, high-level security of the network to protect the integrity of the intellectual content will be crucial to the success of this enterprise.

So, how much space will be assigned to tangible collections in this primarily digital library? Assuming collections in tangible form are minimized (though keeping microforms on-site is likely since these collections take little floor space), space needed for print collections in this digital library will be reduced. Increased space for network hardware and servers, however, will be necessary. Does this mean automatically that the law library can occupy a smaller physical space within the law school? Before we can really answer that question, we need to analyze the other law library functions and identify changes in space for users and library staff necessitated by a move to digital collections.

#### Users

In this mostly digital library, library users, primarily students, will still need to have places to study and learn. The physical law library can provide the widest array of spaces—tables, carrels, group study rooms, computer workstations, and informal gathering places. This array is further broadened when you take into account the varied environmental conditions that might be available for each type of space. These environmental conditions include noise/quiet, natural/artificial light, warm/cold, and being near/away from the entrance. Each user space needs to be generous in size, permitting the library patron to work with several physical objects at the same time. For example, a laptop or other computing device, one or more pieces of paper, a water bottle or coffee mug, and perhaps a casebook or student text would be common for most library users. Should this primarily digital law library have even more table and carrel spaces for library users, thus increasing the percent of library space devoted to library users?

Library users may still need places to copy documents (other student notes or anything set down with a pen and paper). They will assuredly need places to print documents—outlines, notes, faculty presentations, electronic reserves, supplemental reading, and other materials related to their education.

While library users have become more sophisticated, new legal databases and innovations in search techniques will require law schools to continue to provide training opportunities. Electronic classrooms can be located anywhere in a law school building, but since much of the training is handled by librarians, it would make sense to locate these spaces in or near the library.

Most law students have a laptop or other portable computing device that they use during the school day. Maximum use of personal computing devices depends on a building-wide wired or wireless network. However, there are times when personal hardware is forgotten, breaks down, or is inconvenient to use. Therefore, law schools need to continue to provide computing workstations for their students for study, relaxation, and communication. The number of these spaces will be determined by the institution's needs, but the most secure location for such hardware is in the library, unless a separate, lockable room is designed for this purpose.

In addition, libraries need to provide workstations for access to the library catalog and other electronic resources and for the use of non-law school community library patrons. In fact, it could be argued that libraries will need to provide more computer workstations when the vast majority of the library resources are only accessible in electronic form.

The proliferation of electronic resources and legal information on the Internet will increase the use that members of the law school community will make of librarians. Librarians will still help design research strategies, review the use of a particular electronic database or resource, check out or turn into digital files materials still in the print

collection or received in a tangible form from another library, monitor use of library space and enforce rules of conduct, and so on. The public reference and/or circulation desks will still be part of this law library of the future. The amount of space they need will be determined by the services offered to library users.

What other kind of user spaces might we see in the physical space of this mostly digital law library? If you will share your space with other users—members of the public or other university students—consider creating a space just for law students. In our new Gates Hall facility we created a lounge/study space in the law library that seats 40 law students in a variety of table, informal, and carrel spaces, accessible by keycard only. Is there a café or other informal gathering place where eating and talking are permissible? Is there a place to hold book/article readings and discussions when faculty publish new material? Is there display space to highlight services, organizations, scholarship, and other community events?

In this primarily digital law library, the amount of space needed for library users will be larger than the space dedicated to users in the more traditional law library facility.

#### Staff

Will there still be staff in this digital library we have described so far? Absolutely yes. They will need to be as sophisticated and well trained as the members of the law school community. Are they likely to be doing different tasks than they do today? Yes and no.

If few print materials are coming into the library, the staff needed to check in serial issues, file looseleaf services, shelve and re-shelve books, catalog books and periodicals, order new titles, and select new items will no longer be needed, at least not in the numbers of the past.

What tasks will need to be done? Presuming there is still a catalog or other Web directory of library resources, library staff will still be needed to create access to those resources. Unless there are only five electronic resources available in total, library staff will be needed to identify new digital

materials, negotiate the appropriate licenses, pay the invoices, ensure the resources work and are accessible, and train students and faculty to use them.

If the law library decides to archive most digital content rather than just access it, library staff will be needed to identify, create, maintain, catalog, and ensure the permanence of access to this content. To the extent that some print is maintained, library staff will need to organize, shelve, and maintain those materials. And library staff will have to negotiate and implement systems that give access to other library collections or electronic resources for their users.

There will still be a need for information professionals to work with law students, helping them learn how to use the many sources of legal information in an efficient and effective manner. Support of 24/7 reference services is likely. Librarians will be teaching research strategies to students in specialized courses, to moot court teams, to faculty research assistants, and to law journal staff. Faculty will continue to use librarians to locate needed information, provide current awareness services, do research projects, suggest research strategies, and teach research to their students.

To serve the law school community, the law library Web site needs to be full of current content, rich in depth and breadth. This work will keep librarians busy as they create guides, indexes, and other finding tools to enhance the use of electronic resources by law students, faculty, and other groups.

The library's technology team members who support the pervasive electronic environment must be well trained and sophisticated as they help create information resources to benefit members of the community. Whether libraries are managing electronic or print resources, automated systems with relational databases will still need to be implemented and maintained.

In short, it is easy to imagine that the number of library staff might well have to increase in this primarily digital library. Some current jobs will no

longer be needed, but many new tasks will take their place. Getting rid of most of the books is not likely to reduce the total number of library staff needed to make the library an “active and responsive force within the educational life of the law school.”<sup>13</sup>

What kind and quantity of space do staff need? They need offices of sufficient size that they can do their jobs. They need natural light and ergonomically designed office furniture. They need workrooms for part-time and student workers, conference and meetings rooms, and a lounge for relaxation. In this primarily digital law library, library staff space will need to be increased as a percentage of the total law library design.

So, while it is clear that moving to a primarily digital law library creates many changes to the traditional law library, it would be wrong to conclude that no physical law library is needed or that the amount of space needed for the physical law library will be drastically reduced. Space for library users and library staff will increase in this type of library even while the space needed for physical library collections is reduced. How this nets out in terms of total space needed for a law library will depend on the mission and purposes of the law school. However, the functions of a law library as an intellectual commons for the law school community continue to be essential, requiring space for users, library staff, and even digital collections.

#### Assume: The Law Library of the Near Future—Print and Electronic Collections Coexist

It is unrealistic to assume that law libraries will look like the one described in this section within the next decade. This is particularly true as it relates to the space needed for print and other tangible collections. Over 185 academic law libraries have substantial print collections and collections of microformat. Even urgent and well-

funded efforts aimed at regional depositories of print legal materials (the one development likely to encourage some law schools to get rid of their only copy of print materials) are likely to take years to achieve.

So, the design of a law library that must function in the next decade and beyond will still have space for a substantial print collection and will need space for the staff who can maintain and service it.

If we assume that the law library of the near future will continue to contain print collections as well as to provide access to a growing number of electronic resources, how would the configuration of this law library be different from the nearly all-digital law library described in the previous section of this paper?

#### Collections

Print collections may grow more slowly during this time, but the need to have space for them continues. However, the space needed for these collections could be on-site or off-site. As we are making the transition to more digital collections we may store more and more of our print at remote sites. A trend in this direction would certainly affect the amount of space needed in the law school’s library. But why would we invest in remote storage if eventually we would get rid of the print collection completely? The answer here may have more to do with the shelving capacity of the current law library facility, the use faculty and law students make of print, the speed with which publishers move away from print, and stability and cost of electronic resources.

Librarians are likely to weed their print collections more actively, eliminating duplicate copies and other superfluous materials. This weeding activity may slow the growth of the print collection, allowing it to stay on-site for a longer period of time. Under these circumstances, while the space needed for print collections might decline, dramatic reduction of the space needed for the collection in the next decade is likely only in libraries with a large percentage of duplicate material.

<sup>13</sup> American Bar Association Section of Legal Education and Admissions to the Bar, *supra*, note 4.

Housing of the print collection on-site may be primarily in compact shelving. However, some print materials will be better suited to open or low stacks. At the same time, the need for stable, very secure servers and the space to house them will be required in libraries that begin to archive electronic-only publications or to preserve electronically print resources through advanced scanning technology.

#### Users

Users in law libraries in the next decade will need all of the same kinds of spaces described in the previous section on the primarily digital law library. If anything, the mixture of media (tangible and digital) will demand that users have more work space per seat. Laptop computers and print materials or copies of print materials are used by nearly every library user. Add a casebook and/or a student text to the mix and the need for generous user space dictates about 15 square feet of table/carrel space (this excludes the chair and room to move around it).

#### Staff

The size of the staff and their job responsibilities will dictate the amount of space needed for them in the law library with print and electronic resources. Given that the format of legal materials in law libraries is mixed, law libraries need staff who can handle all the processes and duties associated with both formats of materials. Fewer print titles to order, catalog, and receive but larger numbers of electronic-only titles and licensed databases will require staff who are cross-trained and have more sophisticated responsibilities. Providing services during this transitional time is not likely to require fewer staff.

#### Proportion of Space for Library Functions

Once the law school decides what role the law library should play in the intellectual life of the school, some amount of space needs to be assigned to this important function. Traditionally, the law library has occupied about 50 percent of the physical space in a law school. Will this trend continue? Individual institutional circumstances

will certainly determine the answer to this question.

But another way to look at this question is to determine the right amount of space needed for the law library by reviewing the three functions of the library and defining the amount of space required for each one. This will inevitably lead to a law library program that will define a specific amount of space in the law school building and a certain proportion of space for each function.

As far as I know, there are no guidelines for law library planning that can be used to determine how space within the law library should be allocated proportionately to users, collections, and staff. It may be that each institution is so unique that no general guidelines are possible. This topic is worth further exploration so I will use my law school as an example.

The University of Washington School of Law Library supports 750 students, 125 faculty and staff, a large, urban university community, and the public and has a print collection of 400,000 volumes. Today this law library has a collection that occupies 61 percent of the law library space (with 60 percent of print in compact stacks), has designed 23 percent of its space for library users, and has devoted the remaining 16 percent of the library to library staff space.

In 10 years we could imagine this same law library occupies the same footprint, the same number of square feet within the law school building. This library still has print and a vast array of electronic resources, though most print is shelved in compact, high-density shelving. The print collection on-site has declined somewhat in size and stack spaces have been replaced with more user spaces of generous proportions. Library staff have taken on more responsibilities and some have changed their job duties, but there are more library staff providing services to the law school community. The proportions of library space might then be 52 percent for collections, 30 percent for users, and 18 percent for library staff.

Moving to the far end of the spectrum, the proportion of library space devoted to each of the three functions changes dramatically in the primarily digital law library. The spaces needed for collections are reduced while user and library staff space grow substantially.

Library users and staff are almost always given the space that is left over after the space for physical collections is planned. Giving priority to the library users and the staff who provide services to the law school community would be a novel planning idea. Imagine planning a law library that included all the space needed and desired by library users! The physical nature of print collections and the assumption that they needed to be on-site demanded a certain amount of space. Staff and user spaces came second and decision making as to the space each of these should take was much more subjective. What's the difference between 400 user spaces and 450? How do you decide what is the right number? Too often the right number was determined by how much space was left over or by the ABA standards that historically required that the library seat at least 50 percent of the largest student division in the law school.

Of course, the \$64,000 question is how much space in the law school building project should be allocated to the law library in total. The proportion devoted to each library function will surely depend on the total square footage available for law library purposes.

#### The Digital Law Library and Implications for Library Design

In the transition to an all or more digital law library, several elements will affect planning for library space. Let me discuss a few of them.

1. As library staff assume new and more complex duties, traditional organizational structures may begin to fuse together. Technical and public services may no longer be easily separable. Shifting staff from one department to another to cover changed duties may become commonplace. However nimble you can be organizationally, trans-

forming staff space to match these changes is a much more difficult proposition.

Implications for library staff space include creating space that is as flexible as possible. Landscape office space may give the maximum flexibility, but decreases privacy and perhaps the ability to perform complex tasks. If offices with doors are planned, creating offices of all the same size might be considered. This uniformity will make moving staff to appropriate locations within the office easier as departments morph from one set of responsibilities to another.

2. Plan additional space for new staff positions. Workrooms or conference rooms that can be turned into office space are useful. Planning larger offices that can then be turned into work areas for more than one person could also be considered.
3. Plan for growth of your server space and capacity. It may not currently be in library space, but what will be the relationship of servers to the library when most, if not all of the digital content of the library is housed on this hardware?
4. House heavily used print tools in an open, easily accessible area near the library's entrance and user spaces. This might include student texts, scholarly works, and looseleaf services as well as statutory publications.
5. If print legal materials still support the work of the law school community and other populations the law library serves, they should be kept on-site. Materials that are readily available in digital format for all library users and that are located or identified by citation might be housed in an off-site facility or in compact stacks. But treatises, monographs, works in foreign languages, and the like should stay in the physical law library. Similarly, finding tools for location of legal information should be on-site. What these ideas suggest is that print collections in law libraries should be analyzed for usability and that decisions

about location of print should not be made on the basis of format alone. In other words, just because the print material is in electronic form does not mean that the print is no longer a viable format that should not be retained.

6. Collection space must be designed to be as flexible as possible. Imagine that you would eventually replace stacks and install user or library staff spaces. Where would the power come from? Is the lighting useable or can it be modified to serve a different purpose? How would the HVAC system be affected? Can you install high-density stacks in any area of the law library? Be sure all library space is floor-loaded for high-density stacks.

#### The 21st Century and Implications for Law Library Design

Regardless of the speed of the transition to the nearly all-digital law library, law libraries planned for the next decades need to recognize the environment of legal education and the kinds of students we have in our communities. The 21st-century law student and faculty member will demand that law libraries contain the kinds of spaces and offer the services they need for learning and study. Some of the most important elements are described below.

1. Create as many kinds of user spaces as possible. Some spaces may accommodate more noise and group interaction. Some spaces should be quiet. Be sure you include a space where students can quickly find seating for those study breaks between classes. Set aside a space where students can study and eat. Rooms that facilitate group interaction are essential. Obvious reference and circulation desk spaces can help library users use the library space and its resources effectively. Printer stations should be central and conveniently located to user spaces.
2. User spaces need to be much more generous than they have been in the past. The ideal size is 15 square feet of table or carrel space per person. This size does not include the

space needed for the chair or the aisle spaces around each chair. Designing more space per user will have the effect of bringing more students to your library. You will find more spaces full more hours of the day when students feel that they have the space they need to do their work.

3. Natural light draws students and other library users to library study spaces. Find creative ways to design and lay out the library space to maximize the number of user spaces with natural light. But remember that some students will prefer spaces away from the glare of daylight. Variety is the name of the game.
4. Comfortable furniture, especially chairs that are adjustable, can increase student use of the library. Try not to sacrifice function for aesthetics and design.
5. Library design should provide private places for faculty to work on their scholarship when they need a break from their office or are on sabbatical. These spaces can also serve visiting faculty and scholars. Access 24/7 will be essential.
6. Generous display spaces will highlight student organizations, faculty scholarship, and other law school activities as well as library services and resources.
7. Should your student or faculty journal spaces be near or in the library? Easy access to the physical collections they may use for cite-checking and professional staff they may need for research should be a priority.

#### Conclusion

Planning, designing, and building or remodeling new academic law libraries are tremendous challenges today. The information landscape is changing rapidly in significant ways. We have our feet in two different worlds—the world of print and the world of digital or electronic information. So we must plan for the present as well as an unknown future.

An analysis of the functions of a library in the more pragmatic world we seem to occupy at the moment and even in the nearly all digital world reminds us that law libraries remain the intellectual commons of the law school, the laboratory of the lawyer, if you will. Space for collections, users, and library staff will be needed in the next decades. The balance of these functional spaces will change. But it is essential to remember that libraries serve people—whatever their needs or the face of the information revolution. The physical law library will continue to be shaped by the information requirements of the law school community and by the educational enterprise in which we are immersed.

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