Chapter 1
Introduction to Public Law Libraries

ABSTRACT

Representing the smallest special library category, public law libraries serve the largest and most widely diversified constituency. They also have a convoluted developmental history that makes a simple definition impossible to determine. In this chapter, the authors define the public law library, review the history of law librarianship and public law library development, examine the field's standing within librarianship, and reflect on future trends.

OVERVIEW

There are many reasons for the public law library's identity crisis but the leading reasons come down to definition and history. What exactly is a public law library? Some people define a public law library as a government funded law library that is open to the public (Panella, 1991, pp. 6-7). Others, like Edwin Schroeder, define a public law library as a law library that serves a relatively open clientele (Kent, Lancour & Daily, 1975, p. 96). Schroeder's definition is based upon the type of clientele the library is most intended to serve regardless of whether or not that patron group actually uses it. If asked, the general public is likely to define the public law library as a "library" or as a "public library." If the public law library is well known within the community, the layperson may define it as a building with an organized and maintained legal collection from which one can request and receive assistance. Legal professionals are likely to define a public law library as a collection of legal resources purchased by a government agency or department for use by legal professionals, elected

officials or jail inmates even if the collection is unsupervised, poorly maintained and stored in a locked room. As the Preface quotation of Charles Dyer indicates, a key reason for the law library world's inability to identify the number of public law libraries currently located in the United States rests upon the lack of a firm definition of what constitutes a public law library. Because of the wide variety of existing definitions, shapes, sizes, funding methods and organizational structures, these authors have chosen to use a broad definition. For the purposes of this book, a public law library is any library with a statutory or institutional mandate to provide the public and/or self-represented litigant access to legal resource material. In reality, the public law library provides services to jail inmates, attorneys, government officials, government employees, the local judicial system, legal professionals and their support staff, law enforcement agencies and their employees, students and the local criminal justice system.

HISTORY

Because history influences the definition of the public law library and public law librarianship, the public law library movement is fraught with confusion and contradiction. The wide variation of local, state and federal laws; regulations and user demands means that public law libraries did not develop linearly, but rather simultaneously in a wide variety of venues, shapes and forms. While government movers and shakers followed their own law library paths at the state and federal levels, those in need of similar resources at the local level began with informal personal and private law libraries, often sharing those resources with friends and colleagues. Eventually this informal sharing expanded to the more formally structured bar association and society libraries, some of which later developed into today's public law libraries. As American society became more complex and laws changed, paper in the form of

written opinions and statutory laws proliferated and the legal publishing industry was born. The increase in courtroom activity and legal publishing meant heavier research demands on the legal and judicial systems. Then, as now, costs increased along with the proliferation of legal publishing and researchers realized that it was no longer practical, financially or physically, to maintain complete personal libraries. As social issues became government concerns, more laws were written and researchers and librarians discovered research could no longer be limited to *law only* resources such as statutes and opinions. Lawyers now needed to determine not only whether a plaintiff was treated fairly when his supervisor fired him for failing to call in each day despite his having previously notified that same supervisor he would be out all week due to a family emergency; but he now needed to research both state and federal employment law, review the plaintiff's contract with the employer and understand the role of the plaintiff's union contract if the plaintiff belonged to a union.

Legal Resource Availability

The scarcity of printed materials available to the colonists makes it impossible to separate the history of American printing from the development of the American legal system and the law library world. Until the American printing industry began printing and distributing American case law, statutory law, forms books, and treatises, the majority of the legal resources relied upon by the colonists consisted of British opinions and statutes, treatises and forms written by British authors, printed in England and shipped to the New World. Not only did this limit access to law books due to cost, inconvenience and excessive delivery time but it also tied the colonists to English law, English precedent and English tradition. It is the reason English law has influenced the reasoning of American jurists and formed the basis of our modern day American statutes (Marke, 1982, p. 19).

18 more pages are available in the full version of this document, which may be purchased using the "Add to Cart" button on the publisher's webpage:
www.igi-global.com/chapter/introduction-public-law-libraries/69938

Related Content

Globalization and Library and Information Science: Ethical Challenges
Ismail Abdullahi (2014). *Collaboration in International and Comparative Librarianship (pp. 28-36).*
www.irma-international.org/chapter/globalization-and-library-and-information-science/103069

Libraries on the Information Highway: Issues and Lessons Learned
John Carlo Bertot (2000). *World Libraries on the Information Superhighway: Preparing for the Challenges of the New Millennium (pp. 288-301).*
www.irma-international.org/chapter/libraries-information-highway/31502

Multidimensional Scaling
Sean Eom (2009). *Author Cocitation Analysis: Quantitative Methods for Mapping the Intellectual Structure of an Academic Discipline (pp. 225-254).*
www.irma-international.org/chapter/multidimensional-scaling/5449

Indexing Scholarly Reference: Helping Researchers do Less
Eric Calaluca (2012). *E-Reference Context and Discoverability in Libraries: Issues and Concepts (pp. 148-163).*
www.irma-international.org/chapter/indexing-scholarly-reference/57921

Library Showcase: Enoch Pratt Free Library, Roland Park Branch - Interview with Alexander Design Studio
Lisa Blockand J. Walker (2014). *Information Technology and Collection Management for Library User Environments (pp. 240-241).*
www.irma-international.org/chapter/library-showcase/102374