

## Chapter 3

# Governance and Organizational Structures

### ABSTRACT

*A library is a library is a library, right? Well, yes and no. While basic administrative practices remain the same across library types, the public law library poses a number of unique situations requiring uncommon administrative practices. Many of these administrative differences are due to the public law library's dual missions and uncommon organizational configurations. Other administrative differences are due to the nature of the law both as a subject and as a career field. This chapter reviews the diverse governance and organizational structures most often found among public law libraries; however, this discussion is not all-inclusive, and other governance forms may exist. Organizational documents such as mission statements, goals, and objectives are discussed within each type of public law library structure, and the organizational variations are depicted by sample organizational charts. The law library committee, the advisory law library board, and the governing law library board are also discussed.*

### OVERVIEW

Public law library administration is as varied as public law library funding methods, yet little has been written on this subject. In 2009, the AALL published county public law library standards to address the governance, administrative and

operational aspects of public law librarianship. Currently, few public law libraries meet these standards as many continue to follow the historical paradigm in which local legal and judicial systems manage the library through library boards, attorney library committees, local bar associations, legal societies, or the local judiciary; and untrained

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personnel provide facility caretaker duties while performing other tasks for the parent organization or governing authority. History indicates that caretaking duties usually involve maintaining the room, handling the mail, updating resources and ensuring no one steals library property. Then as now, if the “librarian” was involved with bill payment, his involvement was often limited to turning the invoices over to a treasurer, board member or committee member; and collection development responsibilities were non-existent. In 1927, one law librarian reported having to receive approval from at least two of three directors before he could submit the bill to the treasurer for payment (Brock, 1974, FN65, p. 334). Eighty years later, some public law libraries still rely on a non-librarian to make collection development, digital access, and budget decisions; determine the library’s policies and procedures, set employee pay scale and decide when and what equipment or furnishings should be purchased, retired or replaced. Even today, many job advertisements for public law librarians are still written for the traditional room caretaker or monitor.

When it comes to the part-time or unstaffed library, local attorneys and government officials receive library keys from the library board, library committee, supervising department head or judges. If a private individual wants access, he has to locate someone with a key and hope access will be granted. Once in, the person has to be capable of fending for himself as no assistance is forthcoming. One example of this set up is the Anderson County Law Library (Palestine, Texas). During the late 1980s, this library consisted of a locked room located in the courthouse—accessible only to those individuals with keys or knowledgeable enough to ask the District Clerk’s office for admittance and then use the materials without assistance.

Since the early 2000s, both Grayson and Anderson counties (Texas) have made a concerted effort to upgrade their services and accessibility. In late 2006, the Judge R.C. Vaughan County Law Library

(Sherman, Texas) published its first advertisement for a professional librarian (Selwyn, 2006). In 2009, the Anderson County Law Library went digital with two computers for CALR (Computer Assisted Legal Research) research: an attorney only computer located near the courtroom and a public access computer located in the courthouse basement (Foley, 2009). During the 2010/2011 FY, the Anderson County Law Library’s physical plant was converted to additional space for the prosecutor’s staff (Rainwater, 2011a) and on March 15, 2011, the *Palestine Herald-Press* reported that the county commissioners approved a request to declare the library’s law books surplus (Rainwater, 2011b), effectively turning the county law library into a fully electronic resource limited to two public access computers and no human assistance. According to the Anderson County (Texas) 2010 and 2011 budget documents, the Anderson County Law Library remains unstaffed and under the county’s judicial system (Anderson County, 2010; 2011).

## **LIBRARY ORGANIZATIONAL STRUCTURE**

Almost all public law libraries belong to a larger organization and are subject to the policies, procedures, rules, regulations and laws governing those larger institutions. The library may also be subject to other requirements instituted by the state or the library’s department or division head. To a certain extent, the public law library’s organizational documents such as the mission statement will be determined by its relationship with the parent organization. The larger organization may make it difficult for the library to establish its own identity, determine a library specific mission, goals and objectives; or establish formal written policies that provide equal treatment of all patrons regardless of their social and educational status. Ideally, the public law librarian should be treated as an equal

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