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Next Big Thing: Smaller, Less-Legal, More-Portable Libraries

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LOS ANGELES — The law library isn't what it once was.

It's smaller: Digital formats have reduced the vast expanse of books. It's less legal: The information explosion has set law librarians on hunts for competitive intelligence and client development materials. And it's more portable: Lawyers and librarians can get information online from anywhere in the world.

But it's not necessarily cheaper.

Digital subscriptions are expensive, and new sources of information come with new costs.

In this environment, new forms of managing the law library are at a premium. Firms are streamlining library operations by sharing materials across offices and centralizing staff. They also are turning to what was once a bogeyman: outsourcing.

Outsourcing created a big stir among law

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ROBERT LEVINS / Daily Journal

Daniel Raphael, above, is "kind of a cross between having a temporary librarian come in ... and having something like the librarian 24/7 in the public library," according to one firm that uses him.

"Formerly an in-house law librarian himself, Raphael has a different kind of outsourcing practice from one which manages the whole operation. He works on a per-task basis and serves mostly solo practitioners and small firms. But larger firms are also turning to him."

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Coming Soon to Law Firms Near You: Smaller, Less-Legal, More-Portable but Costlier Libraries

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librarians in the mid-1990s. Baker & McKenzie tried outsourcing its library functions in Chicago, and in 1997 Pillsbury Winthrop Shaw Pittman handed over its San Francisco law library to Los Angeles-based Library Associates.

Library Associates still manages the San Francisco library of Pillsbury Winthrop.

Outsourcing "had a bad PR spin," said Deborah Schwarz, who started Library Associates in the 1980s.

Now, that reputation is changing.

John Cannan, a law librarian at the Montgomery County Circuit Court Library in Maryland, is writing about offshore outsourcing of library tasks for the March issue of *Spectrum*, a publication of the American Association of Law Librarians. He said he thinks people have adjusted to in-country outsourcing.

"My sense is from the community. ... The comfort level is just there," he said. "Law librarians themselves outsource work."

One beneficiary of that is Daniel Raphael.

Formerly an in-house law librarian himself, Raphael has a different kind of outsourcing practice from an outfit like Library Associates, which manages the whole operation. He works on a per-task basis and serves mostly solo practitioners and small firms. But larger firms also are turning to him.

Joan Schipper, the librarian at Los Angeles-based Munger, Tolles & Olson, has used Raphael. She said that, although the firm had a number of people with Raphael's research skills, sometimes the demand was greater than the availability.

Raphael's services, she said, were "kind of a cross between having a temporary librarian come in ... and having something like the librarian 24/7 in the public library, where you just send a reference question and they get back to you."

It doesn't require the hiring, then firing of extra bodies when a labor-intensive research task comes to an end.

Other law firms have taken other paths.

Baker & McKenzie retreated from outsourcing but did not return to a system of decentralized libraries with independent budgets.

Instead, it divides its nine U.S. offices into three zones, with one regional library director in charge of the program. Each zone has its own manager. Many offices have their own library staff, but some get by on regular visits from the zone manager.

"We obviously are sort of realizing economies of scale," Sandra Campbell, the regional library director, said.

Other firms have adopted similar models.

Sarah Nichols, director of research and information resources at Orrick, Herrington & Sutcliffe, said the firm had two full-time researchers at its "in-sourcing" center in West Virginia. Twenty-seven more are stationed across the 875-lawyer firm. But some locations, she said, relied on the staff of other offices.

The Los Angeles branches of Nixon Peabody, which opened in 2005, and Goodwin Procter, which opened last spring, both lack full-time law librarians. Instead, lawyers use librarians from other offices, who travel to Los Angeles periodically.

These new models rely on digital technology.

Electronic resources mean that librarians don't have to be on premises. Lawyers can find some information at their desks.

Goodwin Procter has emphasized electronic resources over the print library in its new office, according to Lewis G. Feldman, the firm chair in Los Angeles.

"We have each lawyer at their desk capable of accessing any of the legal periodicals and substantive sources that are necessary so that lawyers can avoid having to get up from their desks," Feldman said.

That, he said, "hopefully translates into more personal time."

Electronic data also cuts down on the square footage required for

the law library, a savings in itself, Nichols said.

Kevin Brennan, executive vice president at Studley Inc., a national commercial real estate firm, said that, with the advent of electronic resources, law firms have reduced the space allocated to libraries by 75 percent to 80 percent.

But the new technology also has put new burdens on librarians. They have more and different kinds of work.

Elizabeth Chiapperi, Nixon Peabody's director of information services, said the explosion of available information requires attorneys to rely more on the librarian's ability to filter out the irrelevant or nonauthoritative information.

Research for client development, for example, increasingly has become the librarian's job, said Sarah G. Holterhoff, president of the American Association of Law Libraries and a librarian at Valparaiso University Law Library.

Exotic, nonlegal requests are becoming more common. Raphael was once asked to locate documented proof of what a certain kind of tire tread looked like. But law library budgets have not kept pace with the change in resources or demands.

According to William F. Brennan, a principal for consulting firm Altman Weil Inc., in 2003 per-lawyer reference expenditures, including reference materials but not personnel costs, were at \$4,281, or 1.1 percent of a firm's total expenses. According to the most recent survey, those expenditures are at \$4,655, or 1.2 percent of a firm's total expenses.

This matches the experience of librarians. Michelle Kuczma, director of library services at Buchalter Nemer, said she requests a yearly budget increase but that usually goes to keeping up with the rise in subscription costs for materials the library has.

Budgets used to focus on cost recovery through billing, according to Schwarz. That, she said, doesn't work when the budget also covers client development and other non-

billable tasks.

As a consequence, different ways of managing the law library have evolved.

"Successful librarians are becoming embedded more in the organization," Schwarz said.

The physical law library is far from dead, though.

Print has its advantages. Librarians agree that some sources, such as statutes and codes, are easier read in hard copy.

And Holly Riccio, the library manager for the San Francisco and Silicon Valley offices of O'Melveny & Myers, said the relationship that develops between a lawyer and an on-premises librarian can make life easier for both parties. The librarian knows what the lawyer wants and what form he or she wants it in, while the lawyer gets what he or she wants.

There may be a more basic reason, too, that the traditional law library will survive.

"I think [attorneys] like getting away from their office and having someplace else to go," Riccio said.