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BOOK REVIEWS

A Study of the Opinions of Selected Members of the Legal Profession On a Law Bibliographic Center in the Southeastern United States.

By Frances Elkan Kaiser. Unpublished Master Thesis. Emory University. 1950.

The legal profession, aware of the eminent part its members have played in our society, is engaged in a comprehensive survey of the present services rendered by its membership, of the continuing education for its tasks, both before and after graduation from law school, and also of the research tools available for the performance of its various functions.

Under the joint leadership of the American and state bar associations and individual law schools, we are experiencing a move to bring members of the legal profession closer together. Institutes sponsored by them not only perform an educational function, but also provide an opportunity for members of the bar, faculty and students of participating schools to exchange ideas and maintain contacts with each other. Quite a few plans have been drawn for providing the physical facilities for such combined undertakings. The originators of the "legal center" idea envisage a research library utilized by all members of the profession united in a common effort to keep the law alive in our turbulent times.

With decentralization of industry causing a shifting of industrial plants from highly concentrated industrial areas into rural communities, with a large group of recent law graduates settling in small communities heretofore not provided with legal services, and with a constantly increasing amount of regulations emanating from the national as well as local government, the practice of law has become more and more extensive and complex, requiring more research tools than any one member of the profession can expect to assemble in his life time.

The enormous amount of legal materials published, the high prices and the fact that some are duplicated in many places although they may only be needed occasionally, have prompted Frances Elkan Kaiser to undertake a study of legal research needs on the level of the Southeastern region of the United States.¹ With several years of experience as law librarian at Emory University, Miss Kaiser is particularly well qualified for such an investigation. In her thesis, she has combined a survey of current cooperative projects in the general and law library

¹ This region comprises: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia. Suggestions were received to include Texas.

field with a statistical analysis of legal research collections within the chosen region. She conducted an opinion poll among deans and teachers in accredited law schools of the region, bar association officials and law librarians on the question whether a regional bibliographic center would contribute, in their opinion, to the further development of research and would stimulate new projects.

The main part of the thesis consists of an analysis of the replies received.² Although the majority of the participants in the poll favored a bibliographic center, administered by a law librarian trained in law and library science, supported financially by a foundation and collection of fees, and separate from any existing library, Miss Kaiser concludes that it is not yet considered the solution of the keenly felt need for greater coordination and development of legal research facilities within the region. Among the chief obstacles she mentions absence of funds, lack of information regarding the extent to which a center would tangibly benefit the profession, and large number of uncataloged collections. She therefore suggests that additional studies be undertaken and that the principle be tested first at the state or local level.

The investigation of existing cooperative projects constitutes a valuable part of Miss Kaiser's study. As she herself points out, the analysis of the statistical studies requires further investigation. Libraries may show a high count of volumes, but without knowing what materials are represented, whether they are alive or dead, or how much is duplication, the potential research value of a collection cannot be estimated.

Also, the needs of the practitioner, the legislator, law teacher and student differ. Hence, a distinction has to be made between the development of state, law school and bar association libraries. The relative location of various types of libraries should also be taken into consideration, because the availability of a complementary collection in commuting distance is an important factor in the establishment of added resources within a given area.

Miss Kaiser seems primarily concerned with the small law school collections which deprive their teachers of adequate research facilities. But would a bibliographic center take care of their needs, aside from the question whether any teacher in a small school would have enough free time to engage in research? How the center could provide for the initial research which involves so much sifting of materials is hard to

² Of 354 persons approached, 139 or 39.3 per cent responded, namely: 12 deans (50%), 25 law librarians (43.8%), 10 Bar Association officials (40%), 92 professors (37.1%). By states: 11 from Alabama (47.8%), 5 from Arkansas (33.3%), 14 from Florida (34.1%), 20 from Georgia (46.5%), 11 from Kentucky (52.4%), 20 from Louisiana (33.3%), 4 from Mississippi (28.6%), 14 from North Carolina (34.1%), 6 from South Carolina (35.3%), 10 from Tennessee (32.3%), and 24 from Virginia (50%). A great number of teachers approached were part-time teachers.

realize. If the center could be in commuting distance from the school, that would be a different matter.

If collecting items of occasional interest could be delegated to the center so that it would perform the function of a storehouse, its establishment could benefit all libraries in the region by permitting them to concentrate on current materials.

The reviewer is inclined to believe that as far as the various services are concerned which could be rendered by the center, they are potentially available already without adding a new library and that instead of building a new one, the existing libraries should receive additional financial support to make possible an extension of services to a wider group of users.

Who should contribute financially to such an expansion will probably depend upon the purposes for which the facilities will be needed. Where the law schools are called upon to give research services to legislators and attorneys, special appropriations and contributions might be obtained for the purchase of materials not needed for immediate teaching purposes. However, where the school is located within easy reach of a state or court library, duplication of collections beyond the extent of their actual use would be wasteful and should be avoided. Here would be an excellent opportunity for the development of a cooperative buying policy with the ultimate goal of providing maximum potential use by a combination of all collections. This pooling of resources would permit an actual expansion of collections.

Members of the bar in isolated or small communities most urgently need additional library facilities. Here again, the question arises as to who should support this service financially. Should it be part of the professional expense to be borne by each attorney himself, or is it the task of the bar associations to provide its members with adequate access to research materials, or could existing library channels be used for distribution of professional literature? Perhaps the high cost of these materials could be shared by various groups. Also, it might be feasible to set up loan collections for distribution to small communities from duplicates and unused materials.

This is not so much a review of Miss Kaiser's thesis as it is a summary of questions raised by her study. The motivation for her work is of vital importance to every lawyer within the region. Miss Kaiser deserves full appreciation for attacking a complex problem with much courage and perseverance. It is hoped that the results of her investigation will be made available to all those desirous of studying the underlying facts. The chief importance of an investigation of the kind undertaken by Miss Kaiser is that it makes people think about the

problem and the more people become interested in an expansion of legal research facilities, the greater is the likelihood that somebody will do something about it. The problem is of sufficient magnitude to rally together all those members of the legal profession who are affected by it in an earnest effort to provide the tools necessary for the maintenance of the highest professional standards of all members of the profession. Books are the lawyer's tools.

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