Academic law libraries currently collect almost exclusively quantitative statistics related to number of volumes, circulation of materials, gate counts and interlibrary loans. This research used a web survey sent to all U.S. academic law library directors to gather information about the type of statistics collected in academic law libraries and to get suggestions about how the process might be improved and more relevant statistics gathered. One reason why all law libraries collect and report statistics is the American Bar Association’s Annual Questionnaire. The types of statistics currently collected in academic law libraries, even for this questionnaire, do not reflect the changes that technology has brought to the legal profession. This paper summarizes the issues and offers suggestions for the future.

Headings:

Law Libraries - - Accreditation

Law Libraries - - Evaluation

Law Libraries - - United States

Law Libraries - - United States - - History

Law Libraries - - United States - - Statistics
ACADEMIC LAW LIBRARIES AND STATISTICS

by
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A Master’s paper submitted to the faculty of the School of Information and Library Science of the University of North Carolina at Chapel Hill in partial fulfillment of the requirements for the degree of Master of Science in Library Science.

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Approved by

_______________________________________
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Table of Contents

Introduction .........................................................................................................................3

Literature Review ..............................................................................................................7

Methodology ...................................................................................................................21

Results ..............................................................................................................................23

Discussion .......................................................................................................................34

Appendix A .......................................................................................................................40

Appendix B .......................................................................................................................45
Introduction

Academic law libraries, like all academic libraries, have been undergoing significant restructuring both in operations and in collections. While change has been constant in the academic law library's history, the pace in the last ten years has become more intense and unrelentingly rapid. Writing more than thirty years ago one observer said that "more than any other type of library, the American law library has been bonded to the profession it serves."¹ That observation seems to be even more relevant today than it was then. However, much of the current impetus for change has been due to a shift from print to electronic resources in the profession.

The changes in the legal profession have been largely driven by changes in legal publishing.² Both the state and federal government, which publish many of the primary materials used by lawyers, have increasingly provided those materials in electronic format. In addition, in an attempt to streamline and make more efficient the legal process, many courts and other agencies require electronic filing of court documents and agency reports which further motivates a shift from print to electronic. As of this writing, the Government Printing Office is even entertaining the idea of eliminating many of its


print products in favor of electronic versions.³ Private industry publishers add value to
the primary materials and present them in another form increasing the availability of
governmentally published primary materials. Beyond that, as a way of increasing the
desirability of their products, these other publishers add secondary materials in electronic
versions to their increasingly comprehensive products. The two biggest comprehensive
publishers in legal publishing are Reed Elsevier and Thomson Corporation.⁴ Other
publishers vary in size and scope, but are proliferating in filling niche markets of legal
materials.

The transition from print to electronic in the legal profession puts pressure on law
schools and libraries in fulfilling their teaching mission and resource providing function.
The instructors attempt to prepare the student for both the future practice of law which
will be largely electronic, and for the present state of the art which is a widely varying
blend of electronic and print. In dealing with this change law librarians, acting both as
instructors and resource providers, need to create more effective tools that gauge usage,
performance and quality of competing resources.

This paper focuses on just one small area of the change from electronic to print.
The focus is on statistics and how they can or should be collected in the changing law
library environment. Prior to the development of electronic resources, statistics focused
almost exclusively on quantity. Statistics are now more often being discussed in terms of

³ Electronic Transition Committee, U.S. Depository Library Council, Envisioning the
Future of Federal Government Information (Spring 2003) at

⁴ They are called the “Mega-Mall” publishers. Svengalis, supra note 2, at 4.
"outcomes assessment." This term reflects the ability to collect more data from the newer electronic resources and an increasing desire to determine value in an education. In addition the overlap of resources available in multiple formats or by multiple publishers in the same or similar format drives the need to better understand usage, performance and quality of resources.

Historically, academic law libraries have been driven by the realities of practice as determined or driven by the profession. Early law libraries were created from the hand-me-down collections of famous jurists of the time. Many changes in the profession, government and society would drive the law library's development. In time, standards began to develop and collection requirements became more defined. The American Bar Association (ABA) became the organization responsible for accrediting law schools and their libraries. Working with other organizations such as the American Association of Law Libraries (AALL) and the American Association of Law Schools (AALS), the ABA is responsible for developing standards. An annual questionnaire was created by the ABA in 1969 that has been used consistently and comprehensively since that time to determine law school compliance with these standards.

This paper uses a survey of law library directors, discussion of the literature and review of other sources, to look at the state of the profession in regard to standards and

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5 Various authors use the phrase “outcomes assessment” interchangeably. They use alternately terms such as performance measures, performance indicators, quality predictors, quality standards or outcome measures. Whatever term is used the idea is that statistical measurement is based more on measures that have a quality aspect as opposed to primarily numerically based measures. See Tammy A. Hinderman, What is Your Library Worth?: Changes in Evaluation Methods for Academic Law Libraries (2005) (viewed the pre-publication manuscript for 24 L. Ref. Svcs. Q. 1, 13-15) and Gregory S. Munro, OUTCOMES ASSESSMENT FOR LAW SCHOOLS (2000).
the use of statistics to measure consistency with those standards. First, an overview of existing literature on the topic will be provided. This is followed by presentation of results from the survey. These results will be followed by a discussion section looking at the current state of affairs and providing suggestions of further steps that might be taken.

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6 Brock, supra note 1, at 326-327.
Literature Review

The first officially reported law library statistics were presented by Stephen Griswold, Librarian of the Law Department of the New York State Library in the 1876 *Public Libraries in the USA, Special Report.* This report was part of a larger report on U.S. library statistics published by the Government Printing Office. In the provocatively titled article, *The Century Gap of Law Library Statistics,* written in 1968, Schick states that “in 1958 when I came to the U.S. Office of Education… one of the first things I noticed was the complete lack of statistical surveys relating to special libraries.” The “century gap” Schick referred to the time from 1876 until the time when he was writing his article. Later writers would dispute his suggestion of a “complete lack of statistical surveys” and show that there was more activity than his claim suggests. Despite this, it can be fairly said that little was done in a systematic and comprehensive way until the 1970’s report. Based on data gathered in the first comprehensive American Bar Association (ABA) Annual Questionnaire, which was sent out in 1969, the report attempted to establish a “base line study” of a profession that was just beginning to change rapidly. “For the first time, law school libraries would have regular statistical reports to provide comparisons over the years.”

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8 Id.
10 Schick, *supra* note 7, at 1.
11 Gasaway, *supra* note 9, at 579.
comprehensiveness of this 1969 survey, where 95 percent of the 145 schools surveyed responded, Gasaway also debunked Schick’s observation of a complete lack of statistical surveys. Five plus pages of her article detail how statistics collection developed through this time period of 1876 through 1970.\footnote{12 Id. at 574-578.}

Law libraries were in existence long before Griswold’s 1876 report that provided statistics on 50 principal law libraries that were not government affiliated. The growth of the legal profession and concurrent development of law libraries occurred hand in hand with the development of statistics collection. The legal profession's change over the years has been “controlling factors in both the technical and physical growth of law libraries.”\footnote{13 Brock, supra note 1, at 325.} Brock characterized the relationship as a “bondage” which had steered library development to a large degree.

There were many different societal factors causing library collection size to grow dramatically over the years. Some of these factors include the creation of new states since 1876, increased ability to travel between these states and growth in complexity of the legal system and government. Specific examples include the growth of publishing as many of these jurisdiction’s print their own primary materials,\footnote{14 Id.} the growth of the federal government during World War I and II,\footnote{15 Brock, supra note 1, at 326.} the increase in laws and regulations due to New Deal legislation,\footnote{16 Id.} and the impact of changed teaching methodology and focus on the
importance of the library in the science of law.\textsuperscript{17} Also, the development of the depository library program, through the Government Printing Office, has driven the growth of academic law libraries.\textsuperscript{18} It would go beyond the scope of this paper to detail how each of these and other factors contributed to the growth of the academic law library, but each has played a role in causing academic law libraries to both increase in size and type of collections.

No other change had a more significant impact than the recent growth of electronic media. The same “bondage” to the profession Brock spoke of is certainly a factor today when looking at the growth of electronic publishing by both government and the publishing industry. The computer first appeared in the legal profession in 1973 when Mead Data Central introduced LexisNexis, and West Publishing Company two years later introduced Westlaw.\textsuperscript{19} In the late 1980's CD-ROMs were introduced and for most of the following decade these were a transitional medium. The Internet now provides almost ubiquitous accessibility to legal materials and promises to change the face of legal information significantly in the future.

Changes in legislation represented by the 1998 amendments to the Higher Education Act of 1965\textsuperscript{20} have imposed more accountability on colleges and universities. The new amendments mean that accrediting bodies must implement standards assessing

\begin{itemize}
\item \textsuperscript{17}Glen-Peter Ahlers Sr., \textit{The History of Law School Libraries in the United States: From Laboratory to Cyberspace} 8-10 (2002).
\item \textsuperscript{18}Id. at 22-24.
\item \textsuperscript{19}Svengalis, \textit{supra} note 2, at 8.
\item \textsuperscript{20}Higher Education Amendments of 1998, Pub. L. No. 105-244, 112 Stat. 1581.
\end{itemize}
academic institution’s “success with respect to student achievement in relation to the institution’s mission, including, as appropriate, consideration of course completion, State licensing examinations, and job placement rates,”\textsuperscript{21} in order to be recognized by the Department of Education. Failure to meet standards will mean institutional non-eligibility for federal funding including financial aid provided to students attending the institution.

Other organizations, not primarily associated with the legal profession, which are responsible for the collection and reporting of statistics in the broader academic library environment, have become aware of the shifts in publishing to new electronic resources,\textsuperscript{22} and changes in legislation.\textsuperscript{23} James J. Duderstadt, President Emeritus of the University of Michigan, when testifying before Congress in May of 2000 even went so far as to say that books and the library are merging and that “the academic library is becoming less a collection house and more a center for knowledge navigation.”\textsuperscript{24}

These factors have driven a change in statistics collection emphasis from an input/output focus to an “outcomes assessment”\textsuperscript{25} based methodology. One organization, the National Information Standards Organization (NISO), has advocated the need for


\textsuperscript{22} Andrew Richard Albanese, \textit{Moving from Books to Bytes}, Library J., Sept. 1, 2001, at 52.


\textsuperscript{24} Albanese, \textit{supra} note 22, at 52.

\textsuperscript{25} \textit{Supra} note 5.
improvement in systemic data collection because there are discrepancies in the availability of accurate, current, national data for essential library services. A recent NISO report stated that, “There is a pressing need for guidelines for collecting qualitative and performance data. The community is ready to move beyond statistics into measures that tie the value of libraries more closely to the benefits they create for their users.”

This report and many of the findings at this 2001 conference were incorporated into the new 2004 NISO library standard 39.7 to reflect statistics needed in the new electronic environment.

The various pressures for outcomes assessment and especially the growth in new electronic resources have created considerable concern among law librarians. Many years prior to Duderstadt’s comments on future academic libraries, Gasaway stated that “[l]aw libraries lie somewhere between being warehouses for books and centers for access to information.” “The library as a place is fading away,” says one prominent law librarian.

When writing about this time of “massive change,” Danner writes that librarians are left with the need to not just “justify their claims to professional status, but

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28 Gasaway, supra note 8, at 582.

also with the added burden of explaining why they are needed at all.”

However, there are more positive views about the possible future of law libraries. For example, even Danner says while the “outcomes will be unpredictable for librarianship” the profession “should have the confidence to recognize its strengths and define its own future.”

Recognizing the implications of these rapid massive changes and the challenges they present to future law libraries, the American Association of Law Libraries (AALL) appointed the Special Committee on the Future of Law Libraries in the Digital Age in 2001. The committee was charged “to consider the implications of electronic publishing for the future of law libraries.” It created the 139-page report entitled *Beyond the Boundaries*. This report, presented in July of 2002, identified two themes that drove the efforts of the committee. The report first recognized the impact of electronic resources now and in the future by saying, “[a]s libraries operate in an increasingly virtual world, the notion of physical boundaries changes dramatically.”

The second theme that “[l]aw librarians determine the evolution of virtual and physical libraries” suggests the possibility of impacting the future positively. This is certainly a much more positive outlook than Brock’s view that law libraries are in “bondage.”

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31 Id. at 356.


33 Id.


35 Brock, *supra* note 1, at 325.
sixteen possible law library scenarios, six of them related to future academic law libraries, and advocated adopting “a philosophy of ‘mastery over drift’ as it contemplated possible law library futures.”\textsuperscript{36} The report showed the importance of recognizing that the realities of the digital age might not be so positive or even desired.\textsuperscript{37}

The report identified and described trends and “areas or aspects of law libraries that are \textit{affected} by these trends.”\textsuperscript{38} In the portion of the report addressing academic law libraries there was considerable discussion of the need for law school libraries to “assess how faculty and students will pursue the law school experience in the future to determine how the academic law library will fit into that new and changed environment.”\textsuperscript{39} The report recognizes that “[t]he role of accreditation standards is critical in influencing how law schools deal with and react to the digital future”\textsuperscript{40} and goes on to say “changes in standards to accommodate digital realities are needed.”\textsuperscript{41} Although the writers of the report are aware that no specific minimum volume count is required, they go on to note that in reality numbers are an emphasis in the accreditation process.\textsuperscript{42} The ABA Annual Questionnaire is mentioned specifically in respect to its emphasis on counting volumes

\textsuperscript{36} Supra note 32, at 5.

\textsuperscript{37} Id.

\textsuperscript{38} Id. at 3.

\textsuperscript{39} Id. at 105.

\textsuperscript{40} Id.

\textsuperscript{41} Id.

\textsuperscript{42} Id. at 106.
causing deans and administrators to pay significant attention to these numbers.\textsuperscript{43} The report goes on to advocate for law libraries to develop more accurate methods of evaluating usage by patrons and effectiveness of new enhancements and services.\textsuperscript{44}

As far as statistics in law libraries are concerned: where is the profession and what is the state of affairs? To answer this question, first a discussion of the history of standards, then a review of how standards have driven a focus on numbers, and then finally a review of the statistics that are collected on the questionnaire will be provided.

The ABA was organized in August 1878 about the same time as the first report on law libraries.\textsuperscript{45} While this was only a coincidence, eventually the ABA would take over the major role of statistics collection in law libraries. One of the first standing committees the ABA created was the Committee on Legal Education and Admissions to the Bar. At its 1893 Annual Meeting the ABA this committee became its first section, the Section of Legal Education and Admissions to the Bar.\textsuperscript{46} The ABA has been the recognized accrediting body of legal education since 1923.\textsuperscript{47} The ABA, through the activities of the legal education committee, is currently recognized by the U.S. Department of Education as the association responsible for accrediting U.S. law

\textsuperscript{43} Id.

\textsuperscript{44} Id. at 107.

\textsuperscript{45} Am. Bar Ass’n, \textit{Section of Legal Education and Admissions to the Bar} (2005), at http://www.abanet.org/legaled/section/about.html

\textsuperscript{46} Id.

\textsuperscript{47} Ahlers, \textit{supra} note 17, at 87.
schools. In this role the ABA works in conjunction with other associations and representatives of law schools to create standards, which it then enforces in part by requiring annual reporting through the questionnaire.

The ABA works hand in hand with organizations such as American Association of Law Schools (AALS) and the AALL which provide information and suggestions to create and update standards. Prior to the ABA’s assuming the role of accreditation body, the AALS organization was the leader in developing library standards. The first law school library standard was in the Articles of Association of AALS adopted in 1900 that was followed twelve years later by the first requirement of a minimum number of

48 Gasaway, supra note 10, at 580.

49 These are known as the Standards for the Approval of Law Schools. Speaking at an Association of Legal Writing Directors' meeting discussing standards as they relate to legal writing and curriculum development, John A. Sebert, current Consultant on Legal Education, said “[t]he idea of the Standards is to create minimum standards of quality and to leave, to the extent possible, a large amount of discretion to the schools as to how they achieve that quality.” He went on to say “[b]ut Standards aren’t the place where you innovate. Law schools innovate and the role of Standards is then to incorporate a consensus of minimum quality and then enforce that consensus.” John A. Sebert, Remarks at the Conference of the Ass’n of L. Writing Directors, Is the Tail Wagging the Dog?: Institutional Forces Affecting Curricular Innovation (July 28, 2001) 198, at http://www.alwd.org/alwdResources/alwdErasingLines/Plenary%203.pdf.

50 The following is a description of the process in getting standards approved: “[t]he Council, which ultimately adopts the Standards, has established an extensive process to seek comment on the Standards and possible revisions to the Standards by law school deans, law faculty, university presidents, leaders of the bar and judiciary, and others interested in legal education.” Council for the Section of Legal Education and Admissions to the Bar, Am. Bar Ass’n, The Council, the Standards and the Accreditation Committee in American Bar Association’s Role in the Law School Accreditation Process, at http://www.abanet.org/legaled/accreditation/abarole.html.
The requirement in 1912 was for a collection to contain 5,000 volumes.\textsuperscript{51} The AALS standards established for the first time the requirement for a specific quantity of books to be owned by a library. However, the standard could hardly have been thought revolutionary since most schools already met the requirement. It was seen as only setting a minimum quantity of books to be owned by a law library.\textsuperscript{53} Despite this, the AALS was more progressive than the ABA by initially creating standards and almost always having higher or more detailed requirements.\textsuperscript{54} As an example of this, in 1955 the AALS standard was for a volume count of 20,000 and an annual expenditure requirement of $4,000 while as late as 1960 the ABA only required 12,500 volumes and annual expenditure of $3,000.\textsuperscript{55} While the volume count requirements almost always lagged behind the actual collection size in most law libraries, many other collection requirements and considerations were added as the standard became more refined. These included requirements such as specific items in the collection, specific additional expenditure levels for new materials, and for a director to have both a law and a library degree. Despite all these changes and revisions in the standards, the focus in statistics collection has always remained on numbers.

\textsuperscript{51} Ahlers, \textit{supra} note 17, at 47-48.

\textsuperscript{52} Id. at 48. For a thorough discussion of the role played by the AALS in the development of law library standards, see Brock, \textit{supra} note 1, at 341-352. \textit{See also} the portions of the AALS standards applicable to law libraries in Ahlers, \textit{supra} note 17, at 47-86.

\textsuperscript{53} Brock, \textit{supra} note 1, at 349.

\textsuperscript{54} Ahlers, \textit{supra} note 17, at 20.

\textsuperscript{55} Gasaway, \textit{supra} note 8, at 576 and 576 n. 24.
Microforms were one of the early “technologies” law libraries adopted which created a need to consider changes in statistics reporting. Eventually a formula was developed to translate both fiche and film into book volume counts.56 “Book volumes” is a term that allows for the inclusion of microfiche and microfilm holdings into volume count. As a result of all of the growth in collections, and the microform collections, law library collection volume counts grew significantly. According to the results of the 2000 ABA Annual Questionnaire only a dozen law school libraries had fewer than 200,000 book volumes and none of these had fewer than 100,000 book volumes.57 Microforms accounted for about 38% of the total volume count of all law schools in 2000.58 The size of library collections has expanded, but a recognition that numbers are not everything has begun to set in.

A continually increasing emphasis on piece count remains even today. Evidence of this can be found in the results of an AALL listserv discussion reported in the AALL Statistic Committee's 2003 Annual Report.59 The moderators presented the following for discussion: “(1) the new changes to the questionnaire; (2) whether the instructions for

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56 Id. at 577. The formula can be found in the instructions for Part 3, Library of the latest version of the Annual Questionnaire. The formula allows for a volume equivalent of microfilm calculated at each reel equaling 5 book volumes and a volume equivalent of microfiche/cards such that 6 fiche are equal to a book volume.

57 Ahlers, supra note 17, at 31.

58 Percentage based on calculation of figures found in Ahlers, supra note 17, at 25 (total of 28,778,214 volumes of books in microforms contained in 183 ABA law schools) and 31 (total of 76,178,508 volumes in books, microfilms and microfiche held by 183 ABA law school libraries).

filling-in the questionnaire are self-explanatory or need revision; and (3) whether the changes match the goals of the association.”

According to the report “[t]he two most heavily discussed issues on the listserv concerned title counts and alternative measures of law library quality.” Title count and piece count are the same thing. The idea that title count would become so prominent in the listserv discussion shows how important piece counts are even now for the librarians who have to answer the questions on the ABA Annual Questionnaire.

As part of the process of enforcing standards and accrediting schools, the ABA sends out the ABA Annual Questionnaire. The questionnaire requires law schools to inform the ABA of its current standing. Part three of the 2004 ABA Annual Questionnaire focuses on the library and consists of forty-two questions eight of which were left blank. The questions that remain are exclusively quantity oriented. Twenty-seven of the 34 questions either state “number of…” or explicitly require a specific number to answer the question. There is not a single question that is a performance measure, quality predictor or outcome assessment.

There has been recognition for a long time in the law library community that the Standards and the Questionnaire both need to be updated, and that statistics collection methodologies must be changed to account for new electronic resources. In 1992 when Gasaway described law libraries of the future as being somewhere between warehouses and information access points, she went on to comment that “the ABA statistics must

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60 Id.

61 Id.

62 The questions were moved to the technology section.
somehow reflect this reality."\textsuperscript{63} Describing a dilemma she wrote that “changes, such as performance measures and quality predictors, are needed,” but she went on to explain frequent changes in the questionnaire have often created more problems than they were worth.\textsuperscript{64} Mistakes were even made in choosing what to collect\textsuperscript{65} exacerbating even further the frustration some law librarians have with collecting and reporting these statistics.

The ultimate recognition that the ABA and the law library community recognizes the need for change in library standards came on March 8\textsuperscript{th}, 2005 in the form of a memorandum from John A. Sebert, ABA Consultant on Legal Education, and J. Martin Burke, Chair of the ABA Standards Review Committee.\textsuperscript{66} This memorandum announced proposed revisions on Standards 6, 7.\textsuperscript{67} In describing the proposed revisions the authors say of Standard 601 there is a need for a law school “to keep its law library abreast of contemporary technology”\textsuperscript{68} and clarifies in interpretation 601-1 that while cooperative agreements are increasingly used they alone are not adequate to meet the requirements of

\textsuperscript{63} Gasaway, \textit{supra} note 8, at 582.

\textsuperscript{64} Id. at 581.

\textsuperscript{65} Id.

\textsuperscript{66} Memorandum from Section of Legal Education and Admission to the Bar, Am. Bar Ass’n, dated March 8, 2005 to Deans of the ABA-Approved Law Schools, University Presidents, Chief Justices of State Supreme Courts, Bar Admission Authorities, Deans of Unapproved Schools, and Leaders of Other Organizations Interested in ABA Standards at \url{http://www.abanet.org/legaled/} (Mar. 15, 2005) (on file with the Author).

\textsuperscript{67} Standard 1 was changed also, however the changes do not affect the issues discussed in this paper.

\textsuperscript{68} Id at 4.
Standard 601. In several places the topic of scholarship is added which the authors say recognizes the “increased role the law library plays in providing instruction.” The most significant changes the authors describe are in the proposed revisions to Standard 606 that focuses on collection requirements. Specifically they say “[t]he prior requirements regarding ownership and physical location of the collection within the school are relaxed.” The authors describe the change as “best described as requiring what the collection ‘provides’ rather than what the collection ‘is’ in terms of location and format.” In analyzing the new collection requirements they suggest a “‘functionality’ test is a better approach to ensuring sufficient access to needed materials while facilitating law school efforts to provide information resources in a cost effective manner.” Chapter 7 of the Standards focuses on providing “guidance regarding the factors to be considered in determining the adequacy of a law school’s technological capacities.” ABA standards have been changed very little since 1996, so this recent attention to standards is both timely and important.

69 Id. at 4.

70 Id. at 5

71 Id.

72 Id.

73 Id. at 6.

74 There have been only minimal changes in 2000 to standards 601, 604 and its interpretation, interpretation 1 in standard 606 was dropped, and a change adding a space requirement for “collaborative study space” in standard 703. Almost nine years of changes are shown on one page. See Ahlers, supra note 17 at 122.
Methodology

The present study used an online survey linked through an email sent to approximately 180 directors of American Bar Association approved law school libraries. The survey gathered data to determine for whom and for what purposes law libraries gather statistics, the value of the annual ABA questionnaire and how it is used by law library administrators, whether and how the ABA Standards for Law Schools could be changed, and how the shift from print to electronic has affected statistics collection.

The online survey was made available for only ten days from December 12th though December 22nd, 2004. A reminder email was sent after five days. Forty-seven surveys (26.1%) were completed. The timing for the survey was not ideal to get a high response rate as it was at the end of the semester and during a time when many law school libraries are closing down for the holiday season.

The survey took approximately ten minutes to complete, not counting the time to read the initial email request, being directed by a link in the email to the survey, and reading the cover letter of the survey. It was hosted by zoomerang.com and was easily navigable especially to any librarian who is familiar with using online surveys. The fact that there was only one partially completed survey and one visit without completing a survey shows either an ease of use or a determined helpful group who arrived at the survey. The results from the partially completed survey were not included in the results reported in this research paper.

The survey consisted of seventeen questions with one an optional question allowing respondents to provide contact information that the respondents were informed would not be disclosed. The questions’ design was refined with the helpful assistance,
suggestions and review from two library directors. In addition three others including a legal reference librarian reviewed the final version for online usability and functionality.

The seventeen questions in the survey were focused on collecting data about four main points. The survey focused, in the first six questions on what statistics are collected and for whom the statistics are collected. Questions seven through ten, which were part of a separate headlined section, focused on determining the value of the ABA Annual Questionnaire and how the library uses it. The third separately identified section looked at the ABA Standards for Law Schools and asked for respondent’s opinion on whether changes were needed in the standards. Finally the fourth main point covered in the survey was focused on issues surrounding how the shift to electronic resources had impacted collecting statistics. Question sixteen asked that specifically, but other questions had the shift from print to electronic as some portion of their theme.

The data collected in the survey was analyzed in part by numerical analysis and in part by content analysis of the written answers. The results were compared against the information gathered and reported in other anecdotal articles and survey data reported in the literature review of this paper.
Results

The total response rate to the survey\textsuperscript{75} was about 26.8\% (47 of approximately 175 sent). Of the 47 respondents, 27 provided additional optional contact data that allowing for useful comparative information to be gleaned. Thirty-nine of the respondents went beyond the bare minimum and provided useful anecdotal observations that illustrate the diversity of opinions, and soundly reasoned arguments, on the topic of statistics. Law librarians being part of a helping profession understand the importance and benefit of shared knowledge. The data gathered in this survey is very useful to the academic law library community.

The mix of respondents was also very representative of all academic law libraries. Of those respondents who chose to identify their libraries fourteen different states are represented. In addition, using the National Jurist ranking of law libraries\textsuperscript{76} as a comparison tool, a very even distribution among respondents is found. Using the National Jurist ranking system, of the law libraries that gave identifying information, ten ranked in the top 50 libraries, eight in the next 70, and seven in the bottom 63.\textsuperscript{77}

Question 1 asked about which organization or for what purpose statistics are gathered. Since American Bar Association (ABA) accreditation is paramount to a law school's continued success, and since the ABA Annual Questionnaire is part of the

\textsuperscript{75} The complete set of results is included in Appendix B.


\textsuperscript{77} Specific rankings or numbers are not given in order to protect the confidentiality of the respondents by not identifying specific libraries. Two schools began reporting since the 2000 survey and therefore were not calculated in the results.
process necessary to maintain that accreditation, as might be expected 100 percent of respondents have provided statistics to complete that questionnaire. The other reasons that libraries collect statistics, and the number of libraries that do so for various organizations, can be seen in the table below:

**Table 1: Reasons for collecting or reporting statistics**

<table>
<thead>
<tr>
<th>Reason</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABA Annual Questionnaire</td>
<td>47</td>
<td>100%</td>
</tr>
<tr>
<td>ABA Reaccreditation visit</td>
<td>40</td>
<td>85%</td>
</tr>
<tr>
<td>National Center for Education Statistics (IPEDS)</td>
<td>27</td>
<td>57%</td>
</tr>
<tr>
<td>Association of Research Libraries</td>
<td>25</td>
<td>53%</td>
</tr>
<tr>
<td>LibQual</td>
<td>13</td>
<td>28%</td>
</tr>
<tr>
<td>As required for campus wide reports</td>
<td>26</td>
<td>55%</td>
</tr>
<tr>
<td>Other external organizations</td>
<td>10</td>
<td>21%</td>
</tr>
</tbody>
</table>

This question allowed the respondent to choose all purposes that applied. The specific other external organizations for whom statistics are collected are identified later in this discussion.

Questions 2 through 5 address for what variety of internal library purposes statistics are gathered. Question 2 allowed the respondent to select multiple options for how statistics are used. As can be seen from the tables below about 80% of law libraries use statistics for some internal library purpose.

**Table 2: Intra Library Use of Statistics**

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>To complete annual report</td>
<td>35</td>
<td>74.5%</td>
</tr>
<tr>
<td>To evaluate particular services or programs</td>
<td>37</td>
<td>78.7%</td>
</tr>
<tr>
<td>For in-house strategic planning</td>
<td>37</td>
<td>78.7%</td>
</tr>
<tr>
<td>Other purposes</td>
<td>1</td>
<td>2.1%</td>
</tr>
</tbody>
</table>
These numbers are also consistent with the answers to the yes no questions asked in questions 3 (table 3) and 4 (table 4).

**Question 3: Are statistics used to evaluate particular services or programs?**

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>37</td>
<td>78.7%</td>
</tr>
<tr>
<td>No</td>
<td>10</td>
<td>21.3%</td>
</tr>
<tr>
<td>Total</td>
<td>47</td>
<td>100%</td>
</tr>
</tbody>
</table>

**Question 4: Are statistics used as part of strategic planning?**

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>38</td>
<td>80.9%</td>
</tr>
<tr>
<td>No</td>
<td>8</td>
<td>17.0%</td>
</tr>
<tr>
<td>No answer given</td>
<td>1</td>
<td>2.1%</td>
</tr>
<tr>
<td>Total</td>
<td>47</td>
<td>100%</td>
</tr>
</tbody>
</table>

These two questions were, upon reflection, just the second and third part of question two asked as yes/no questions. Although this was a poor survey design, it did reinforce the idea that the respondents were consistent and thoughtful about their answers.

Question 5 asked whether statistics were used in collection development decisions. Over half the respondents use statistics for these purposes as can be seen in table five. A larger number (63%) used statistics in deciding whether to shift from print to electronic resources.

**Table 5: Does your library use statistics to make collection development decisions?**

<table>
<thead>
<tr>
<th>Intra Library Use:</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weeding (removing from collection)</td>
<td>14</td>
<td>52%</td>
</tr>
<tr>
<td>New purchases</td>
<td>16</td>
<td>59%</td>
</tr>
<tr>
<td>Shifting from print to electronic</td>
<td>17</td>
<td>15%</td>
</tr>
<tr>
<td>Other purposes</td>
<td>4</td>
<td>100%</td>
</tr>
</tbody>
</table>
These response rates indicate a significant use of statistics for collection development purposes.

Of the first six questions used to determine organizations and purposes for which statistics were collected, four gave respondents an opportunity to provide additional examples where they collected statistics, or how they used statistics in their library. Other purposes included a variety of state government agencies that required reports. Each of those who responded in this way could be identified as a public school law library where accountability requirements, to government agencies or authorities, would be expected. There were also other organizations such as the American Library Directory, accreditation – by SACS, and the Southeastern Statistics Project. In addition other reasons for collecting and reporting statistics included “to argue for own Law Library facility instead of sharing space with the University Library”, “to justify staffing levels, space needs”, “Deans Reports, Faculty information” and to “show employee work activity”.

The next four questions, questions 7 through 10, focus on the portion of the ABA Annual Questionnaire that the library director is responsible for completing. The first two questions in this section, questions 7 and 8, ask how library directors view the value of the ABA Annual Questionnaire. In response to question 7, thirty-four (72.3%) of the

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78 The ABA Annual Questionnaire is very comprehensive and it is completed by all departments of the law school. The law library director has significant responsibility, in the 2004 version of this questionnaire, to complete Part 3 “Library” (Appendix B), and portions of Part 6 “Fiscal”. Additionally if the library director oversees the information technology department in the law school Part 7 “Information Technology” should be filled out by the library director also.
respondents said the ABA Annual Questionnaire did not address concerns of law librarians.

**Table 6: Does the Questionnaire address concerns of law librarians?**

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>13</td>
<td>27.7%</td>
</tr>
<tr>
<td>No</td>
<td>34</td>
<td>72.3%</td>
</tr>
<tr>
<td>Total</td>
<td>47</td>
<td>100%</td>
</tr>
</tbody>
</table>

Juxtaposed with that, 34 (72.3%) also responded positively when asked if the ABA Annual Questionnaire served other purposes than the accreditation requirements of the ABA.

**Table 7: Does the Questionnaire serve purposes other than the ABA accreditation?**

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>34</td>
<td>72.3%</td>
</tr>
<tr>
<td>No</td>
<td>13</td>
<td>27.7%</td>
</tr>
<tr>
<td>Total</td>
<td>47</td>
<td>100%</td>
</tr>
</tbody>
</table>

At first blush there seems to be some significance in the fact that the split in these two questions was exactly even at 34-13. In fact the numbers break out quite differently as can be seen in the tables eight and nine below.

**Table 8: Cross correlation of answers to questions 7 and 8**

<table>
<thead>
<tr>
<th>Question 7 (Table 6): Does the ABA Annual Questionnaire adequately address the concerns of law librarians?</th>
<th>Question 8 (Table 7): Does the ABA Annual Questionnaire serve any other purposes than the accreditation requirements of the ABA?</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>YES</td>
<td><strong>Category 1:</strong></td>
</tr>
<tr>
<td></td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>21.3%</td>
</tr>
<tr>
<td>NO</td>
<td><strong>Category 2:</strong></td>
</tr>
<tr>
<td></td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>6.4%</td>
</tr>
<tr>
<td><strong>Category 3:</strong></td>
<td><strong>Category 4:</strong></td>
</tr>
<tr>
<td>24</td>
<td>10</td>
</tr>
<tr>
<td>51.1%</td>
<td>21.3%</td>
</tr>
</tbody>
</table>
More than half the respondents (51.1%) believe both that the ABA standards do not address librarian concern and that the ABA Questionnaire serves other purposes (Category 3), while only 6.4% of respondents believe neither of these points (Category 2). Even more insightful is the breakdown of comments by categories (noted in table 9).

Table 9: Number and percentage of additional comments on questions 7 and 8

<table>
<thead>
<tr>
<th>Question 7 (Table 6): Does the ABA Annual Questionnaire adequately address the concerns of law librarians?</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>答YES</td>
<td>Category 1:</td>
<td>Category 2:</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>11.9%</td>
<td>2.4%</td>
</tr>
<tr>
<td>答NO</td>
<td>Category 3:</td>
<td>Category 4:</td>
</tr>
<tr>
<td></td>
<td>31</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>73.8%</td>
<td>11.9%</td>
</tr>
</tbody>
</table>

Of the 42 different written responses 33 (73.8%) were by category 3 respondents. With so many responses in this section it indicates there is a high level of interest in issues surrounding the annual questionnaire especially by those who feel both that the current questionnaire isn’t adequate and that it does serve other purposes. Only one comment came from those who felt the opposite of Category 3 respondents on both question 7 and 8. Generally the comments from all categories were similar and focused on the idea that the Questionnaire measures only quantity and not quality. There was a frustration many had with the lack of value in just counting items and not somehow determining the service value in libraries. Even where counting was needed, many respondents were concerned about accuracy especially for electronic collections. Many observed that there was too much left unclear as to what it is that should be counted. Two themes in the
comments on the usefulness of the questionnaire concluded it allowed for meaningful comparisons with other law school libraries and that the ABA figures are helpful in making a case to law school administrations.

Question 9 asked whether the fact that certain questions are asked on the ABA Annual Questionnaire impacts decision making in the library.

**Table 10: Does the fact that certain questions are asked on the Questionnaire impact decision making in the library?**

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>35</td>
<td>74.5%</td>
</tr>
<tr>
<td>No</td>
<td>12</td>
<td>25.5%</td>
</tr>
<tr>
<td>Total</td>
<td>47</td>
<td>100%</td>
</tr>
</tbody>
</table>

A large majority of the responses (74.5%) were in the affirmative to question 9. This shows that a significant majority of directors believe the design of the annual questionnaire affects planning. Respondents were very forthcoming with their feelings about the questionnaire and how it impacted decision-making. Of the fourteen additional written responses, four responses were in support of no answers and all elaborated on the view that decisions were made without the ABA Annual Questionnaire as a controlling factor. The ten responses in support of yes answers primarily focused on two points, either pointing out the questionnaire added a burden of statistics collection or that items are kept in the collection just to pad piece counts.

The following chart, based on answers in question 10, shows some of the specific areas where respondents believe the ABA Annual Questionnaire as currently written allows for comparisons. The respondents use the comparisons in many different ways with comparing staff size, trying to get a budget increase, hours of service and library space being the ways comparisons are most often used.
Table 11: Does your library compare reported results from questionnaires with those of other law libraries to make decisions on:

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collection development</td>
<td>17</td>
<td>39%</td>
</tr>
<tr>
<td>Selecting print resources</td>
<td>11</td>
<td>25%</td>
</tr>
<tr>
<td>Selecting electronic resources</td>
<td>9</td>
<td>20%</td>
</tr>
<tr>
<td>Budget increase</td>
<td>31</td>
<td>70%</td>
</tr>
<tr>
<td>Budget decrease</td>
<td>12</td>
<td>27%</td>
</tr>
<tr>
<td>Library space</td>
<td>26</td>
<td>59%</td>
</tr>
<tr>
<td>Staff size</td>
<td>35</td>
<td>80%</td>
</tr>
<tr>
<td>Hours of service</td>
<td>29</td>
<td>66%</td>
</tr>
<tr>
<td>Interlibrary loan programs</td>
<td>11</td>
<td>25%</td>
</tr>
<tr>
<td>Consortium arrangements</td>
<td>5</td>
<td>11%</td>
</tr>
<tr>
<td>Other</td>
<td>6</td>
<td>14%</td>
</tr>
</tbody>
</table>

Of the six other responses three stated they didn’t use statistics for any purpose, one talked of analyzing the results and one each said they used the results to educate administration or to make arguments for resources.

The next set of four questions, questions 11 through 14, address the portion of the ABA Standards for Approval of Law Schools, which apply specifically to law libraries. Question eleven looks to whether a change in the standards allowing for a law library collection in just one format would impact how a law library’s collection was structured. It is highly unlikely any library would at this point have print only, however, many libraries in the future may desire to have an electronic only “virtual” library.

Table 12: Would relaxed standards impact structure of the collection?

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>6</td>
<td>12.8%</td>
</tr>
<tr>
<td>No</td>
<td>41</td>
<td>87.2%</td>
</tr>
<tr>
<td>Total</td>
<td>47</td>
<td>100%</td>
</tr>
</tbody>
</table>
Only six respondents felt a change in the standards allowing only one format would justify a change.

These six respondents were then asked, in question 12, if they answered yes in question eleven to list changes that might occur in their library. Ten respondents answered this question, including four who should not have answered this question.

**Table 13: If question 11 is yes, what changes would occur to the collection?**

<table>
<thead>
<tr>
<th>Change to</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Move closer to all print</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Become all print</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Move closer to all electronic</td>
<td>4</td>
<td>8.5%</td>
</tr>
<tr>
<td>Become all electronic</td>
<td>1</td>
<td>2.1%</td>
</tr>
<tr>
<td>Other</td>
<td>5</td>
<td>10.6%</td>
</tr>
</tbody>
</table>

Of the six who originally said yes, that a change would be justified, four selected that their library would move closer to an all-electronic collection. Only one selected a change to completely electronic, but added the proviso that the change would “possibly [occur], but be dictated by actual faculty use.” The sixth respondent selected other and added an explanation that their library would “move toward electronic over print in more areas.” The main points brought out by those who should have not answered this question were that “Format choices are driven by user needs, not stat[s]” and “we will continue to maintain our historical print [collection].” These two answers illustrate the range of possibilities that some libraries will only change based on patron requirements, and some libraries will always remain an archival repository.

Question 13 asked whether Chapter 6 of the ABA Standards for Law Schools should be changed. A fair amount of respondents (55.3%) seemed to believe that the ABA Standards for Approval of Law Schools were adequate even as now written.
Table 14: Should the ABA standards be changed?

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>19</td>
<td>40.4%</td>
</tr>
<tr>
<td>No</td>
<td>26</td>
<td>55.3%</td>
</tr>
<tr>
<td>Did not respond</td>
<td>2</td>
<td>4.3%</td>
</tr>
<tr>
<td>Total</td>
<td>47</td>
<td>100%</td>
</tr>
</tbody>
</table>

Of those responses nineteen felt the standards should be changed including sixteen who provided further explanation when asked in question 14 how the standards should be changed. Eight spoke directly of a need to take into account electronic collections. Other responses focused on performance based measures suggested by comments such as “collecting qualitative data” and “range of services libraries may or may not provide.” One comment summed up the performance measure issue best when saying standards “need to reflect what is actually going on in libraries.” Only one of the respondents who said the standards should stay the same justified their response by saying while the standards should remain the same the questionnaire should be changed to make sure it is relevant to the standards.

Question 15 asked if the shift from print to electronic had impacted the libraries collecting or reporting of statistical data. The responses to this question were evenly divided: twenty-three responded that the shift had impacted their statistics collection, and twenty-two responded that it had not. The respondents who stated that there was an impact focused primarily on the difficulties inherent in counting electronic resources, saying it is “harder to report electronic than print,” “we’re struggling with how to report electronic resources,” and “it's somewhat difficult to accurately count available titles and volume equivalents.” One offered a suggestion that “reporting the amount spent on online resources provides me with enough information.” A major concern was
consistency and that “we worry that we are reporting all the electronic resources the way our colleagues are reporting them.” Of the three responding that the shift had not impacted collecting or reporting on electronic resources, the comments included the following “the questions haven’t really changed,” “some school[s] did report them and some did not,” and “the shift has made it harder to compare libraries.”

The last substantive question, asked the respondent to provide any other comments or suggestions about statistics collection in law libraries. As might be expected this final place to respond resulted in a wide range of themes in the responses. The most common was that the statistics collected by law libraries for the ABA is useful in both making comparisons, observing trends and justifying local needs.
Discussion

The results of this study confirm much of what was discovered in the literature review. There is a desire on the part of many law librarians to improve or update the ABA Standards and Annual Questionnaire process.

The survey results show that collection and reporting of statistics play an important part in the law librarian’s activities. Not all the respondents to the survey see the collection of this data as being useful. At least some would welcome not having any reporting requirements seeing statistics as just being “bean counting,” and a check the box and pro-forma type of activity serving little purpose. However, everyone realizes they must collect and report statistics to meet accrediting standards, and ideally the uniformity in collection that could be provided by the ABA would lend to the validity of the collected data.

The responses to the questions in the survey confirm what is found in many articles in the law library literature and show there is an awareness of the need to develop new ways to measure libraries beyond the piece count methods of the past. There is a desire to create new forms of analysis that will have more emphasis on quality measures or performance standards. At the same time there is a fear of making mistakes in creating new standards or measures of analysis that are inconsistent and therefore of little value besides creating more work for already overburdened colleagues.

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79 One of the better analyses on the topic of outcomes assessment in law libraries will be in a forthcoming article in Legal Reference Services Quarterly. The author identifies in her conclusion four reasons why academic law librarians may be “reluctant to adopt outcomes-based evaluation methods.” They include 1) feeling they do not have time, 2) lacking expertise in statistical analyses, 3) a psychological feeling that these evaluations are not needed, and 4) a fear they may discover programs are not as successful as hoped. See, Hinderman, supra note 23, at 40-41.
Law librarians, like all librarians, are struggling to adapt to a new reality. They are attempting to answer questions such as: “What is the best use of the electronic resources?”, “How can students best be served in the changing world of print and electronic materials?” and “What will the law library of the future look like?” Ultimately, these questions boil down to one of whether law libraries will adopt a posture of “mastery over drift”\(^{80}\) or whether they will be in the “bondage” described by Brock.\(^{81}\)

In reality, it probably will be a mixture of both. Law librarians will have little control in the volume, complexity or format of the legal resources that they will be utilizing. It is as much a function of the legal profession that librarians must react to. Academic law librarians are preparing students for the realities of legal research as part of the practice of the law. They are not simply imposing upon students the resources the librarian thinks best. This is no different than what it was in the past. What is different is the complexity and overlap in the resources required to be provided. Not just print versus electronic, but different value added electronic products provided by publishers who provide resources that only a few years ago were not available. The law library can truly own none of these resources, and even those that are licensed are not owned when the subscription or license is not renewed.

Instead the library provides access and training for future lawyers on how to best evaluate and use these resources. Where the library has some control is in how these resources will be used or taught, and how the profession is driven by an informed

\(^{80}\) Supra note 32, at 5.

\(^{81}\) Brock, supra note 1, at 1.
proactive feedback by the professionals best trained to recognize quality, and best situated to get feedback both from the newest users and from the profession itself.

The standards, and the annual questionnaire, have become outdated and fail to monitor the current state of the law libraries and the resources and services they provide. If the law library as a profession wants to keep up with the fast paced legal profession of the Internet age it is time for a change in the data that is collected. Law librarians need to proactively take a stance supporting improved standards that will lead to a positive future. In addition, they especially should demand a better quality Annual Questionnaire, which is the one place librarians all have to report statistics. The annual questionnaire should also reflect what those new standards seek to create and motivate. As it stands now there is not a single quality oriented question on the annual questionnaire and the standards aimed specifically at law libraries have only been very minimally changed since 1996. The implications of this decade long gap in focus on developing standards and evaluations for the new world of print and electronic resources portend problems for the future law libraries.

Law librarians, the ABA, and other interested members of the legal profession need to get together and create both new standards and a new annual questionnaire. The questionnaire needs to be clear, easy to use, and to provide instructions so that consistent and valid data can be collected. The mutual goals of the ABA and law librarians will be best served if this done. As seen in both the survey results there will always be a group of those who do not want to do any statistics at all. It seems almost certain that some type of accountability in the form of quality measures (outcomes assessment) is going to be increasingly required to meet Congressional requirements for federal funding and to
meet the informational needs of potential students or patrons. This provides even more impetus to overcome the arguments of those who desire to not collect statistics. Having a required set of data to be collected annually provides at least some hope of having valid comparable data on law schools and their libraries.

There are many potential sources for guidance as to how to measure performance and quality. There is no need to reinvent the wheel. Taking the best ideas from the many surveys and measurement tools already created may be the best alternative as there has been considerable progress in other organizations in the broader academic library profession. Many law librarians already have to complete many of these surveys.

A recommended place to start looking for general answers for what measures might be used is Tenopir’s *Use and Users of Electronic Library Resources: An Overview and Analysis of Recent Research Studies* report. It looks at 8 major studies, one of which is LibQUAL+, and over 100 smaller studies on the use of electronic library resources over the 1995 to 2003 time period. The LibQUAL+ survey, which was developed by the Association of Research Libraries, has been used in over 500 libraries including law libraries. The advantages of a survey that has such wide usage is that normative results allow for comparisons against standardized results collected from

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84 Id.
large numbers of respondents over 125,000 users in 2003.\textsuperscript{85} The potential disadvantage to such a largely standardized survey might be in the applicability in the specialized law library situation. A review of the 100 smaller surveys may provide ideas more applicable to law libraries. In any case, Tenopir’s report has a double benefit to those trying to develop statistical analysis of library resources under today’s electronic realities. It provides in one place a comprehensive list of studies of electronic resources in the library from 1995 to 2003. In addition, it does an excellent job of summarizing issues facing the library in measuring electronic resources.

\textsuperscript{85} Ass’n of Research Libr., \textit{About the LibQUAL+\textsuperscript{TM} Survey} (2005) at http://www.libqual.org/Information/index.cfm.
Appendix A:

Law Library Performance Measures (Statistics)

School of Information and Library Science
University of North Carolina at Chapel Hill
CB #3380, 100 Manning Hall
Chapel Hill, NC 27599-3380

Dear Colleague,

As I am sure you are well aware, the nature of the resources law libraries provide to their patrons are changing rapidly. Statistics of all kinds are collected in the law library, but there is a push to develop new parameters to more effectively measure the usage of electronic resources. I am conducting a survey of academic law librarians, on the topic of performance measures (statistics) in the changing world of print and electronic resources, as part of the requirements for my Master's Paper. I would appreciate your help by either completing the survey or giving it to the person most responsible for collecting statistics at your library. The survey will only be active for 10 days so your prompt attention would be greatly appreciated.

Attached with this letter is a brief electronic survey which should take less than 10 minutes to complete. The results of this survey will be summarized and included in the results and recommendations sections of my Master's Paper. I guarantee that your responses will not be identified with you personally, even for those who provide optional contact information. I plan to analyze the answers and make recommendations in my paper for future actions by the ABA and AALL committees or other working groups developing performance measures (statistics).

I hope you will take a few minutes to complete this online survey. Your participation is totally voluntary. Regardless of whether you choose to participate, you can have a summary of my findings.

If you have any questions or concerns about completing the survey you may contact me at (919)-624-4159 or at beltz@email.unc.edu, or my academic advisor, Barbara Moran at (919)-962-8087 or at moran@ils.unc.edu.

Sincerely yours,

Uwe "Ed" Beltz

(This research project has been approved by the Academic Affairs Institutional Review Board (AA-IRB) at The University of North Carolina at Chapel Hill. If you have any questions or concerns about your rights as a participant in this study, you may contact the AA-IRB at (919) 962-7781 or at aa-irb@unc.edu.)
Law Library Performance Measures (Statistics)

The first six questions are used to determine for whom, and for what purposes, statistics are collected.

1. Please select all organizations or purposes for which your library has collected statistics:
   - 1) ABA Annual Questionnaire
   - 2) ABA Reaccreditation visit
   - 3) National Center for Education Statistics (IPEDS)
   - 4) Association of Research Libraries
   - 5) LibQual
   - 6) As requirement for campus-wide reports
   - 7) Other external organizations, please specify

2. Are statistics collected for intra-library purposes such as:
   - To complete an annual report
   - To evaluate particular services or programs
   - For in-house strategic planning
   - Other, please specify:

3. Are statistics collected for intra-library purposes such as:
   To evaluate particular services or programs?
   
   YES  NO

4. Are statistics collected for intra-library purposes such as:
   Part of in-house strategic planning?

   YES  NO

5. Does your library use statistics to make collection development decisions? Select all that apply:
   - Weeding (removing items from collection)

New purchases
Shifting from print to electronic resources
Other purposes
Please explain:

6 Please list any other organizations or purposes, not listed or asked about above, for which statistics are collected in your library:

Questions 7 through 10 are directed towards determining your opinion on the value of the ABA Annual Questionnaire, and how it is used within your library. Additional comments or explanations would be appreciated.

7 Does the ABA Annual Questionnaire adequately address concerns of law librarians?

[ ] YES  [ ] NO
Additional Comments:

8 Does the ABA Annual Questionnaire serve any other purpose other than fulfilling the accreditation requirements of the ABA?

[ ] YES  [ ] NO
Additional Comments:

9 Does the fact that certain questions are asked on the ABA Annual Questionnaire impact decision making in the library?

[ ] YES  [ ] NO
Additional Comments:

10. Does your library compare the reported results from earlier ABA Annual Questionnaires with those of other law libraries to make decisions on:

- Collection development
- Selecting print resources
- Selecting electronic resources
- Budget increase
- Budget decrease
- Library space
- Staff size
- Hours of service
- Interlibrary loan programs
- Consortium arrangements
- Other, please specify:

Questions 11 through 14 are directed towards determining your opinion on the value of the ABA Standards for Law Schools, in particular Chapter 6, as it applies to law libraries:

11. Standard 606 and in particular Interpretation 606-3 seem to suggest that a collection must contain a variety of formats. If this standard/interpretation was relaxed, allowing for or supporting a collection in only one format, would your law library change the structure of its collection?

- YES  NO

12. If your answer to Question 11 (immediately above) was yes, please check any changes that might occur to the collection:

- would change closer to an all print collection
- would become an all print collection
- would change closer to an all electronic collection
- would become an all electronic collection
- Other, Please Specify

13. The ABA Standards in Chapter 6 have changed very little since 1996.
Do you have an opinion as to whether they need to be changed?

- The Standards are adequate as they are now
- The Standards need to be changed

14 How should the ABA Standards be changed?

Only two questions left......

15 Has the shift from print to electronic resources in the law library impacted your library's collecting or reporting of statistical information?

| YES | NO |

If yes, please explain:

16 Please list any other comments, or suggestions as to how statistics do, or should, impact decision making in the law library:

17 OPTIONAL OPTIONAL OPTIONAL:

List your library and contact information.
(Specific names and libraries will not be mentioned in the Master's Paper without contacting you specifically for permission)

Name:
Company:
Address 1:
Address 2:
City/Town:
State/Province:
Zip/Postal Code:
Country:
Email Address:

To type in your initial question, click Edit. Insert adds a new question either above or below this one.

Submit
Appendix B:

Survey Results (Included Responses)

Law Library Performance Measures (Statistics)

Report created on: Monday, April 11, 2005 2:30:00 PM

The results of your survey are displayed below. If your survey includes text responses, click the "View" button to read individual results. To exclude a particular response, click the Included Responses button. You can then view the set of individual responses that are currently included and select those you wish to exclude. Results below contain only included responses.

Launch Date 12/13/2004 - 11:55 AM
Modified Date
Close Date
Email Invites 0
Visits 2
Partials 1
Completes 47

Responses: Completes only Partially only Completes & Partials

The first six questions are used to determine for whom, and for what purposes, statistics are collected.

Please select all organizations or purposes for which your library has collected statistics:

1. ABA Annual Questionnaire 47 100%
2. ABA Reaccreditation visit 40 85%
3. National Center for Education Statistics (IPEDS) 27 57%
4. Association of Research Libraries 25 53%
5. LibQual 13 28%
6. As requirement for campus-wide reports 26 55%
7. Other external organizations, please specify 10 21%

2. Are statistics collected for intra-library purposes such as:

- To complete an annual report: 35 responses, 78%
- To evaluate particular services or programs: 37 responses, 82%
- For in-house strategic planning: 37 responses, 82%
- Other, please specify: 1 response, 2%

Are statistics collected for intra-library purposes such as:

3. To evaluate particular services or programs?

- Yes: 37 responses, 79%
- No: 10 responses, 21%

Total: 47 responses, 100%

Are statistics collected for intra-library purposes such as:

4. Part of in-house strategic planning?

- Yes: 38 responses, 83%
- No: 8 responses, 17%

Total: 46 responses, 100%

Does your library use statistics to make collection development decisions? Select all that apply:

- Weeding (removing items from collection): 14 responses, 52%
- New purchases: 16 responses, 59%
- Shifting from print to electronic resources: 17 responses, 63%
- Other purposes: 4 responses, 15%
- Please explain: 6 responses, 22%

Please list any other organizations or purposes, not listed or asked about above, for which statistics are collected in your library:

10 responses

Questions 7 through 10 are directed towards determining your opinion on the value of the ABA Annual Questionnaire, and how it is used within your library. Additional comments or explanations would be appreciated.

http://www.zoomerang.com/reports/survey-reports.zgi?ID=L228YMMJDBW

4/11/2005
Does the ABA Annual Questionnaire adequately address concerns of
7.law librarians?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>34</td>
</tr>
</tbody>
</table>

Total 47

Response Ratio: 28%

Does the ABA Annual Questionnaire serve any other purpose other
8.than fulfilling the accreditation requirements of the ABA?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>34</td>
<td>13</td>
</tr>
</tbody>
</table>

Total 47

Response Ratio: 72%

Does the fact that certain questions are asked on the ABA Annual
9.Questionnaire impact decision making in the library?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
<td>12</td>
</tr>
</tbody>
</table>

Total 47

Response Ratio: 74%

Does your library compare the reported results from earlier ABA
10.Annual Questionnaires with those of other law libraries to make
decisions on:

- Collection development: 17 (39%)
- Selecting print resources: 11 (25%)
- Selecting electronic resources: 9 (20%)
- Budget increase: 31 (70%)
- Budget decrease: 12 (27%)
- Library space: 20 (50%)
- Staff size: 35 (80%)
- Hours of service: 29 (66%)
- Interlibrary loan programs: 11 (25%)
- Consortium arrangements: 5 (11%)
- Other, please specify: 6 (14%)

Questions 11 through 14 are directed towards determining your opinion on the value of the ABA Standards for Law Schools, in particular Chapter 6, as it applies to law libraries.

Standard 606 and in particular Interpretation 606-3 seem to suggest that a collection must contain a variety of formats. If this standard/interpretation was relaxed, allowing for or supporting a collection in only one format, would your law library change the structure of its collection?

<table>
<thead>
<tr>
<th>Number of Responses</th>
<th>Response Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>6</td>
</tr>
<tr>
<td>No</td>
<td>41</td>
</tr>
<tr>
<td>Total</td>
<td>47</td>
</tr>
</tbody>
</table>

If your answer to Question 11 (immediately above) was yes, please check any changes that might occur to the collection:

- Would change closer to an all print collection
- Would become an all print collection
- Would change closer to an all electronic collection
- Would become an all electronic collection
- Other, Please Specify

The ABA Standards in Chapter 6 have changed very little since 1996. Do you have an opinion as to whether they need to be changed?

- The Standards are adequate as they are now
- The Standards need to be changed

<table>
<thead>
<tr>
<th>Number of Responses</th>
<th>Response Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Standards are adequate as they are now</td>
<td>26</td>
</tr>
<tr>
<td>The Standards need to be changed</td>
<td>19</td>
</tr>
</tbody>
</table>

How should the ABA Standards be changed?

Only two questions left......

Has the shift from print to electronic resources in the law library impacted your library's collecting or reporting of statistical information?

<table>
<thead>
<tr>
<th>Number of Responses</th>
<th>Response Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>23</td>
</tr>
<tr>
<td>No</td>
<td>22</td>
</tr>
<tr>
<td>Total</td>
<td>45</td>
</tr>
</tbody>
</table>

Please list any other comments, or suggestions as to how statistics do, or should, impact 16. decision making in the law library:

Optional Optional Optional:
List your library and contact information.
(Specific names and libraries will not be mentioned in the Master's Paper without contacting 17. you specifically for permission)

To type in your initial question, click Edit. Insert adds a new question either above or below this one.
The following responses are quoted directly from the survey, and only minor editing has been done to correct spelling, formatting or other errors. These were cut and pasted directly from the downloaded responses from zoomerang.com.

Individual Answers to Question 1 – part 7 – Other external organizations

NEASC

Cal State Library, Federal Depository, State Depo

California State Library Survey

SCHEV (State Council for Higher Education in VA

state legislature, internal committees

Network of Alabama Academic Libraries

Southeastern Statistics Project (Bill Beintema)

University accreditation (SACS)

NY State higher ed

New York State organizations

Individual Answers to Question 2 – part 4 – Other (purposes for collecting statistics for intra library purposes

Show employee work activity

Individual answers to Question 5 – part 5 – Please explain (Does your library use statistics to make collection development decisions?)

we don't collection for collection development.

Dean's Reports - Faculty information

our ILS can now provide data for future use

No, we ask ref. and circ. staff questions

to justify staffing levels, space needs

None of the above
Question 6 – Please list any other organizations or purposes not listed or asked about above, for which statistics are collected in your library.

New York State 3R's grants

American Library Directory

To argue for our own Law Library facility instead of sharing space with the University Library.

SACS Accreditation for the university.

N/A

Hours of use; type of user needs (technology or reference); law student/ non-law student use...

None

Other purposes: Circulation statistics, Door count.

Usage stats to determine cuts in hours.

Data collected for other purposes used in surveys like Peterson's and US News

Question 7 – Additional Comment box on the question

No. Some of the categories allow similarly situated libraries to seem very different. For example, one library may have cataloged the CIS set and therefore is allowed to add the documents to its title and volume count. If another library owns the set but hasn't cataloged it, it cannot. Similarly, it's difficult to compare staff counts if it's unclear if library staff counts include AV or IT staff within them or not. Libraries may have equal access to the staff resources; it may only be that the reporting relationships vary. Even more importantly, the survey does not begin to measure the number of services provided (let alone the quality of those services).

Don't trust volume or title counts. Doesn't measure outputs (reference questions, documents delivered to faculty, research projects, etc). Counts things that don't matter b/c local conditions are determinants, not national practices (hours open, staffing, etc).

Doesn't address "services" in any real way - -

It needs to come up with a better way to evaluate collections--to factor in electronic resources and also to evaluate staffing size

Generally, yes. But we're always wanting to tweak it.
Merging the financial section with the law school financial reporting has created a great deal of confusion.

No, need accounting for electronic collections and performance measures in part

Except at the present time the ABA does not address electronic resources.

Doesn't collect use of electronic resources to a useful extent.

Too quantitative

Measures only quantity; there is no qualitative measure involved

The questions on the collection are inadequate.

I want the ABA to count electronic items. I know ARL has a project underway to do so.

It is particularly inadequate for assessing the depth of a library's holdings in formats other than print and microfiche.

Books are just one measure of a good library. The strength of service is perhaps the best measure. How to capture that is difficult.

1. No recognition of resources available to law school patrons of non-law school purchased materials. 2. Universal problem of assessing value of e-services.

The questions have not been changed to adequately reflect the new directions and challenges that libraries face.

Too focused on volume count. Too much ambiguity in what it is we're supposed to be counting.

Electronic resources are poorly reported in comparison with print resources.

**Question 8 – Additional Comment box on the question**

Many of us do use the comparative data within our institutions, particularly to make arguments for addressing our needs.

I guess it gives us some comparative information, but who knows what exactly different libraries count....making the stats unreliable.

Helps justify decision-making to law school administration.
It forces us to keep statistics

Frequently used by librarians to show dean and faculty how their library measures up, make arguments for more resources.

it allows libraries to see how they compare to other law libraries

Helps us see how we compare with libraries at our peer institutions

Comparative purposes for benchmarking.

Sure, it provides comparative information for in-house planning purposes.

frequently use for benchmarking with other schools

It assists in making comparisons between my library and other similarly situated

Provides some comparative information

Comparisons with others are good, up to a point.

Comparisons with other law school libraries can be useful to see if your library is keeping up with peer libraries.

It provides useful comparisons on budgets and physical facilities.

Use data to compare with other libraries

My dean regularly wants to know what our "peers" are doing. Showing her how much smaller our budget is has resulted in a major effort to increase the budget.

The ABA figures are helping in making a case to central administration.

It allows for (pretty rudimentary) comparative analysis.

Comparative statistics from other schools can be helpful in presenting requests for more money, staff, etc.

The questionnaire can (but does not always) help in collection development, planning, budgeting.

Law libraries use the ranking and data as a basis for advocating increased funding on the local level.
Question 9 – Additional Comment space on the question

Not really for me. For example, our library weeds the collection, even though that reduces volume count because our faculty prefer that to keeping some materials on the shelves.

Affects two things: the kind of numbers we collect; and work load--takes hours to complete.

I can't remember a time when that was the controlling factor in a decision.

To the degree that the questions are a reflection of accreditation standards, they are considered in decisions.

Not directly, but we are aware of the impact our decisions will have in comparisons with other libraries.

The law library tries to keep the title count high. At one time we bought microfiche in order to have a higher volume count.

Useful in the budget cycle.

Expenditure sections are helpful to evaluate if your library is in the mainstream of support from the law school and university.

We maintain certain items in the collection only because of the ABA statistics

Our Dean is very sensitive to rankings of all kinds, including number of seats in the library. That sensitivity impacts our decision making and priorities.

It means we bother to gather statistics at all. I'm not a big fan of them.

It does determine what statistics we keep.

Use the tear sheets to compare our collection parameters with our peers.

But, I believe some libraries are less likely to weed collections because they want to report a high volume count.

Question 10 – part 11 – Other, please specify (library distinctions that are compared using the ABA Annual Survey)

No comparative purposes

I never use the statistics to MAKE DECISIONS.
to educate our administration
make weight arguments for added resources
We analyze the ABA results
None of the above

Question 12 – Other, please specify (changes that might occur to the collection if ABA Standards didn’t require a variety of formats)

we will continue to maintain our historical print
move toward electronic over print in more areas
possibly, but dictated by actual faculty use
None of the above

Format choices are driven by user needs, not stat

Question 14 – How should ABA Standards be changed?

They should be changed so that comparisons for a category can be more accurate. They should somehow address better the range of services libraries may or may not provide.

I don't think the standards should be changed. I think the questionnaire should be reviewed to be sure all questions are relevant to the standards.

They need to reflect what is actually going on in libraries. The way the questions are structured gives no real meaning. Even in comparisons - - at the end of the day - - numbers are just numbers - -

Recognize major web based collections that are now available; stress the need for libraries to "staff" for technology

Do a better job of reflecting electronic resources.

take into account electronic collections and their use and provide performance measures

Establish a clear way for electronic resources to be counted. Collect information about how many duplicate copies of print volumes various libraries have.

collect qualitative data

N/A
To provide guidelines on what and how to count in terms of electronic materials, address electronic subscriptions.

Some way of including electronic titles in the title count statistics needs to be devised.

Abandoned

The standards should take into account the extent of non-legal information available through university libraries and other external sources outside of the law library.

They need to more closely reflect the collections that law schools need to support the educational mission of training lawyers. The collection size, format and components will undoubtedly change over time.

The whole purpose of the standards should be to evaluate services/programs and if and to what extent they serve the research needs of the faculty and the curricular needs of the students. That should be the focus of the statistics, not counting.

Current electronic resource reporting fails to include access to materials provided by a main library. Access to print materials is also poorly covered, though electronic resource access is so seemly that law library users usually have no reason to know who is paying the bill (and reporting the expenditure to the ABA.)

Question 15 – Additional Comment space on the question

No, but the shift has made it even harder to compare libraries.

Since we cannot count electronic titles, the number of titles to which our students have access is under-reported. HOWEVER, I do NOT advocate counting the titles. The work involved does not justify the additional information. Reporting the amount spent on online resources provides me with enough information.

Made it more difficult to accurately count available titles & volume equivalents.

Usage is harder to track.

It is very difficult, sometimes impossible, to count e-resources the same way we count paper and microform. We simply cannot report some requested items (on the ARL form, not the ABA form)

It's somewhat difficult to know how folks are counting things and when the format is just another format vs. volume....

We're struggling with how to report electronic resources.

It impacts the data, not the type of statistics or the methods of collection.
Reporting the "number" of items held or received. Aggregator databases.

Yes, we tend to report fewer physical items.

But there was a lot of controversy this year about reporting electronic titles on the ABA report. Some school did report them and other did not.

Harder to report electronic resources than print.

No because the questions haven't really changed.

The first - collection decisions. We seek NOT to make choices because of data collected.

Our main campus library asks us to report the numbers of electronic titles to which we subscribe.

Decrease in print

We rely on aggregators, yet there is no way to count the additional titles that are available. We rely on electronic databases for some historical materials (for example, Hein Online for early law reviews), but we have to report that we have reduced volume count if we throw away the print volumes that otherwise might not have been accessible due to space or deterioration.

Our title count looks dismal, but I'm convinced our collection is the equal of many libraries that report more titles. I want to be able to report our extensive electronic holdings.

A number of counts, such as serial subscriptions, and volumes will go down as we cancel paper versions of some materials and reduce the number of multiple copies.

Added a collection procedure

It is getting much harder -- one title or one hundred; one check out / one click; one user / 1500 users.

We worry that we are reporting all the electronic resources the way our colleagues are reporting them. Now there is no consensus about how various parameters should be counted. The aggregate databases in particular are a problem. The BNA Library for example. Is it one title, or X titles [depending upon subscription].

Question 16 – Any other comments, or suggestions, as to how statistics do, or should, impact decision making in the law library.

They are informative, but they do not substitute for a solid knowledge of the needs of your particular library's patrons, curriculum, research agenda, etc.
We really ought to decide on a meaningful set of output statistics to collect.

I've found comparative ABA statistics extremely useful as a law library administrator, especially for planning and helping the faculty to understand the relative strengths and needs of the law library.

I suppose we'll always need to compare ourselves with one another, but the notion of "bean counting" in the 21st century seems outmoded.

There is a benefit from having the breakdown by each category and law school library. The ABA report does make you aware of trends in the law library collection processing area. (microfiche to digital databases)

We should be able to count anything that has a cataloging record regardless of format.

They should impact service & staff performance levels as well, but aren't often interpreted to do so.

None

Reference staffing and hours; library open hours.

If technology does, indeed, threaten physical libraries, there is a need to collect data about services and the other value added by librarians and libraries.

Question 10: The information can influence decisions while not being basis on which the decisions are made. Question 11: The standard would be ignored if necessary Question 14: I suspect different libraries count stuff differently, so the results are unreliable. Money spent and where is perhaps the only hard stat worth comparing.

Arguably, many law libraries strive to meet local needs. When new funding is needed, ABA reports can help bolster the argument that local funding is inadequate. Ultimately, the local evaluation, rather than the comparison to other libraries, is the true measure of the success of the law library.