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Case Western University Law School Library: 125 Years

Joseph A. Custer

Case Western University School of Law, joseph.custer@case.edu

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Case Western University Law School Library: 125 Years*
Joseph A. Custer**

Address for correspondence:

Joseph A. Custer, Director
Judge Ben C. Green Law Library
Case Western Reserve University School of Law
11075 East Blvd
Cleveland, OH 44106

jac311@case.edu

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** Associate Professor of Law and Director, Judge Ben C. Green Law Library, Case Western Reserve University School of Law.

Abstract

Professor Custer describes the first 125 years of the Case Western Law School Library's history, including its collections, facilities, renovations, staff, budget, evolving research and automation technologies, contributions to legal instruction, and involvement with technological advances in the legal information community.

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I. Introduction

Case Western Reserve University School of Law recently celebrated its 125th Anniversary on October 6, 2017.¹ There hadn't been any previously published history on the long-standing sanctuary of contemplation and study in the Law School. The current paper is the first to address the creation and development of the law library throughout its 125-year period existence. A beneficial list of several previously written papers on the histories of academic law libraries published in law reviews and law journals throughout the years are noted below in a footnote.² The current paper is meant to further contribute to the law library histories literature.

¹ Celebrated during the 2017 Alumni & Faculty Dinner/Law School's 125th Anniversary Celebration, Friday, October 6, 2017.

² Some of these articles include the following: Scott Hamilton Dewey, *Growing Pains: The History of the UCLA Law Library, 1949-2006*, 108 LAW LIBR. J. 217 (2016); Deborah Mayo Jefferies, *A History of Struggle: NCCU School of Law Library*, 36 N.C. CENT. L. REV. 168 (2014); DeCarlous Spearman, *Remembering Our Past, Celebrating Sixty-Four Years: Thurgood Marshall School of Law Library 1947-2011*, 36 T. MARSHALL L. REV. 63 (2010); Charles H. Oates, *Tribute: The Regent University Law Library: The First Thirty Years*, 21 REGENT U. L. REV. 229 (2008); Ernesto Longa, *A History of America's First Jim Crow Law School Library and Staff*, 7 CONN. PUB. INT. L.J. 77 (2008); Joyce A. McCray Pearson, *A Brief History of the University of Kansas School of Law Library*, 51 KAN. L. REV. 873 (2003); Margaret A. Leary, *Building a Foreign Law Collection at the University of Michigan Law Library, 1910-1960*, 94 LAW LIBR. J. 395 (2002); Martha B. Barefoot, *The UNC Law Library: 1945-95*, 73 N.C. L. REV. 758 (1995); Paul M. Pruitt Jr. and Penny Calhoun Gibson, *John Payne's Dream: A Brief History of the University of the University of Alabama School of Law Library, 1887-1980, with Emphasis upon Collection-Building*, 15 J. LEGAL PROF. 5 (1990); Daniel A. Mercer, *The Law Library of Howard University, 1867-1956*, 51 LAW LIBR. J. 202 (1958); Arthur C. Pulling, *The Harvard Law School Library*, 43

When the Law School opened, the law library was merely a collection of law books donated by the first part-time law faculty.³ The books stacked in corners of rooms in the Law School. In the later nineteenth century, it was not unusual for a new Law School to not have an established law library.⁴ After a nomadic existence for four years, as the Law School moved from building to building, in year five the Law School and the book collection finally found a home.

The new Law School building, named the Franklin Thomas Backus School of Law School,⁵ was located at 2145 Adelbert Road, Cleveland, Ohio. The building would eventually be called the Old Law Building. The library in the Old Law Building went through transformations affecting the collection. The building, constructed in 1896, is still standing. In its original state the building had two stories plus a basement, built in Italian Renaissance style of Ohio buff sandstone backed with a brick and copper roof.⁶ Early matriculation to the new building was way beyond expectations, and the building soon proved to be too small. In 1914, two new stories were added to the building including a new law library.⁷ It was not long before the Law School outgrew the two-story addition and in 1929 new plans were made for another addition.⁸

The new addition plans were not carried through, however, due first to the Great Depression, and then World War II, when the second and third floor of the Law School became United States Army Air Corps barracks.⁹ The effects of the depression and the war were not unique to the Western Reserve University Law School. During the 1930s and 40s there were only five new law school buildings built or additions to older ones identified.¹⁰

Finally, in 1948, a new 3-story steel and masonry building was built adjoining the current building and reinforcing the concrete floors. The addition added to library space but created a

LAW LIBR. J. 1 (1950); Lucile Elliot, *History of the Law Library*, 24 N.C. L. REV. 402 (1946); Eldon R. James, *The Harvard Law School Library*, 18 LAW LIBR. J. 123 (1925); John H. Arnold, *The Harvard Law Library and Some Account of Its Growth*, 5 LAW LIBR. J. 17 (1912).

³ C.H. CRAMER, THE LAW SCHOOL AT CASE WESTERN RESERVE UNIVERSITY: A HISTORY 1892-1977 30-31 (1977).

⁴ Robert Ferguson Munn, *West Virginia University Library, 1867–1917* 141-43 (1962) (unpublished Ph.D. dissertation, University of Michigan), PQDT 6202770 (Law Library established seven years after formation of law school); Mildred Hawksworth Lowell, *Indiana University Libraries, 1829-1942* 47 (December 1957) (unpublished Ph.D. dissertation, University of Chicago), PQDT T-03794 (Law Library established 5 years after formation of Indiana University Law School).

⁵ Named after Franklin Thomas Backus, a life-long lover of libraries and prominent Cleveland attorney who helped establish the Cleveland Public Law Library. His wife made the bequeath to the Law School after his death. CRAMER, *supra* note 3, at 20-21; *Backus, Franklin Thomas*, ENCYCLOPEDIA OF CLEVELAND HIST.,

<https://case.edu/ech/articles/b/backus-franklin-thomas> [https://perma.cc/3XU8-CT2T] (last viewed July 25, 2019).

⁶ *Adelbert Road, 2145*, CASE WESTERN RESERVE UNIVERSITY: UNIVERSITY ARCHIVES, <https://case.edu/its/archives/Buildings/adl2145.htm> [https://perma.cc/4F4S-UAFN] (last viewed July 25, 2019).

⁷ *Id.*

⁸ CRAMER, *supra* note 3, at 53.

⁹ *Adelbert Road, 2145*, *supra* note 6.

¹⁰ James Lee Mullins, *A Study of Selected Factors Affecting Growth Rates in American Law School Libraries, 1932 – 1976* 49 (1984) (unpublished Ph.D. dissertation, Indiana University), PQDT 8425079.

disconnected law library located in five separate areas with no security system.¹¹ Twenty-two years later, the Law School moved into newly constructed Gund Hall in 1972. The new building significantly added to library space and established an actual security system with a single ingress and egress. An impressive library renovation in 2004 to 2005 will be recounted below, as well as the post-renovation period through 2017.

The roadmap of the history of the law library provides an examination of the means and ends of how the law library served its patrons and administered its services over time. The paper shows the history of the law library through the people, buildings, services, technologies, and automation that existed over the years. Discovering information about the first library staffs and librarians, and even the physical library itself, at times, proved to be challenging. Acknowledgment notwithstanding, the final product is still a revealing overview of how the law library progressed over the six score and five years.

II. Opening of a New Law School and Law Library (1892)

The first Western Reserve University School of Law Library had no walls.¹² There were some donated law books from the part-time law faculty¹³ but no designated place to put them.¹⁴ Despite the reality, a January 1892 *Cleveland Plain Dealer* article, published some puffery a few months before the opening of the school, describing a new Law School having access to the University library, the “valuable” Cleveland Public Law Library, and, besides, having a *special library*¹⁵ of its own.¹⁶

No *special library* existed when the doors opened in the fall of 1892.¹⁷ The law library was gifted 500 volumes of law reports by faculty when opened but had no designated place to put them.¹⁸ The initial Law School also started without a designated building, endowment, Dean or experienced faculty member.¹⁹ The lack of a physical law library most likely had nothing to do with oversight but rather everything to do with the reality of starting and operating a new law school on a “financial shoestring.”²⁰

Fortunately, the College for Women on campus moved in the summer of 1892, allowing the new Law School to move into the Ford family farmhouse²¹ on campus at the crossroads of

¹¹ *Adelbert Road*, 2145, *supra* note 6.

¹² CRAMER, *supra* note 3, at 20.

¹³ *Id.* There were only part-time faculty at the beginning.

¹⁴ *Id.*

¹⁵ Italics added by author for emphasis.

¹⁶ *A Proposed Law School*, CLEVELAND PLAIN DEALER, Jan. 28, 1892, at 4.

¹⁷ CRAMER, *supra* note 3, at 29.

¹⁸ *Id.* at 52. The actual titles were not recorded.

¹⁹ *Id.* at 20.

²⁰ *Id.*

²¹ *Id.* at 23. The Ford house and land were later acquired by Western Reserve University. Flora Stone Mather College in 1888 from Horatio Clark Ford, a prominent Cleveland lawyer, entrepreneur, banker, and civic leader.

Euclid Avenue and Adelbert Roads in time to start by September 23, 1892.²² A *Cleveland Plain Dealer* article presented a description that proved less than factual. Just over two weeks before the law school was to open the following appeared in the paper praising what was going to be a great law library:

The library, which is fine for a new law school, will occupy two of the front rooms nicely furnished with tables and chairs. It will contain all the leading law text books, the leading state reports of America and the leading English reports and will be kept open from 8:30 a.m. to 9:30 p.m. every day except Sunday. Students will be encouraged to spend as much time there as possible. Several small rooms will be fitted up and placed at the disposal of students for study.²³

It turned out that the Ford family farmhouse was not functional to house a law library, or more importantly, a law school. The Law School moved again in 1894 to a portion of the first floor of the Adelbert College Dormitory.²⁴ The Law school paid Adelbert College annual rent of \$800 for partial use of the dormitory, which was \$200 less than the annual \$ 1000 rent paid for the Ford family farmhouse.²⁵ The *Cleveland Plain Dealer* asserted the law library collection significantly enlarged to “between 4,000 and 5,000 volumes”²⁶ during its brief stay in Adelbert Dormitory.

III. Old Law Building on Adelbert Road (1896)

In 1896, the University trustees approved the purchase of land on Adelbert Road for \$6,500 and the construction of a new law school for \$25,000.²⁷ The new law school building, named the Franklin Thomas Backus Law School,²⁸ but referred to as the Law School Building²⁹ was constructed to accommodate five faculty members and fifty students.³⁰ The new law school had a true law library with a stack room for books and a reading room for students.³¹ Despite another optimistic prophecy from a prior January 1892 *Cleveland Plain Dealer* article, predicting

Ford, Horatio Clark, ENCYCLOPEDIA OF CLEVELAND HIST., <https://case.edu/ech/articles/f/ford-horatio-clark> [https://perma.cc/N4XL-K32L] (last viewed Jul. 25, 2019).

²² CRAMER, *supra* note 3, at 23. Location of first law school is where the Allen Memorial Medical Library now stands.

²³ *Western Reserve Law School Encouraging Prospects for the New Department of the University*, CLEVELAND PLAIN DEALER, Sept. 8, 1892, at 4.

²⁴ CRAMER, *supra* note 3, at 23.

²⁵ *Id.*

²⁶ *Bright Outlook: A Successful Year Predicted for the Western Reserve*, CLEVELAND PLAIN DEALER, Sept. 2, 1895, at 10.

²⁷ CRAMER, *supra* note 3, at 24.

²⁸ Named after Franklin Thomas Backus, *see supra* note 5.

²⁹ *Adelbert Road, 2145*, *supra* note 6.

³⁰ GEORGE GUND HALL, CASE WESTERN RESERVE UNIVERSITY BROCHURE 2 (1971) (on file with the Case Western Reserve University Law Library Archives).

³¹ CRAMER, *supra* note 3, at 24.

a law collection of 10,000 volumes in just two years,³² the new law building on Adelbert Road had at least grown to 10,000 volumes by century's end.³³ Almost all the approximately 13,000 books housed in the library at century's end had been gifted from the part-time faculty.³⁴ In 1897, the first designated librarian was hired on a part-time basis to help deal with student worker supervision, space, and budgeting.³⁵ Until then, the school had relied upon students to maintain the collection.³⁶

The new building brought a quick increase in enrollment surpassing the fifty-student accommodation planned for the new building in the first year. Enrollment increased from 41 to 68 students in year one,³⁷ and from 68 to 88 in year two.³⁸ In 1898, the Law School raised the minimum admission requirement of graduation. Students now would need to come from a "first-class" high school.³⁹ The stricter admission requirement resulted in no visible loss in enrollment.⁴⁰ The Law School was quickly growing too large for the original plans. The Western Reserve University Executive Committee met on February 2, 1899, and voted for the addition of a wing for the Law School building.⁴¹ A *Cleveland Plain Dealer* article described a flourishing law school with a high number of students but housing a law library that could only accommodate half of the student body.⁴² The article went on to state that, in addition to space, the law library needed more books and there was hope that members of the Cleveland Bar would contribute them.⁴³

An April of 1899 newspaper article stated that a fundraising goal of \$50,000 was essential to build the addition to the Law School.⁴⁴ Half of the money was to be used to erect the actual addition and the rest used for a library fund (primarily to purchase books).⁴⁵ However, a new addition had not been built by 1910. The Law School did not know "where to put either the books or the students who wanted to read them."⁴⁶ In 1911, the Law School became a graduate school,⁴⁷ but still without an addition. Finally, the new addition came with a new law library and auditorium. It was opened to students and alumni to view as guests of the law faculty on

³² *Law School Assured*, CLEVELAND PLAIN DEALER, Jan. 17, 1892, at 7.

³³ *College Opens Today. Four Departments of Western Reserve University Begin Their School Work Today*, CLEVELAND PLAIN DEALER, Sept. 19, 1899, at 4.

³⁴ CRAMER, *supra* note 3, at 31.

³⁵ *Id.*

³⁶ *Id.*

³⁷ CRAMER, *supra* note 3, at 27.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Endowments. They Have Been Received by Adelbert and Women's Colleges*, CLEVELAND PLAIN DEALER, Feb. 3, 1899, at 6.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Increased Facilities. Western Reserve University Adding to Its Equipment*, CLEVELAND PLAIN DEALER, Apr. 14, 1899, at 10.

⁴⁵ *Id.*

⁴⁶ CRAMER, *supra* note 3, at 52.

⁴⁷ *Forges to the Front as Legal School*, CLEVELAND PLAIN DEALER, June 15, 1910, at 1.

February 7, 1914.⁴⁸ The two-story (fireproof) addition had cost \$35,000.⁴⁹ The first floor of the addition consisted of a large auditorium and a “special” library stack room.⁵⁰ The second floor housed the law library. It reportedly featured 12,000 volumes but what was almost as important was a \$10,000 library endowment the school received for the purchase of books.⁵¹

Unfortunately, there was a dearth of law library information to be found anywhere in the many resources I searched from 1914 to the late 1920s. In 1928, the Western Reserve College Law School hired Mildred Leone Dager as the law school’s first full-time librarian in time for the 1928/29 school year.⁵² Miss Dager was a graduate of Ohio Wesleyan University and had worked as a librarian previously at Cleveland College before attending and obtaining her law degree from the School of Law of Western Reserve the previous June.⁵³ She was one of two graduating women amongst sixty-seven graduates in the class of 1929⁵⁴ and admitted to the Ohio State Bar on August 5, 1929.⁵⁵

1929 was an inauspicious year not only for the Great Crash but also for the law school building deemed inadequate only fifteen years after the 1914 addition.⁵⁶ It was terrible timing to address the law school building. With the depression lasting to World War II,⁵⁷ there was just no money to attend to the inadequacies of the Law School Building for many years.⁵⁸

The inadequate building didn’t stop Law Dean Walter Dunmore in December of 1940 from declaring “...Reserve Law School now has a library equaled by few.”⁵⁹ There was some evidence to support Dunmore’s claim. At the time, the library featured over 53,000 bound volumes, 449 legal periodicals, and “all American and foreign legal periodicals in complete sets.”⁶⁰ While Dean Dunmore’s optimism did reflect a collection with a volume count extending well beyond

⁴⁸ *Opens Library Tonight Western Reserve Law School Invites Students and Alumni*, CLEVELAND PLAIN DEALER, Feb. 7, 1914, at 2.

⁴⁹ *Id.*

⁵⁰ *View of Reserve’s New Library of Law*, CLEVELAND PLAIN DEALER, Feb. 8, 1914, at 2A.

⁵¹ *Id.*

⁵² *Western Reserve to Open Sept. 18*, CLEVELAND PLAIN DEALER, Sept. 2, 1928, at 7.

⁵³ COMMENCEMENT [PROGRAM]: WESTERN RESERVE UNIVERSITY IN THE CITY OF CLEVELAND 8 (1928), <https://digital.case.edu/islandora/object/ksl:uarchives-wrucmp1928-06>

⁵⁴ *Id.* at 8-9.

⁵⁵ Attorney information for Mildred L. Dager, SUPREME CT. OF OHIO ATT’Y DIRECTORY, <https://www.supremecourt.ohio.gov/AttorneySearch/#/45111/attyinfo> [https://perma.cc/76MM-P3CB] (last viewed July 26, 2019).

⁵⁶ CRAMER, *supra* note 3, at 53.

⁵⁷ Peter Ferrara, *The great Depression Was Ended by the End of World War II, Not the Start of it*, FORBES (Nov. 30, 2013), <https://www.forbes.com/sites/peterferrara/2013/11/30/the-great-depression-was-ended-by-the-end-of-world-war-ii-not-the-start-of-it/#69bf115057d3> [https://perma.cc/AN3C-C735].

⁵⁸ *Id.*

⁵⁹ *W.R.U. Law School at 30 – Year Mark*, CLEVELAND PLAIN DEALER, Dec. 26, 1940, at 8.

⁶⁰ *Id.*

the required accreditation standards in play at the time,⁶¹ space was getting to a desperate state. Soon after World War II, the school had money to requisition up to 5,000 new law books, but there was no place to put them since the library did not have the space for shelving what was already in the collection. A spillover of five thousand good law books sent to the basements of both the law and medical school buildings rotted under the damp and hot conditions.⁶² There was money available for another five thousand books but not accessioned due to lack of space.⁶³

When Law Dean Clarence Finrock, who initially joined the law faculty in 1907,⁶⁴ replaced long-term Dean Walter Dunmore in 1945, he challenged the executive committee of the board of trustees. Dean Finrock posed the following demand: "It comes down to this: Does the University want a Law School?"⁶⁵ The trustees buckled and authorized a new addition and renovation to the current building. The cost of the effort was to be \$350,000, and the building was completed in May 1948. The improvement greatly enhanced library space, now accommodating 85,000 volumes.⁶⁶ The addition provided three more stack rooms that connected the library to the Old Law Building⁶⁷ through an area turned into a reading room.⁶⁸

A rare book room was added in addition to a workroom to recondition and repair books.⁶⁹ Dean Finrock's tenure as Dean was defining for the Law School and law library, but it was also short. He passed away the same year of the completion of the new addition in 1948.⁷⁰ The next Dean, Fletcher Reed Andrews, joined the law faculty in 1927.⁷¹ Dean Andrews would serve as Dean from 1948 to 1958. During Dean Andrew's tenure, law library funding was eventually deemed "depleted."⁷² The Law School, described as being "operated on the cheap"⁷³ was primarily tuition-driven. The 1957 ABA inspection report described appropriations as inadequate to house even an appropriate law library staff.⁷⁴ The librarian's salary was approximately \$4,000 a year, comparing unfavorably to other law librarians at the time.⁷⁵

⁶¹ STANDARDS OF THE AMERICAN BAR ASSOCIATION § 2(c) (1958), in 1958 REV. LEGAL EDUC. IN THE U.S. 27 (1958). [hereinafter ABA Standards 1958] (requiring "not less than seventy-five hundred well selected, usable volumes, not counting obsolete material or broken sets of reports").

⁶² CRAMER, *supra* note 3, at 53.

⁶³ *Id.*

⁶⁴ Ivan L. Miller, *The Rich Tradition of the Law School*, 9 W. RES. L. REV. 409, 412 (1958), <https://scholarlycommons.law.case.edu/caselrev/vol9/iss4/6>.

⁶⁵ CRAMER, *supra* note 3, at 54.

⁶⁶ *Id.*

⁶⁷ It probably became known as the "Old Law Building" after Gund was built because it wasn't the law school anymore and it didn't have another name.

⁶⁸ CRAMER, *supra* note 3, at 54.

⁶⁹ *Id.*

⁷⁰ *Id.* at 60.

⁷¹ Miller, *supra* note 64, at 413.

⁷² CRAMER, *supra* note 3, at 65.

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ Benjamin F. Boyer, *Improving the Status of law Librarians*, 7 J. LEGAL EDUC. 555, 556 (1955) (citing William R. Roalfe, *THE LIBRARIES OF THE LEGAL PROFESSION* (1953)). Roalfe's study was prepared for the Survey of the Legal

Despite insufficient appropriations the collection had grown 9,000 volumes during Dean Andrew's ten-year tenure. By 1958, the volume count was approximately 94,000 volumes.⁷⁶ This was a volume count going well beyond the 1958 Law School ABA accrediting standards minimum volume count of seventy-five hundred volumes.⁷⁷ The minimum accrediting volume count of seventy-five hundred volumes had not changed since the first published set of ABA accrediting standards in 1926/1927.⁷⁸ The 1958 standards stated a change was coming soon:

An adequate library shall consist of not less than seventy-five hundred well-selected, usable volumes, not counting obsolete material or broken sets of reports, kept up to date and owned or controlled by the law school or the university with which it is connected. Beginning with the academic year 1958-59 the number of such volumes should be at least 10,000. Two years later it should be 12,500 and by the Fall of 1968 should be at least 15,000. It is required that a five-year expenditure of \$4,000 per year on library additions be made, with a minimum expenditure of \$8,000 in any one year.⁷⁹

In 1961, a distinguished Cleveland attorney and partner at Thompson, Hine and Flory, Carlton Hutchins passed away. Although Hutchins was not an alumnus of the Law School (he received his LLB from the University of Virginia), he still had a great interest in Western Reserve Law School and thought it was not reaching its full potential. He envisioned the Law School a match for the nationally renowned Western Reserve Medical School.⁸⁰ He bequeathed 90 percent of his estate, totaling approximately \$800,000, to the Law School,⁸¹ equaling \$6,744,510.07 in 2019 dollars.⁸² The two trustees of the Hutchins Trust fund were recalcitrant to have the money go to the Law School unless they felt it was going to be used to its maximum effectiveness.⁸³

The President and University trustees eventually agreed with the trustees' demand and asked the University of Chicago Provost, famed scholar and future attorney general of the United States, Edward H. Levi to form a committee of inquiry to determine what actions would be

Profession under the Auspices of the American Bar Association. The study took place 5 years before the 1957 ABA inspection report. Still the median salary of 129 law librarians was \$4,200 and the average salary was \$4,154.

⁷⁶ The law library held 85,000 volumes in 1948 (CRAMER, *supra* note 3, at 54) and added 9,000 volumes during Dean Andrew's tenure equaling approximately 94,000 by the end of his tenure.

⁷⁷ ABA Standards 1958, *supra* note 61.

⁷⁸ ALFRED Z. REED, REV. LEGAL EDUC. IN THE U.S. AND CANADA FOR THE YEARS 1926 AND 1927, at 7 ("[The law school] shall own a law library of not less than seventy-five hundred volumes").

⁷⁹ ABA Standards 1958, *supra* note 61.

⁸⁰ CRAMER, *supra* note 3, at 76.

⁸¹ The Hutchins trust fund.

⁸² Value of a 1981 dollar in 2019, DOLLAR TIMES INFLATION CALCULATOR, <https://www.dollartimes.com/inflation/> (enter \$800,000 in "Amount" box, 1961 in "from" box, and 2019 in "to" box).

⁸³ CRAMER, *supra* note 3, at 77.

needed to make the most effective use of the funds.⁸⁴ Levi asked Derek C. Bok, Harvard Law Professor and future Dean and Harvard President, to lead several notables on the committee.⁸⁵ The committee's report titled "An Evaluation of Western Reserve Law School and Its Prospects for Development," which was also known as the "Bok Report" was the result.⁸⁶ In May 1965, the Bok Report stated that one action the Law School should undertake promptly, was to markedly increase the law library staff and library budget.⁸⁷

IV. Pollack Survey of the Law School Library (1966)

The Bok Report stated that the most significant single problem facing the Law School was the recruitment of a new and capable dean.⁸⁸ The school delivered six months later hiring Vice Dean Louis Adelbert Toepfer from Harvard. Dean Toepfer was the first dean hire from outside the institution.⁸⁹ Amongst his many accomplishments as dean, Toepfer notably improved the law library. He quickly arranged to have Ervin H. Pollack, one of the leading American experts on law libraries at the time and Law Professor and Director of the Law Library at Ohio State University, come and conduct a thorough survey -- "A Survey of the Franklin Thomas Backus School of Law Library Western Reserve University," also known as the "Pollack Report."⁹⁰

In 1965, the law library, measured by the ABA standards, held a considerable title and volume collection.⁹¹ It was ranked twenty-sixth out of 135 accredited law schools.⁹² In other words, it was the twenty-sixth ranked academic law school library based on title and volume count.⁹³ Regarding a more practical measurement of a law library's worth, such as functionality, Pollack pointed out an "abominably" housed library.⁹⁴ The law library, dispersed into five separate smaller collections due to lack of contiguous space, created fragmentation of the wider collection. The fragmentation resulted in the separation of materials that functionally belonged

⁸⁴ *Id.*

⁸⁵ Boris I. Bitner, Yale Law Professor; Eugene H. Freedheim, eminent Cleveland lawyer; the Honorable Henry J. Friendly, prominent Second Circuit Federal Court of Appeals judge; and Jacob D. Hyman, renowned labor law specialist and dean of the University of Buffalo Law School. *Id.*

⁸⁶ CRAMER, *supra* note 3, at 77-78

⁸⁷ *Id.*

⁸⁸ Cramer, *supra* note 3, at 77.

⁸⁹ *Id.* at 79.

⁹⁰ *Id.* at 81.

⁹¹ Volume count and acquisitions budget were the only metrics used by the American Bar Association in the evaluation of law libraries at the time. MINIMUM STANDARDS OF THE AMERICAN BAR ASSOCIATION FOR LEGAL EDUCATION § 2(c) (1965), in 1965 REV. LEGAL EDUC. IN THE U.S. 26 (1965), <https://heinonline.org/HOL/P?h=hein.lbr/offgappl0077&i=26> (HeinOnline subscription required for access).

⁹² Cramer, *supra* note 3, at 81.

⁹³ Taylor Fitchett, et al., *Law Library Budgets in Hard Times*, 103 L. LIBR. J. 91, 94 (2011).

⁹⁴ CRAMER, *supra* note 3, at 82

together.⁹⁵ Professor Pollack termed the shelving of the collection to be “contrived rather than functional.”⁹⁶

When space for a collection is lacking, it is inevitable that housekeeping measures will mount. Books were piled on top of one another in the stacks where the shelving was not adequate.⁹⁷ Due to the “congested stack conditions,” overflowing books were placed on floors or on nearby tables.⁹⁸ The orderliness of the reading room was lamentable.⁹⁹ The lack of order reverberated throughout the law library. Dated supplements and superseded issues sat on the overrun shelves taking up precious stack space.¹⁰⁰

Superseded copies of the *Code of Federal Regulations (CFR)* were intermixed with active *CFR* volumes.¹⁰¹ Years of old advance sheets for reporters in the National Reporting System stayed on the shelves.¹⁰² Dean Toepfer listened to Professor Pollack’s strong concerns regarding the space, collection and limited staff of the library. In the plans for the new Law School, more than half of the 75,000 square feet of the new building was devoted to the law library.¹⁰³

The most important solution for the collection in the new building was to create a connected, contiguous assemblage of books where patrons would not get lost or confused. The new shelving capacity in new Gund Hall would be located in one contiguous space accommodating up to 300,000 volumes.¹⁰⁴ Beyond describing the disarray of the library collection, the survey offered user-friendly suggestions such as doubling the student seating capacity.¹⁰⁵

The survey described a woefully understaffed, undertrained, underpaid and overworked law library workforce.¹⁰⁶ The law library at the time of the survey had one librarian, Miss Garee, whom Pollock described as “dedicated, loyal and conscientious.”¹⁰⁷ Miss Garee provided 15 years of service to the law library. There were also two full-time clerical assistants, one described by faculty and students as “unsatisfactory and uncooperative.”¹⁰⁸ The other described as “an unimaginative, average clerical worker.”¹⁰⁹ Also, there was a part-time person with miscellaneous duties not described in the report. Pollack stated that the nine comparable

⁹⁵ Ervin H. Pollack, *A Survey of the Franklin Thomas Backus School of Law Library Western Reserve University 4* (Jan. 1966) (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter *Pollack Survey*].

⁹⁶ *Id.*

⁹⁷ *Pollack Survey*, supra note 95, at 8.

⁹⁸ *Id.*

⁹⁹ *Id.*

¹⁰⁰ *Id.*

¹⁰¹ *Pollack Survey*, supra note 95, at 8-9.

¹⁰² *Id.*

¹⁰³ CRAMER, supra note 3, at 82.

¹⁰⁴ *Id.*

¹⁰⁵ *Pollack Survey*, supra note 95, at 35-36.

¹⁰⁶ *Id.* at 37-39.

¹⁰⁷ *Id.* at 37.

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

benchmarked law libraries averaged a full-time staff of 7.2 persons compared to Case Western's three persons.¹¹⁰ Pollack's recommendation was to add four personnel; a director of the library, a secretary, a cataloger, and a clerk-typist, which would bring the full-time staff up to seven.¹¹¹

The Pollack survey was undertaken at a time before the vast majority of academic law libraries gained more autonomy from the central university library structure in the 1970s and early 1980s.¹¹² In 1965, the law library was under the main campus library. Lyon Richardson, University Director of Libraries at the time, worked with Acting Law School Dean Oliver C. Schroeder in maintaining the law library. In his internal documented response, Richardson also mentions working with Assistant Law Dean and Professor, Maurice Culp.¹¹³ Mr. Richardson, in contrast to Professor Pollack, recommended that only two people, not four, be added to the law library staff for the upcoming academic year of 1966-1967.¹¹⁴ Richardson argued that there was no need for a law library director to be appointed.¹¹⁵ His work with the Dean of the law school would provide the needed administration.¹¹⁶ The two positions he thought essential were that of a cataloger and a clerical person.¹¹⁷

Regarding the book budget, Pollack recommended it be set to \$47,000 for the 1966-1967 academic year and then raised to the minimum of \$75,000 by the end of the 1969-1970 academic year.¹¹⁸ At the time, the law library book budget was only \$29,000.¹¹⁹ Pollack arrived at \$47,000 by taking the average book budget of the nine comparable benchmark law libraries.¹²⁰ Richardson, in his internal report, stated that he had consulted with Acting Dean Schroeder to propose a budget of \$42,750 for the 1966-1967 academic year.¹²¹ As to Pollack's recommendation that the book budget equal \$75,000 in three years, Richardson stated that

¹¹⁰ The nine comparable law school libraries were: Ohio State, Stanford, Vanderbilt, Cornell, Duke, Syracuse, Pittsburgh, Cincinnati, and Notre Dame. See Comparisons attachment to Pollack Survey, *supra* note 95.

¹¹¹ Pollack Survey, *supra* note 95, at 38-39.

¹¹² In 1977, the ABA added the following text: "[t]he law school library shall have sufficient administrative autonomy to direct its growth, development and utilization to afford the best possible service to the law school." See James G. Milles, *Leaky Boundaries and the Decline of the Autonomous Law School Library*, 96 L. LIBR. J. 387, 400 (2004), <https://digitalcommons.law.buffalo.edu/cgi/viewcontent.cgi?article=1415&context=articles>. See also Theodora Belniak, *The History of the American Bar Association Accreditation Standards for Academic Law Libraries*, 106 L. LIBR. J. 151, 165-166 (2014), <https://heinonline.org/HOL/P?h=hein.journals/lj106&i=150> (HeinOnline subscription required for access).

¹¹³ Fletcher R. Andrews, *My Friend, Maurice Culp*, 25 Cas. W. Res. L. Rev. 6 (1974).

¹¹⁴ Lyon N. Richardson, *Suggestions and Recommendations in Considering the Pollack Survey of the Library of the School of Law* (February 1966) (unpublished memorandum) (on file with the Case Western Reserve University Law Library Archives).

¹¹⁵ *Id.* at 2

¹¹⁶ *Id.*

¹¹⁷ *Id.*

¹¹⁸ Pollack Survey, *supra* note 95, at 32.

¹¹⁹ *Id.*

¹²⁰ Nine comparable law libraries, *supra* note 111.

¹²¹ Richardson, *supra* note 114, at 1.

“Future increases would await current needs.”¹²² Richardson goes on to state that “His sights (Professor Pollack’s) may be set too high for fulfillment as regards both books and personnel by 1969.”¹²³

Dean Toepfer, the new outside hire from Harvard, ignored the University Librarian’s recommendations. Soon after his arrival, Toepfer set in motion the process to hire the new director of the law library. He hired Simon Goren who had been assistant law librarian at Cornell University School of Law.¹²⁴ Goren had an interesting background. Before he obtained his master of library science, he had practiced law in Israel for over a decade, primarily as a prosecutor.¹²⁵ Professor Goren had held the position as Assistant Law Librarian for Acquisitions at the Cornell Law Library.¹²⁶ Dean Toepfer gave Simon Goren full law faculty status, the first for a law library director at the Law School. Professor Goren was a true scholar-librarian, providing meaningful translations on several works during his career, such as the *German Civil Code* (with Forrester and Iglon, Rothman publisher, 1975).¹²⁷ He also translated the *Introductory Act to the German Civil Code and Marriage Law of the Federal Republic of Germany* (Rothman, 1976).¹²⁸

The Pollack Survey showed that of the average staff size of 7.2 for the benchmarked law libraries, three was the average number of librarians.¹²⁹ Unfortunately for new director Goren, the very hardworking librarian, Miss Garee, left for a position elsewhere and the two remaining staff members were mostly untrained.¹³⁰ Goren experienced many challenges in hiring the right people to provide the needed skills and efficiencies so lacking according to the Pollack Survey.¹³¹ Added to the personnel frustrations was the fact that several of the new hires in Goren’s first years left early for various reasons.¹³²

Dean Toepfer was the advocate and supporter that the law library needed at the time. In his 1969/70 Law Dean’s Report to the University President, Toepfer stated the following regarding the law library.

¹²² Richardson is not in agreement with Professor Pollack’s recommendation of increase of \$75,000 book budget by 1969. *Id.* at 5.

¹²³ *Id.*

¹²⁴ Alvin Podboy & Kathleen Carrick, *Memorial: Simon L. Goren (1913—2000)*, 92 LAW LIBR. J. 249, 251 (2000).

¹²⁵ CRAMER, *supra* note 3, at 82.

¹²⁶ Harry Bitner, Report of the Law Librarian to the Director of Cornell University Libraries (July 1, 1967) (unpublished report), https://issuu.com/cornelllawlib/docs/cu_ll_ar_1966_67.

¹²⁷ THE GERMAN CIVIL CODE (AS AMENDED TO JANUARY 1, 1975) (Ian S. Forrester, Simon L. Goren & Hans-Michael Iglon trans, 1975).

¹²⁸ INTRODUCTORY ACT TO THE GERMAN CIVIL CODE AND MARRIAGE LAW OF THE FEDERAL REPUBLIC OF GERMANY (Simon L. Goren; and edited by Ian S. Forrester trans., 1976).

¹²⁹ Pollock Survey, *supra* note 95, at 37.

¹³⁰ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1968/1969, at 1 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director’s Annual Report 1968/1969].

¹³¹ *Id.*

¹³² *Id.*

The Law Library has entered a rather awkward stage of development, being at the point of becoming a “large size” library but presently lacking proper facilities and sufficient personnel to cope adequately with the demands and problems caused by its growth. Good programs continue in the development and enrichment of the collection, and in improving internal and external services. The frustrations of inadequate space and limited resources have not kept Mr. Goren and his staff from accomplishing significant improvements in all operations and services in the library.¹³³

With a very supportive Law Dean, Professor Goren seemed confident in taking the steps needed to confront the frustrations he faced. In his early directorship, he had only one reference librarian providing reference service, managing circulation, and leading stack maintenance.¹³⁴ Regarding the early turnover of newly hired personnel mentioned,¹³⁵ there is no indication of poor management style contributing to the departures.¹³⁶ One librarian left to practice law.¹³⁷ Another librarian left to become a full-time law student.¹³⁸ A library associate retired.¹³⁹ The outlook appeared promising for the 1970-1971 fiscal year, however, with a new librarian and a new staff member placed in the budget.¹⁴⁰

The challenges were many, however. Director Goren bemoaned the deterioration of readers services:

I must mention a marked deterioration of readers services owing to a widespread abuse of library privileges by our users, such as mutilating books, purloining textbooks and unbound periodicals, taking books out of the library without charging and keeping them for long periods and hiding books away from their assigned locations. As our library is wide open, no effective control could

¹³³ Louis A. Toepfer, Report of the Dean of the Law School to the President of Case Western Reserve University for the Academic year 1969-1970, at 4 (August 3, 1970) (unpublished report) (on file with the Case Western Reserve University Law Library Archives).

¹³⁴ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1969/1970, at 2 (unpublished report) (on file with the Case Western Reserve University Law Library Archives).

¹³⁵ Director's Annual Report 1968/1969, *supra* note 130, at 1.

¹³⁶ Interview with Rosanna Masley, Library Assistant, Case Western Reserve University Law Library (August 2, 2016) (Ms. Masley had worked under Mr. Goren for several years).

¹³⁷ Director's Annual Report 1968/1969, *supra* note 130, at 1 (Mr. Richard Mack, assistant law librarian for Reader's Services, resigned in January 1969 to practice law.).

¹³⁸ *Id.* (Miss Kathleen Shartran, assistant cataloger, intended to resign in order to attend law school full time.).

¹³⁹ *Id.* (Mrs. Georgie Amann, loose leaf filer and binding clerk, retired in September 1968.).

¹⁴⁰ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1970/1971, at 2-3 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director's Annual Report 1970/1971].

be established and repeated appeals to students have been in vain. At times we had over 120 periodicals titles, which could not be sent for binding because of missing issues.¹⁴¹

In the same 1970/1971 annual report, however, Professor Goren saw light ahead. As stated in the report, “[i]t is our hope that after our move into the new building we will be able to establish a tight control of our collection and thus avoid the frustrations, wasted staff time and expense we had to contend with here.”¹⁴²

V. The New Law School (1971-1972)

The 1971- 1972 academic year marked a significant event in the history of the Law School and library. The law library was moving to a new building after having been housed in the Old Law Building on Adelbert Road (with its two additions) going back to 1896. The additions created more needed space when built but eventually resulted in a very fragmented collection.¹⁴³ Adding to the challenges facing Director Goren mentioned above,¹⁴⁴ cataloging was also substandard. The law library had been using the outdated Hicks classification scheme.¹⁴⁵ The law library started a reclassification to the library of congress classification scheme after the move to new Gund Hall.¹⁴⁶ Moving an academic law library is challenging enough, but the process of moving an unorganized collection broken up into five separate sections to a new building where the collection would need to be contiguous is a tremendous challenge that most have not experienced.¹⁴⁷

The law library, under Director Goren, made a careful survey of the new space and laid out a detailed chart that provided for a ten-year growth period. Locations marked in the new building assured the library collection moved into allotted space.¹⁴⁸ Rather than using professional movers, Professor Goren rented vans and decided to use student workers.¹⁴⁹ Professor Goren documented it as a parsimonious decision, saving the law library considerable money in addition to allowing students the opportunity to earn some money.¹⁵⁰

¹⁴¹ Director's Annual Report 1970/1971, *supra* note 140, at 1.

¹⁴² *Id.*

¹⁴³ See *supra* note 90-92 and accompanying text. The collection was located in five separate areas.

¹⁴⁴ See *supra* notes 94-96 and accompanying text.

¹⁴⁵ Director's Annual Report 1968/1969, *supra* note 130, at 2.

¹⁴⁶ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1975/1976, at 6 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director's Annual Report 1975/1976].

¹⁴⁷ Author directed a move of the Immel Law Library of the Saint Louis University School of Law from the main campus in 2013 to a new downtown setting.

¹⁴⁸ Director's Annual Report 1975/1976, *supra* note 146, at 6.

¹⁴⁹ *Id.*

¹⁵⁰ *Id.*

Professor Goren took the opportunity in his 1971/72 annual report to state that two more librarians had resigned. Another reference librarian left to practice law.¹⁵¹ A senior cataloger moved to Minnesota with her family.¹⁵² On the positive side, Goren was happy that he could finally hire a circulation librarian that year.¹⁵³ Goren, in his annual report to the dean, emphasized the burden low pay takes on staff stability. He stated it would be desirable to examine the salary for each staff position.¹⁵⁴

The move into the new building significantly improved the security of the collection. Before the move, securing five separate areas of a collection having multiple exits proved impossible. Now there was to be only one entry and exit which made it much simpler for the staff to check briefcases and other items used to carry books in and out.¹⁵⁵ According to the report, “[l]osses of books and periodicals, which had become intolerable in our old building, have been drastically reduced, as well as staff time spent on book hunting.”¹⁵⁶

By 1973, needed services, previously unfulfilled due to lack of sufficient personnel, were now being offered.¹⁵⁷ However, with the increase in staff numbers came discontent. Director Goren’s explanation of the dissatisfaction lacked identifying any specific cause. Eventually morale seemed to improve:

For the first time in seven years, difficulties with our personnel were experienced and there was a flare-up of discontent due to various factors among which, dissatisfaction with salaries, lack of compatibility, personalities unable to fit into an organizational framework, might be mentioned. While this was disturbing for a few months, no programs or services of the library suffered, but the pressure on some members of the staff became very great. Towards the end of the year the morale, as well as the composition of the staff greatly improved and teamwork, as well as productivity are better than before the flare-up.¹⁵⁸

¹⁵¹ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1971/1972, at 3 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director’s Annual Report 1971/1972] (Mr. De Malto, reference librarian, left to practice law).

¹⁵² *Id.* Mrs. Fuchsman, senior cataloger.

¹⁵³ Director’s Annual Report 1971/1972, *supra* note 151, at 2 (Hiring Miss Mosel as circulation librarian).

¹⁵⁴ Director’s Annual Report 1971/1972, *supra* note 151, at 3 (Mr. De Malto, reference librarian).

¹⁵⁵ Director’s Annual Report 1971/1972, *supra* note 151, at 3 (Goren mentioned additional services offered with the additional personnel in the annual reports but did not elaborate).

¹⁵⁶ *Id.*

¹⁵⁷ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1973/1974, at 1 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director’s Annual Report 1973/1974] (Goren mentioned additional services offered with the additional personnel in the annual reports but did not elaborate).

¹⁵⁸ Director’s Annual Report 1973/1974, *supra* note 157, at 1.

Just one year after the “flare-up,”¹⁵⁹ Goren stated that “the library staff individually and as a team has never been better.”¹⁶⁰ Goren wrote glowingly of a particular new reference librarian, Alvin Podboy, “who is held in high regard by faculty and students and who brought the right attributes and personality to the job.”¹⁶¹ Another newer addition Anne Watkins brought “maturity and experience” to the position of circulation librarian.¹⁶² Jane Addison, the recently hired technical services assistant “has been developing very well and her work and productivity are eminently satisfactory.”¹⁶³ Also, Perry Tillerman, public services assistant, had “proved a good and reliable employee.”¹⁶⁴ The position of cataloger had been open during the year but the successor, Loree Potash, had already been hired.¹⁶⁵

Over his fourteen-year tenure, Mr. Goren was continually concerned with the foreign and international collection and focused on improving it. In his 1970-1971 annual report, Goren stated “[o]ur foreign law acquisitions have been minimal and it is hoped that future budgets will be adequate to expand this part of our collection.”¹⁶⁶ In his 1972-1973 academic year annual report, Goren stated that the foreign law collection had been growing slowly, but the budget still did not allow for any dramatic increase in purchasing.¹⁶⁷

In the 1974-1975 academic year, Professor Goren reported that the law library had acquired its 150,000th book.¹⁶⁸ Despite the landmark and academic law libraries ranked by title and volume number, Goren stated he “would like to point out that we don’t play the number games, we vigorously weed out books considered no longer useful and aim at quality rather than quantity.”¹⁶⁹

Goren’s annual reports had running themes of tight budgets and increased book and periodical prices with concomitant rising inflation, a trend starting in the 1970s in academic law libraries.¹⁷⁰ In considering the challenges Professor Goren was facing, it is telling to examine the

¹⁵⁹ *Id.*

¹⁶⁰ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1974/1975, at 2 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director’s Annual Report 1974/1975]

¹⁶¹ *Id.*

¹⁶² *Id.*

¹⁶³ *Id.*

¹⁶⁴ *Id.*

¹⁶⁵ *Id.*

¹⁶⁶ Director’s Annual Report 1970/1971, *supra* note 140, at 2

¹⁶⁷ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1972/1973, at 2 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director’s Annual Report 1972/1973].

¹⁶⁸ Director’s Annual Report 1974/1975, *supra* note 160, at 1.

¹⁶⁹ *Id.*

¹⁷⁰ Leonard Schrift, *Is It Possible to Develop Libraries Without Resources*, 19 J. LIBR. ADMIN., no. 2, 1993 at 19, 20. A clear trend of price increases has existed since the 1970s; See KENDALL F. SVENGALIS, LEGAL INFORMATION BUYER’S GUIDE & REFERENCE MANUAL 2000 14 (2000). From 1973 to 1996, the Consumer Price Index showed an increase of 253 percent while the average cost of legal serials rose 495 percent, and the most dramatic increase was in the

annual budget reports year by year. In Goren's first year, the law library overspent by \$1,268.01.¹⁷¹ Two years later in the 1969 -1970 fiscal year, the law library exceeded the budget by \$1,678.97.¹⁷² For the next two years the law library finished in the black but then again, in the 1972- 1973 fiscal year there was a spending overage of \$4,858.65.¹⁷³ In the next year, the law library overspent by \$6,939.21.¹⁷⁴ Professor Goren stated in his annual report of the same year "We overspent somewhat, but this is covered by savings from salaries, equipment and Xerox accounts. The real worry is next year's budget which is limited to 105% of this year's."¹⁷⁵ Dealing with tight budgets and inadequacies in funding is not unusual in 2017, but the complaining about a limited budgetary increase certainly is.¹⁷⁶

Professor Goren's worries over the next year's budget not being adequate turned out to be prophetic. The June 1975 monthly budget report, representing the end of the fiscal year, showed the law library to be in the red by \$12,976.21.¹⁷⁷ In the same year's annual report, Goren reported that "[o]ur preliminary spot checking shows an increase of some 25% in periodical subscription prices and approximately 15-20% in other book prices."¹⁷⁸ Added to the increased costs was a growing appetite by faculty for cross-disciplinary resources. The end-of-the-fiscal June 1976 monthly budget report illustrated the impact of purchasing the cross-disciplinary sources showing a deficit of \$20,530.23.¹⁷⁹ Goren stated in the 1975 - 1976 academic year annual report that "as the scholarly activity of the faculty expands, there are more requests for non-legal materials in the areas of economics, social studies, etc., which the University Library is apparently unable to satisfy."¹⁸⁰

category of legal continuations, which rose an astounding 1,006 percent; See Kent Milunovich, *Issues in Law Library Acquisitions: An Analysis*, 92 LAW LIBR. J. 203 (2000).

¹⁷¹ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1967/1968, at 2 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) (Overspent \$1,268.01).

¹⁷² Monthly Budget Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law (June 1, 1970-June 30, 1970) (unpublished report) (on file with the Case Western Reserve University Law Library Archives) (Overspent \$1,678.97).

¹⁷³ Monthly Budget Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law (June 1, 1973-June 30, 1973) (unpublished report) (on file with the Case Western Reserve University Law Library Archives) (Overspent \$4,858.65).

¹⁷⁴ Monthly Budget Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law (June 1, 1974-June 30, 1974) (unpublished report) (on file with the Case Western Reserve University Law Library Archives) (Overspent \$6,939.21).

¹⁷⁵ Director's Annual Report 1973/1974, *supra* note 157, at 5-6.

¹⁷⁶ In a law librarian academic career now spanning 25 years, and 10 years as a Director, author has never had the pleasure of experiencing a projected law library materials budget increase.

¹⁷⁷ Monthly Budget Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law (June 1, 1975-June 30, 1975) (unpublished report) (on file with the Case Western Reserve University Law Library Archives) (Overspent \$12,976.21).

¹⁷⁸ Director's Annual Report 1974/1975, *supra* note 160, at 1.

¹⁷⁹ Monthly Budget Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law (June 1, 1976-June 30, 1976) (unpublished report) (on file with the Case Western Reserve University Law Library Archives) (Overspent \$20,530.23).

¹⁸⁰ Director's Annual Report 1975/1976, *supra* note 146, at 2.

Goren's annual report from the 1976-77 academic year was very positive from start to finish. The report started with: "This year in review has been on the whole very satisfactory from the point of view of collection development and service."¹⁸¹ The positive tone of the report continued throughout, even when it came to the budget. According to the report, the budget was now comparing well to other schools of comparable size, allowing for the maintenance of the collection in addition to the ability to purchase new resources.¹⁸² Despite the optimism, the monthly budget report from June 1977 showed the law library still going over budget by \$7,108.14.¹⁸³ Interestingly, there was nothing in any of Goren's several annual reports addressing the change in the ABA standards in the late 1970s and early 1980s recommending that academic law libraries be given more autonomy from the central university library structure.¹⁸⁴ Apparently there was already enough autonomy in Director Goren's estimation.

VI. Early Automation (1972-1980)

In the new building, the physical collection of the law library was making sense as a contiguous assemblage of books. Reclassification to the Library of Congress cataloging classification was still far from done, however.¹⁸⁵ In November of 1971, when the law school moved into new Gund Hall, the law library found waiting a new computer terminal connected to the OBAR computer-assisted legal research (CALR) system.¹⁸⁶ OBAR was the acronym for Ohio Bar Automated Research, a subsidiary of the Ohio State Bar Association. OBAR was formed in 1967 to serve the CALR needs of Ohio attorneys. Ohio law was now available to Case law students and faculty over the computer. Soon, New York law and federal law added to the OBAR system which eventually became Lexis.¹⁸⁷ A contract with Data Corporation of Ohio was entered into to develop the system. Subsequently, Mead Corporation acquired Data Corporation, and Mead Data Central was born.¹⁸⁸ OBAR was also the name that Mead Data Central called the computer placed in the Law School Library. The OBAR computer provided uninterrupted telecommunications to the Law School. CWRU Law was the first Law School in the country to be provided the service.¹⁸⁹

¹⁸¹ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1976/1977, at 1 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director's Annual Report 1976/1977].

¹⁸² *Id.* at 6.

¹⁸³ Monthly Budget Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law (June 1, 1977-June 30, 1977) (unpublished report) (on file with the Case Western Reserve University Law Library Archives) (Overspent \$7,108.14).

¹⁸⁴ Milles, *supra* note 112; Belniak, *supra* note 112 (ABA 1977 change in Standards regarding law library autonomy).

¹⁸⁵ A significant portion of the collection was still in the Hicks classification scheme.

¹⁸⁶ CELEBRATING 125 YEARS, CWRU MILESTONES: 1971, <https://law.case.edu/125> (to view the reference to OBAR, click the preview on the timeline above the year 1971 that starts with "The building was designed to hold...") (last viewed Aug. 2, 2019).

¹⁸⁷ *Id.*

¹⁸⁸ William G. Harrington, *Computers and Legal Research*, 56 A.B.A. J. 1145, 1145 (1970),

<https://heinonline.org/HOL/P?h=hein.journals/abaj56&i=1147> (HeinOnline subscription required for access).

¹⁸⁹ Plaque from Mead Data Central that states, "Mead Data Central recognizes Case Western Reserve University School of Law for its farsighted contribution to legal education in being the first law school to install LEXIS for

In the first year of the new law school building, any Case law student or law faculty member could learn to use the system by signing up with a Mead Data Central representative for training. The training was performed mostly by non-lawyers and described as “at a less advanced stage than the still crude system.”¹⁹⁰ Professor Goren reported that the installation of the OBAR terminal had been “fully justified” in the first experimental year.¹⁹¹ It had become popular with students working on various projects. Goren reported that the OBAR terminal should be retained beyond the experimental year.¹⁹²

In the following 1972- 1973 academic year, Professor Spencer Neth, the head of the Law School’s Research and Writing program, undertook the development of an instructional component with OBAR.¹⁹³ Stipends were offered to young local attorneys to teach law students the database in the first year Research and Writing program.¹⁹⁴ By the 1973-1974 academic year, OBAR, which initially only searched Ohio law had transitioned to Mead Data Central and was now LEXIS with both federal and New York law added to the searchable content.¹⁹⁵

LEXIS offered a revised and improved software with much more random-access memory (RAM).¹⁹⁶ Alvin Podboy, head of reference services, was responsible for conducting demonstrations on the OBAR.¹⁹⁷ Professor Goren stated in his 1975-1976 annual report that the OBAR was still popular and “finally some faculty members began to appreciate its usefulness.”¹⁹⁸ Goren reported that the law library started teaching faculty members individually on the use of OBAR-LEXIS, as he labeled the terminal.¹⁹⁹ Alvin Podboy started preparing OBAR questions for students in one research and writing professor’s class and helped another professor use search logic to update the professor’s case research.²⁰⁰ From that year going forward, Mr. Podboy would be part of the research and writing program by preparing the written assignments and LEXIS problems for all the research and writing professors.²⁰¹

regular use by professors and students. [signed] Jack W. Simpson, President”
https://law.case.edu/images/mead_dataNEW.jpg [<https://perma.cc/C2ST-XP65>].

¹⁹⁰ Spencer Neth, *Computerized Legal Research in the Law Schools: The Case Western Reserve*, 28 J. LEGAL EDUC. 553, 560 (1977).

¹⁹¹ Director’s Annual Report 1971/1972, *supra* note 151, at 4.

¹⁹² *Id.*

¹⁹³ *Supra* note 182 at 5.

¹⁹⁴ *Id.*

¹⁹⁵ *Id.*

¹⁹⁶ Neth, *supra* note 190, at 561 (“Breakdowns became far less frequent and response time improved tremendously”).

¹⁹⁷ Director’s Annual Report 1974/1975, *supra* note 160, at 3.

¹⁹⁸ Director’s Annual Report 1975/1976, *supra* note 146, at 7.

¹⁹⁹ *Id.*

²⁰⁰ *Id.* at 4.

²⁰¹ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1977/1978, at 6 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director’s Annual Report 1977/1978].

In the next school year, there were 3202 OBAR-LEXIS sign-up sessions.²⁰² Fortunately, the law library had joined a twelve-school consortium²⁰³ for using LEXIS and they were paying just half of what they were previously paying.²⁰⁴ The savings allowed the service to keep running through the summer months for the first time.²⁰⁵ Even with the savings, the law library overspent the budget by \$16,556.26 in the 1977-1978 academic year.²⁰⁶ Director Goren stated the arrears were covered by savings from Xerox income, economizing in other areas, and a supportive and sympathetic dean.²⁰⁷

The law library entered into a formal agreement with the University Library, the Freiburger Library, in the 1978-1979 academic year for time sharing on the Ohio College Library Center (OCLC)²⁰⁸ terminal. The benefits of OCLC were significant, allowing a small staff to more efficiently catalog and catch up with increasing backlogs compared to the previous manual system.²⁰⁹ The arrangement significantly improved the law library's cataloging of book processing and card production.²¹⁰ In the same year, the law library was accepted by the Government Printing Office (G.P.O.) as a Federal Depository Library.²¹¹ The law library had not received any books yet, but Professor Goren said that when they do start arriving the library will be able to start canceling a "substantial number of paid subscriptions."²¹² The cancellations could not come too soon since the law library overspent by approximately \$25,000 in the 1978-1979 academic year.²¹³

In his 1978-1979 annual report, Professor Goren described the library budget as "sufficient,"²¹⁴ however due to high-interest rates, he stated it rapidly shrunk.²¹⁵ Goren did not include a budget section in the annual report for 1979-1980.²¹⁶ The only reference made to finances was

²⁰² Director's Annual Report 1976/1977, *supra* note 181, at 6.

²⁰³ Director's Annual Report 1975/1976, *supra* note 146, at 7.

²⁰⁴ *Id.*

²⁰⁵ Director's Annual Report 1976/1977, *supra* note 181, at 6.

²⁰⁶ Monthly Budget Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law (June 1, 1978-June 30, 1978) (unpublished report) (on file with the Case Western Reserve University Law Library Archives) (Overspent \$16,16,556.26).

²⁰⁷ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1978/1979, at 7 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director's Annual Report 1978/1979].

²⁰⁸ In 2002, OCLC changed its name to "Online Computer Library Center." Ohio Secretary of State Non-Profit Corporation registration for OCLC, <https://businesssearch.sos.state.oh.us/?=businessDetails/362623> [https://perma.cc/9N2U-MHZQ] (last viewed Aug. 2, 2019).

²⁰⁹ Ellen McGrath, *A Century's Worth of Access: A historical View of Cataloging in Law Library Journal*, 106 *LAW LIBR. J* 407,422 (2014).

²¹⁰ Director's Annual Report 1978/1979, *supra* note 207, at 2.

²¹¹ *Id.*

²¹² *Id.*

²¹³ Director's Annual Report 1978/1979, *supra* note 207, at 10 (Overspent \$24,450.25).

²¹⁴ Director's Annual Report 1977/1978, *supra* note 201, at 7.

²¹⁵ Director's Annual Report 1978/1979, *supra* note 207, at 1.

²¹⁶ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1979/1980 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director's Annual Report 1979/1980].

under the collection development section of the annual report. The statistical data was already out for 1980 and subscription prices for legal periodicals had risen by 20.7%.²¹⁷ The associate director, writing part of the 1979-1980 annual report, perhaps displaying naiveté, imagined that other categories of the collection, especially monographs, would show an even higher rate of inflation. The associate director hoped the next year's budget would be sufficient to ward off discontinuations.²¹⁸

The law library reached and exceeded the 200,000 volume mark in 1979-1980. It was now considered a "large" academic law library in a time when volume count was still important.²¹⁹ Alvin Podboy had resigned the year before to become the head librarian at Baker Hostetler.²²⁰ Cataloger Loree Potash, who was near completion of her law degree at Cleveland Marshall College of Law,²²¹ transferred from her previous position to head of public services upon Mr. Podboy's departure.²²² Miss Potash assumed the law library role in the research and writing program writing the research questions and LEXIS problems.²²³

Loree Potash, like Alvin Podboy before her,²²⁴ taught in Professor Goren's Law Librarianship class at the CWRU School of Library Science.²²⁵ Professor Goren, over his tenure at the Case Law School, also worked with the CWRU School of Library Science. The library school being established in 1903.²²⁶ In 1925, the school was one of the original thirteen library science graduate programs to become accredited by the American Library Association.²²⁷

The Academy of library science started falling behind the times in the 1960s. The stale curriculum of the traditional library education with its decade's old precepts and philosophies were falling behind what librarians were doing in practice.²²⁸ The academy was very slow in

²¹⁷ Director's Annual Report 1979/1980, *supra* note 216, at 7.

²¹⁸ *Id.*

²¹⁹ Director's Annual Report 1979/1980, *supra* note 216, at 1.

²²⁰ See notes 197–201 and accompanying text for Goren's high opinion of Podboy.

²²¹ Director's Annual Report 1979/1980, *supra* note 216, at 1.

²²² Director's Annual Report 1978/1979, *supra* note 207, at 4.

²²³ *Id.*

²²⁴ Director's Annual Report 1977/1978, *supra* note 201, at 6.

²²⁵ *Id.*

²²⁶ *The Schools of CWRU*, CASE WESTERN RESERVE UNIVERSITY: UNIVERSITY ARCHIVES, <https://case.edu/its/archives/Units/schools.htm> [<https://perma.cc/X4KL-VT6H>] (last viewed August 2, 2019).

²²⁷ Western Reserve University was joined by University of California (Berkeley), Carnegie Institute of Technology, Carnegie Library of Atlanta, Drexel University, University of Illinois, Los Angeles Public Library, New York Public Library, Pratt Institute, St. Louis Library School, Simmons College, University of Washington, and the University of Wisconsin (Madison). *Accredited Library and Information Studies Master's Programs from 1925 through Present*, AM. LIBR. ASS'N (last viewed Aug. 7, 2019), <http://www.ala.org/educationcareers/accreditedprograms/directory/historicallist> [<https://perma.cc/UQ9U-WYWZ>].

²²⁸ LARRY J. OSTLER, THERIN C. DAHLIN, & J. D. WILLARDSON, THE CLOSING OF AMERICAN LIBRARY SCHOOLS: PROBLEMS AND OPPORTUNITIES 37 (1995).

responding to the technological paradigm shifts of the late 1960s and 1970s, which led to the closing of many library schools in the 1980s and 1990s.²²⁹

Case Western Reserve University attempted to save its library science program by revamping the curriculum. A structure divided into three areas was decided upon: Information (resources and organization), Management and Technology (with a heavy emphasis placed on the core-comprising half of a student's program of study), and Distributive Requirements.²³⁰ The name of the school changed from the School of Library Science,²³¹ to the Mathew A. Baxter School of Information in 1981.²³² The restructuring came too late to align with the shifting paradigm, and ultimately the school closed its doors in 1986.²³³

Several law library staff members over the years matriculated at the library school.²³⁴ The Judge Ben C. Green Law Library still has two librarians on staff who received their MLS from the CWRU library school.²³⁵ The program offered a consistent ready pool of interns for the law library. The program also offered librarians opportunities to better their administrative and teaching skills. Most notably, Professor Goren became the Director of the Library Science School's Law Librarianship Program while at the University where he taught the foundation course of Law Librarianship in addition to Legal Bibliography which was open to both library school and law school students.²³⁶

By the 1979-1980 academic year, the law library was still working through the process of reclassifying the treatise collection into the Library of Congress scheme which had begun soon after moving to Gund Hall. It was now proceeding at an even slower pace due to changes in library personnel and unfilled positions.²³⁷ There was a turnover of four staff members the very next year.²³⁸ To add insult to injury, one of the issues identified by the recently visiting ABA Accreditation Committee site team was insufficient night reference coverage.²³⁹ Fortunately, the library was permitted to add a new professional position to assume the additional reference time needed.²⁴⁰ This same position would also oversee the Government Depository duties.²⁴¹

²²⁹ *Id.*

²³⁰ Tefko Saracevic, *The complex process of a total curriculum revision in information and library science: a case study*, 1 EDUC. FOR INFO. 309 (1983).

²³¹ It was named School of Library Science from 1924 to 1981. When it was established by Western Reserve University in 1903, it was known as the Library School. *The Schools of CWRU*, *supra* note 226.

²³² *Id.*

²³³ *Id.*

²³⁴ Conversations with Judge Ben C. Green Law Library staff members.

²³⁵ Cheryl Cheatham graduated from the CWRU library school in 1980 and Judith Kaul graduated in 1981.

²³⁶ Director's Annual Report 1977/1978, *supra* note 201, at 6.

²³⁷ Director's Annual Report 1979/1980, *supra* note 216, at 5.

²³⁸ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1980/1981, at 1 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director's Annual Report 1980/1981].

²³⁹ *Id.*

²⁴⁰ *Id.*

²⁴¹ *Id.*

During the 1980-1981 academic year, the library overspent by \$57,687.42.²⁴² There was mention of finances in the prefatory paragraphs of the annual report. The associate director stated that the deficit was “alarming” and that it was due to the rise in subscription costs which the library had no control over.²⁴³

In the 1979-1980 academic year, the law library was still sharing the University OCLC terminal with the main campus library at an agreed-upon rate of ten hours a week.²⁴⁴ In the next year, the new AACR2 cataloging rules took effect.²⁴⁵ The rule changes, according to Professor Goren, was the foremost, primary concern of the law library that year and the subject of three library staff meetings.²⁴⁶ Goren stated that the library was making progress on the new rules and that it would primarily help preserve the integrity of the collection.²⁴⁷ In the 1981-1982 academic year, Goren would report that the further implementation of the new AACR2 cataloging rules was the most demanding and time-consuming project of the year.²⁴⁸

In the 1981-1982 academic year, Professor Goren was able to bring down the overspending to a 13,220.39 deficit.²⁴⁹ He recommended a 12%, or \$30,000, budget increase for the upcoming year.²⁵⁰ Sunday reference hours were added in 1981-1982. By adding a reference librarian, the law library was now able to add a 2:00 p.m. to 6:00 p.m. Sunday reference shift to their recently created Monday through Thursday evening shift.²⁵¹ The law library also became the repository for student class evaluations and prior exams.²⁵² A memo was sent to all faculty asking them to send any exams they wanted on file for students to the law library.²⁵³

The big library technology news in the 1981-1982 academic year was the installation of a new LEXIS terminal in the law library.²⁵⁴ The new “deluxe” UBIQ model with a high-speed printer replaced the OBER installed over ten years ago.²⁵⁵ Equipment rental fees increased with the upgraded terminal and printer, but communication costs decreased.²⁵⁶ Loree Potash, recently

²⁴² Director's Annual Report 1980/1981, *supra* note 238, at 9.

²⁴³ Director's Annual Report 1980/1981, *supra* note 238, at 1.

²⁴⁴ Director's Annual Report 1979/1980, *supra* note 216, at 5.

²⁴⁵ Over time the AACR2 rules would be highly criticized. The primary reason being that they were tailored toward the card catalog. Joseph Thomas, *Cataloging Reform: An Overview for Academic Law Librarians*, 85 LAW LIBR. J. 99 (1993).

²⁴⁶ Director's Annual Report 1980/1981, *supra* note 238, at 1.

²⁴⁷ *Id.*

²⁴⁸ Simon Goren, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1981/1982, at 5 (unpublished report) (on file with the Case Western Reserve University Law Library Archives).

²⁴⁹ *Id.* at 10.

²⁵⁰ *Id.* at 8

²⁵¹ *Id.* at 4

²⁵² *Id.*

²⁵³ *Id.* at 5.

²⁵⁴ *Id.* at 3

²⁵⁵ *Id.*

²⁵⁶ *Id.*

promoted to Associate Law Librarian, trained the research and writing professors and students on the new terminal.²⁵⁷ The new terminal was such hot property the Lexis room door had to be locked.²⁵⁸ Students had to now sign out their ID card at the circulation desk in order to use the terminal.²⁵⁹

VII. Automation Growing Pains (1981-1991)

Upon Professor Goren's retirement, Dean Ernest Gelhorn noted the importance of hiring his successor.²⁶⁰ Gelhorn hired Kathleen Carrick in 1983. Director Carrick, who assumed her duties in August 1983, had been Associate Professor and Librarian for three years at the University of Buffalo Law School. Like her predecessor, she was given faculty status and also engaged in writing and teaching. In 1989, she authored *Lexis a Legal Research Manual*, a Mead Data Central publication.²⁶¹ Director Carrick presided over the law library when the trend in academic law libraries was growth in collection, personnel, and more automation.²⁶²

In her first year as Director, she invited Thomas Reynolds, the Associate Director at Boalt Law Library at the University of California at Berkeley School of Law, to visit and evaluate the foreign and international collection at Case Western.²⁶³ Previous Director Goren had acknowledged the need for a stronger foreign and international collection and had attempted to buttress it within a constrained budget.²⁶⁴ Mr. Reynolds assessed the foreign collection as "spotty... expensive, little used, and insufficient for true scholarship."²⁶⁵ Reynolds' harsh assessment, based upon his experience and substantial knowledge, suggested that the Case Western law library, even without a significant endowment and a challenged operating budget, should focus their concentration in the international realm.

²⁵⁷ *Id.*

²⁵⁸ *Id.*

²⁵⁹ *Id.*

²⁶⁰ Ernest Gellhorn, *The Dean Reports*, IN BRIEF, March 1984, at 1, https://scholarlycommons.law.case.edu/in_brief/30/

²⁶¹ KATHLEEN CARRICK, *LEXIS: A LEGAL RESEARCH MANUAL* (1989).

²⁶² See generally Betty W. Taylor, *Books v. Non-book Information*, 70 St. John's L. Rev. 129 (1996); Julie Hanrahan, *1992-93 Statistical Survey of ABA Law School Libraries and Librarians*, 86 Law Libr. J. 617 (1994); David A. Thomas, *1983-84 Statistical Survey of ABA Law School Libraries and Librarians*, 77 Law Libr. J. 575 (1984-1985); GEORGE S. GROSSMAN, *REPORT ON LAW LIBRARIES*, IN *THE LAW SCHOOL AND THE UNIVERSITY: THE PRESENT AND THE FUTURE*, MAR. 19 & 20, 1993, at 33 (1993).

²⁶³ Kathleen Carrick, *Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1983/1984*, at 4 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter *Director's Annual Report 1983/1984*].

²⁶⁴ *Director's Annual Report 1970/1971*, *supra* note 140; *Director's Annual Report 1972/1973*, *supra* note 167 and text accompanying notes 166-167 (Foreign and international collection discussion under Goren).

²⁶⁵ *Director's Annual Report 1970/1971*, *supra* note 140, at 2.

The 1983-1984 school year was filled with technological enhancements. After years of sharing with the main campus library, the law library acquired its first, in-house OCLC terminal.²⁶⁶ The acquisition allowed the library to undertake projects previously deemed impossible without unlimited access to the database, such as conduct retrospective conversion of law library records to machine-readable format.²⁶⁷ The law library was also starting to use OCLC as a reference tool and for interlibrary loan purposes.²⁶⁸

The Westlaw dedicated WALT database terminal arrived in the same academic year.²⁶⁹ It was during this time that the law library also became an early subscriber to Cleveland Freenet, an early world-wide Internet Interface.²⁷⁰ Mead Data Central supplied an additional UBIQ terminal for Lexis access, and the library became an early test-trial of "home access" to Lexis for Clinic law students.²⁷¹ The law library, with financial assistance from the Law School, was proactive in creating what was soon to be a ubiquitous feature in academic law libraries around the country, the computer lab.²⁷² Also, the school constructed a computer training classroom.²⁷³ AALL bestowed the law library with its 1986 AALL Publication Award for its Computer Lab Manual and research Pathfinder Series.²⁷⁴

Despite the successes of the 1983-1984 school year, the Director was dissatisfied with library space. Because of the lack of space, Director Carrick stated that the law library was forced to consider new formats, such as microfilm and microfiche to provide access to needed materials substituting for hard copy. The law library was starting to purchase audio and video tapes for trial technique classes and the clinic. The VHS video collection quickly become larger.²⁷⁵ The switch in formats was not inexpensive because the materials required new equipment and printers to provide a readable copy, but Carrick stated in the annual report that space issues left the law library with no alternatives.²⁷⁶

²⁶⁶ Sonia Solomonoff, Annual Report of the Technical Services Department to the Law Librarian of the Case Western Reserve University School of Law (May 15, 1984) (unpublished report) (on file with the Case Western Reserve University Law Library Archives). This terminal was a Beehive Model 105. The Model 105 was introduced in 1978 and "replaced in 1980 by the Model 200." *Beehive Model 105, OCLC dedicated computer terminal manufactured by Beehive International* OCLC LIBRARY, ARCHIVE & MUSEUM (August 29, 2017), <https://library.oclc.org/digital/collection/p15003coll76/id/81/>.

²⁶⁷ Director's Annual Report 1983/1984, *supra* note 263.

²⁶⁸ *Id.*

²⁶⁹ *Id.*

²⁷⁰ Carol Ebbinghouse, *The Future Is Now A Guided Tour of the Library*, IN BRIEF, Sept. 1989, at 3, 4, https://scholarlycommons.law.case.edu/in_brief/46/ (Cleveland Freenet was an early world-wide net interface).

²⁷¹ Kathleen M. Carrick, *CWRU + MDC = A Grand Success*, IN BRIEF, January 1991, at 23-24, https://scholarlycommons.law.case.edu/in_brief/50/

²⁷² *Id.*

²⁷³ *Id.*

²⁷⁴ *Awards Announced at the AALL Annual Meeting Opening Luncheon*, AALL NEWSL., August 1986, at 7, <https://heinonline.org/HOL/P?h=hein.aallar/aalln0018&i=7> (HeinOnline subscription required).

²⁷⁵ Director's Annual Report 1983/1984, *supra* note 263, at 5.

²⁷⁶ *Id.* at 5.

Director Carrick was not shy in talking budget in her reports to the Dean, stating that “It must be stressed that a million-dollar budget is not a luxury to a law library in these days and inflation will continue to eat into our budget.”²⁷⁷ Carrick also stated that the library budget is also being used to compensate for years of inadequate law school support of the library’s facility and collections.²⁷⁸

In addition to collection space challenges, the lack of student space in quantity and quality was a significant issue.²⁷⁹ Carrick reported inadequate chairs and study carrels placed in open, 2crowded, high-noise areas not conducive to quiet study.²⁸⁰ The Director heard complaints from several students telling her they are studying elsewhere. She reported the lack of space in the library mirrored what was happening throughout Gund Hall.²⁸¹ The law school, just a dozen years removed from opening the new building, was now suffering growing pains. Director Carrick mentioned losing library space to student lockers and faculty offices.²⁸² The addition of new computers and systems exacerbated the space issues by cutting back more on the available student study areas.²⁸³

With space becoming increasingly limited for the students and the staff of the law library, the south wall of the second floor of the library was torn down the next year and rebuilt giving the technical services area of the law library an additional 500 square feet to ease the congestion of additional work computers, printers and two new staff members.²⁸⁴

The law library in the early to mid-years of the 1980s had started to undertake the second age of automation.²⁸⁵ Clifford Lynch in his paper, *From Automation to Transformation: Forty Years of Libraries and Information Technology in Higher Education*, laid out the ages of automation in the later decades of the twentieth century.²⁸⁶ The first age transpired primarily in the mid to late 1960s into the early 1970s in libraries that were beneficiaries of the new race-to-space technologies.²⁸⁷ Circulation and acquisition departments became automated with minicomputers, books were barcoded, and ordering systems became computer-based in

²⁷⁷ *Id.* at 12.

²⁷⁸ *Id.*

²⁷⁹ *Id.* at 11.

²⁸⁰ *Id.*

²⁸¹ *Id.*

²⁸² *Id.* at 9.

²⁸³ *Id.*

²⁸⁴ Kathleen Carrick, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1984/1985, at 7 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director's Annual Report 1984/1985].

²⁸⁵ Clifford Lynch, *From Automation to Transformation: Forty Years of Libraries and Information Technology in Higher Education*, 35(1) EDUCAUSE REV. 60 (2000).

²⁸⁶ *Id.*

²⁸⁷ *Id.* at 62.

passing on orders to book and serials vendors.²⁸⁸ These changes automated many manual processes for more efficient and economical operations.²⁸⁹

The second automation in the later 1970s and 1980s involved automated online catalogs and bringing in personal computers for all workers with attached printers to an automated online catalog.²⁹⁰ The use of Windows and other new office automation software created enormous productivity improvements that were suddenly possible in library technical processing departments.²⁹¹ The new automation software further hastened the adoption of systems based around a client-server architecture.²⁹² The law library's inclusion in the University's plan to implement an integrated local library system was a significant example of the second automation stage.²⁹³ The plan was to establish an automated circulation system which would, in time, serve as the basis for the online catalog.²⁹⁴

The law library budget experienced two significant expenses in the 1984/1985 school year. One expense involved supporting the new computer lab.²⁹⁵ The law library spent over \$65,000 out of its budget in that year for computers, student support, supplies and software that enabled the law library to provide the new computer lab to the students.²⁹⁶ The other primary expense was the law library inheriting the newly reformatted Research and Writing program.²⁹⁷ It restructured from the previous program that had twenty third-year law students teaching the course to a new program having four full-time instructors.²⁹⁸ The lawyer librarians who taught in the law library assumed the responsibility of teaching the students legal research in the new research and writing class for the first-year students.²⁹⁹ The research instruction condensed into the first seven weeks of the semester was assessed with one written exam.³⁰⁰

The four research and writing program instructors were hired based on their Law School success, legal experience, and research and writing skills.³⁰¹ The four instructors hired were Elizabeth Brandt, Alice Belfiore, Kathryn Mercer, and Mary McManamon.³⁰² Professor Mercer

²⁸⁸ *Id.*

²⁸⁹ *Id.*

²⁹⁰ Lynch, *supra* note 286 at 62-63.

²⁹¹ *Id.*

²⁹² Hans W Groenewegen, *Four decades of library automation: recollections and reflections*, 53 AUSTL. LIBR. J. 39, 48 (2013).

²⁹³ Director's Annual Report 1984/1985, *supra* note 284, at 3.

²⁹⁴ *Id.*

²⁹⁵ *Id.* at 8.

²⁹⁶ *Id.*

²⁹⁷ *Id.* at 10.

²⁹⁸ *Id.*

²⁹⁹ Kathleen Carrick, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1985/1986, at 7 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director's Annual Report 1985/1986].

³⁰⁰ *Id.*

³⁰¹ *Id.*

³⁰² *Id.*

still teaches at the Law School.³⁰³ She is held in high regard and has won the coveted Teacher of the Year Award voted on by the student body more than once. The law library budget for the 1984/1985 school year was increased \$290,000 by the Law School to incur the new significant expenses.³⁰⁴ \$25,000 of the increase was immediately deducted to account for additions to the Research and Writing program and an additional \$40,000 of the amount went to Lexis and Westlaw and other database costs added to the library's computer services.³⁰⁵

The increase in the budget was additionally eaten away by inflation leaving Director Carrick with minimal left over to address inadequate acquisitions funds. Finances remained a matter of great concern for the Director. She stated in her annual report that a complete budgetary statement would be prepared and presented at the end of the 1984/1985 fiscal year to the Library Committee.³⁰⁶ The seriousness of the matter is best described by Director Carrick herself:

We have reached a juncture as an institution and some difficult decisions about the collection and its support must be made. We must either recognize the need for additional support for our acquisitions budget or mandate the conscious elimination of large parts of our collection and its development.³⁰⁷

Director Carrick's 1985/1986 annual report mentions some budgetary support in the next year, stating that the "budget figures were up slightly from the previous year."³⁰⁸ The support was not nearly enough to counter the dramatic budget shortfall she described above in the 1984-1985 annual report.³⁰⁹ Carrick stated that the budget increase did not even cover inflation and expenses.³¹⁰ There was mention of an anticipated budget for the next year that was expected to create "a larger funding base and thus help solve some of the problems that have been created by past *Limitations*³¹¹ on our acquisitions funding."³¹² Director Carrick advocated "the importance of establishing a separate fund for capital expenditures,"³¹³ which would discontinue the invasion of the operating budget for important and necessary projects, such as the future automation of the serials and acquisitions procedures in the law library.³¹⁴

³⁰³ *Faculty Detail: Kathryn S. Mercer*, CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW, <https://law.case.edu/Our-School/Faculty-Staff/Meet-Our-Faculty/Faculty-Detail/id/136> [<https://perma.cc/ERY7-EFXX?type=image>] (last viewed Aug. 7, 2019).

³⁰⁴ Director's Annual Report 1984/1985, *supra* note 284, at 8.

³⁰⁵ *Id.*

³⁰⁶ Director's Annual Report 1984/1985, *supra* note 284, at 9.

³⁰⁷ *Id.*

³⁰⁸ Director's Annual Report 1985/1986, *supra* note 299, at 6.

³⁰⁹ Director's Annual Report 1984/1985, *supra* note 284, at 8, and text accompanying notes 295-296.

³¹⁰ *Id.*

³¹¹ *Id.* Emphasis placed by Director Carrick.

³¹² *Id.*

³¹³ *Id.*

³¹⁴ Director's Annual Report 1985/1986, *supra* note 299, at 6-7.

While the current 2019 Judge Ben C. Greene collection development plan makes no mention of analog media, a predated format,³¹⁵ in 1985, the law library was one of the first to acquire and implement analog technology, the INFOTRAC Index³¹⁶ via laser disk (LD).³¹⁷ This analog format added to the then current slide projector collection and VHS videotapes.

In taking another step toward an integrated library system, the law library started their retrospective conversion during the 1985 - 1986 school year, transferring the collection information to computer tape eventually enabling the law library to access the records online.³¹⁸ A University-wide grant from the W.M. Keck Foundation³¹⁹ allowed the law library to hire a full-time cataloger and assistant to help with the transition.³²⁰

The 1985/1986 ARL Law Library Data represented the some of the budgetary support for the academic year that Carrick noted above.³²¹ The ARL Data reported a total expenditures budget of \$1,083,783, ranking the Case Western Reserve University Franklin Thomas Bachus School 23rd out of 107 academic law libraries.³²² The staff consisted of twelve librarians, ten non-librarian professionals, and five student assistants, totaling twenty-seven, placing the law library 24th out of 107 academic law libraries.³²³ The monograph and serials and continuations budget for 1985/1986 were both lower at \$30,064³²⁴ and \$234,080³²⁵ respectively. These figures ranked the law library 52nd out of 107 academic law libraries in both categories.

The “budgetary support in the next year” that Carrick alluded to in her 1985/1986 annual report did result in execution.³²⁶ It was the first time the library could budget \$60,000 for monographs and \$300,000 for serials and continuations.³²⁷ The retrospective conversion was

³¹⁵ Laser Disc was a form of analog technology replaced primarily by compact disc (CD). Andrew Dillon, *Interactive Multimedia and CD-I, DVI, in COMMUNICATION TECHNOLOGY UPDATE* 190 (August E. Grant & Ashley J. Bennington, eds., 2014.)

³¹⁶ INFOTRAC was a family of full-text databases of content from academic journals and general magazines. The system was exhibited in 1985. Richard Carney, *InfoTrac: An Inhouse Computer-Access System*, 3 *LIBRARY HI TECH*, no.2, 1985, at 91.

³¹⁷ Director's Annual Report 1985/1986, *supra* note 299, at 3.

³¹⁸ Director's Annual Report 1985/1986, *supra* note 299, at 5.

³¹⁹ An American charitable foundation supporting educational, scientific, engineering, and medical research in the United States founded in 1954 by William Myron Keck, founder and former President of the Superior Oil Company, now part of Exxon Mobil. *About Us*, W.M. KECK FOUNDATION, <http://www.wmkeck.org/about-us> [https://perma.cc/RE3F-J44V] (last viewed Aug. 8, 2019).

³²⁰ Director's Annual Report 1985/1986, *supra* note 299, at 5.

³²¹ Nicola Daval & Celeste Feather, Association of Research Libraries: University Medical and Law Library Statistics, 1985-1986 (Internal Report Compiled for the Committee on ARL Statistics) (May 1989), http://www.libqual.org/documents/admin/2013/ARL_Stats/1985-86lawmed.pdf

³²² *Id.* at 70.

³²³ *Id.* at 79.

³²⁴ *Id.* at 72.

³²⁵ *Id.* at 74.

³²⁶ Director's Annual Report 1984/1985, *supra* note 284, at 8, and accompanying text.

³²⁷ Kathleen Carrick, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1986/1987, at 6 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director's Annual Report 1986/1987]. As to where the law library was ranked in regards to the increase could not be ascertained due to inability to secure ARL data for the year.

not yet complete, and the grant funding was running out. Carrick anticipated that some of the budget would be needed to continue the conversion.³²⁸

In 1986, the online catalog was accessible. The law library had 75% of its collection reflected in the online catalog.³²⁹ In addition to loading the last of the records, the law library would also have to go back and reload some initial errors. A lot of the remaining 25% to be loaded was of the problem title variety.³³⁰ Records needed to be cleaned up or changed to reflect the actual bibliographic holding and circulation information.³³¹ The next significant phase would be automating the circulation system.³³²

Director Carrick gave the new Dean, Peter Gerhart much credit in her 1986-1987 annual report for his help and support in his first year as Dean. She stated that she hoped the honeymoon continues. She did not shy away; however, even with the influx of additional endowment monies, to state that the support must continue. Perhaps because of the show of financial support, Carrick directed some of her attention back to the physical facility, stating that the library faced the possibility of losing additional space as the Law School looks to reallocate the basement library space.³³³ Carrick expressed that library space, budget, staff, and collections were all inter-connected and needed to be addressed with the Law School if progress was to continue.³³⁴

The computer lab in 1986 received additional enhancements. Twenty hardcards³³⁵ were installed on the computers which significantly enhanced capability. Law students now had to register to get an identifying ID number to gain access to the computer menu, but many software packages were added directly to the computers, giving law students access to an extensive menu of available software.³³⁶ The need for constant supervision in the lab to help the students and provide security of the systems was significantly reduced, saving the library money.³³⁷

The law library received the seventh-year ABA site visit in February of 1988. Perhaps in anticipation of the visit, some of the previous problematic issues that Director Carrick had written about in recent annual reports seemed to have been addressed to a significant degree. Adding compact shelving in the basement largely solved the loss of library space. As far as the

³²⁸ *Id.*

³²⁹ Director's Annual Report 1986/1987, *supra* note 327, at 5.

³³⁰ *Id.*

³³¹ *Id.*

³³² *Id.*

³³³ *Id.*

³³⁴ Director's Annual Report 1986/1987, *supra* note 327, at 9.

³³⁵ Quantum Corporation's Hardcard was "a 3 1/2-inch rigid disk drive mounted on a controller board." It went into a computer expansion slot and increased the computer's memory. Other manufacturers soon made similar products. *Disk Drive Makers Take Quantum Leap to Future Whole New Product Category*, CHI. TRIB., Jan. 6, 1986, at 18.

³³⁶ Director's Annual Report 1986/1987, *supra* note 327, at 2.

³³⁷ *Id.*

lack of longer-range space planning, the law school seemed to be finally moving toward a phase of planning for an addition to the library. The Director and others in the law school had already begun working with an architect in the 1987 - 1988 academic school year.³³⁸

Despite the addition of endowment monies the previous year, Director Carrick continued to belabor regarding a weak budget. In the 1987 - 1988 academic year the library spent \$75,000 for monographs and \$370,000 on serials, a jump of almost 18% over the previous year.³³⁹ To support the spending, the library relied on the additional endowment money that Carrick had hoped to spend on special projects.³⁴⁰ Carrick stated that over the past two years, the operating budget had increased by only one and one-half percent.³⁴¹

Beyond addressing the physical facility and the budget, the other primary concern was the progress of the integrated University online catalog named EUCLID³⁴² The online system was bogged down with problems. The online system was bogged down with problems. The tapes loaded slowly and it became apparent that there was a lack of adequate disk space. The positive news was that the circulation system became operational in March of 1988.³⁴³ The library staff agreed that it was an improvement over the previous manual system.³⁴⁴

In light of the difficulties that were becoming apparent with completing the online catalog, the campus libraries formed a committee to study the problems and to recommend a solution. During the process the University Librarian unilaterally committed to a system (called GEAC) for the indefinite future.³⁴⁵ In response, the three other library directors on campus decided to find their own best acquisition and serials systems possible for their libraries.³⁴⁶

A law library cataloging department report from late 1989, author unknown, stated that even though the GEAC online catalog had been up and running for a while at the main campus library, there have been questions about the reliability of the information in the system.³⁴⁷ There was so much doubt about the system that the law library decided to maintain their

³³⁸ Kathleen Carrick, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1987/1988, at 6 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director's Annual Report 1987/1988].

³³⁹ *Id.* at 5.

³⁴⁰ *Id.*

³⁴¹ *Id.*

³⁴² Named after Euclid Avenue, which runs through University Circle and the campus of Case Western Reserve University. Euclid Avenue takes its name from the small settlement of surveyors who settled to the east in the town of Euclid. *Euclid Ave*, ENCYCLOPEDIA OF CLEVELAND HIST., <https://case.edu/ech/articles/e/euclid-ave> [<https://perma.cc/UE8B-V772>] (last viewed Aug. 7, 2019).

³⁴³ Director's Annual Report 1987/1988, *supra* note 338, at 4.

³⁴⁴ *Id.*

³⁴⁵ For whatever reasons, there is a history of the CWRU main library administration making unilateral decisions, some directly affecting the other three campus libraries, either with or without the other libraries' input.

³⁴⁶ Director's Annual Report 1987/1988, *supra* note 338, at 4.

³⁴⁷ Report of the Cataloging Unit to the Law Librarian of the Case Western Reserve University School of Law 2 (FY 1989/1990) (unpublished report) (on file with the Case Western Reserve University Law Library Archives).

manual card catalog.³⁴⁸ The law library was able to purchase a cabinet from the Euclid Public Library which they hoped would tide them over until the online catalog situation resolved.³⁴⁹ In late 1989, the manual card catalog ran out of space in the author-title card catalog cabinets.³⁵⁰

The law school library and Mead Data Central (MDC) have had an early and rich partnership³⁵¹ and that continued in October, 1989 with the two agreeing to another test project. MDC provided remote Lexis/Nexis access to CWRU Law Faculty, curriculum and programs, including the Clinic, law reviews, moot court and several seminars.³⁵² Students who were not involved in the associated programs and seminars were provided formatted disks and gained access using Library TLC passwords.³⁵³ In the seven months since the test began, Director Carrick reported that usage hours for CWRU had increased by 95% with associated costs decreasing by 13%.³⁵⁴ The program was a marked success and to be continued in the 1990/1991 academic year.³⁵⁵

In the 1989/1990 annual report, there was description of significant financial restraints on the law school resulting in the law library being asked in February, 1990 to hold invoices until the start of the new fiscal year starting on July 1, 1990.³⁵⁶ At the end of the 1989/1990 fiscal year the law library was holding invoices in the amount of \$169,839.24.³⁵⁷ The cause of the Law School invasion into the law library accounts went unexplained in the annual report.

To deal with the budget crisis, a moratorium was placed on ordering any new monographs. A Law Faculty member, Melvyn Durchslag, wrote a memorandum to the Library Committee upon hearing of the monograph moratorium.³⁵⁸ His argument clearly stated in the following passage:

The question is not whether we need to save money, the question is how and on what. That is a question which deserves some serious consideration, not only by the Library staff, the Library Committee and the Administration but by the full faculty. Just by way of example, I don't think that the maintenance of a volume on Ohio pleading and practice is worth even one new monograph.³⁵⁹

³⁴⁸ *Id.*

³⁴⁹ *Id.*

³⁵⁰ *Id.*

³⁵¹ See *supra* notes 187 to 208 with accompanying text.

³⁵² Kathleen Carrick, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1989/1990, at 3 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director's Annual Report 1989/1990].

³⁵³ The Library Corporation (TLC) "provides... automation, cataloging, and data services to more than 4,500 public, school, academic, and special libraries worldwide." *Who We Are*, THE LIBRARY CORPORATION, <https://tlcdelivers.com/who-we-are/> [<https://perma.cc/W8R7-CY4L>] (last viewed Aug. 7, 2019).

³⁵⁴ Director's Annual Report 1989/1990, *supra* note 352, at 3.

³⁵⁵ *Id.*

³⁵⁶ Report of the Accounting Unit to the Law Librarian of the Case Western Reserve University School of Law 2 (FY 1990/1991) (unpublished report) (on file with the Case Western Reserve University Law Library Archives).

³⁵⁷ *Id.*

³⁵⁸ Letter from Melvyn R. Durchslag to the Case Western Reserve University Law Library Committee (Dec. 4, 1990) (on file with the Case Western Reserve University Law Library Archives).

³⁵⁹ *Id.*

The result of the law library not paying its invoices during this period of uncertainty led to many collection decisions and in one instance, a major vendor, Shepard's/McGraw-Hill, suspending its services to the law library because of outstanding invoices.³⁶⁰ At the end of the fiscal year, the law library was holding invoices totaling \$169,839.24.³⁶¹ In today's economy, that would equal \$338,376.06.³⁶² The law library received \$89,000 from the Law School for the next year's budget to address the \$169,839.24 carry-over leaving the library to address the remaining \$80,000.³⁶³ Nothing else in the research uncovered anything more regarding the invasion of the law library budget, but Director Carrick stated in a 1994 document prepared in anticipation of the ABA/AALS inspection that since 1990, the year of the materials moratorium, the library had been "studying its collection and recommending cancellations."³⁶⁴

Two of the areas studied for cancellation were state reporters and state print *Shepard Citators*.³⁶⁵ The Research and Writing (RAW) Faculty wrote a memorandum of concern to the Dean of the Law School, Peter Gerhart, stating that eliminating state reporters would make it difficult for adequate student access to needed materials for the first year research and writing exercises.³⁶⁶ The regional reporters were already in heavy use, and the elimination of most state reporters will increase the use, challenging needed accessibility for law students.³⁶⁷ The RAW faculty also did not support eliminating state print *Shepard Citators* because, at that time, the online sources of Westlaw and Lexis did include full statutory information and some secondary source materials, such as cites to state bar association journals. Besides, they argued that some government offices and law firms provided little or no access to online services.³⁶⁸

Despite the RAW Faculty concern, Dean Gerhart had already recommended to the law library committee that the law library had his permission to stop the upkeep of many print state reporters and state *Shepard Citators*.³⁶⁹ The memorandum to the law library committee made it clear that the Dean had been in conversations with RAW faculty, acknowledging their concerns, but he thought the CWRU law community could successfully rely upon the online resources and the regional *Shepard Citators* to provide the needed law student accessibility.

³⁶⁰ Report of the Accounting Unit to the Law Librarian of the Case Western Reserve University School of Law 2 (FY 1989/1990) (unpublished report) (on file with the Case Western Reserve University Law Library Archives).

³⁶¹ *Id.*

³⁶² Value of a 1990 dollar in 2019, DOLLAR TIMES INFLATION CALCULATOR, <https://www.dollartimes.com/inflation/> (enter \$169,839.24 in "Amount" box, 1990 in "from" box, and 2019 in "to" box).

³⁶³ Director's Annual Report 1989/1990, *supra* note 352, at 2.

³⁶⁴ Kathleen Carrick, Law Library Briefing Book 2 (1994) (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter *Law Library Briefing Book*]

³⁶⁵ *Id.*

³⁶⁶ Memorandum from RAW Faculty to Peter Gerhart, Dean of the Case Western Reserve University School of Law (February 4, 1993) (on file with the Case Western Reserve University Law Library Archives) (topic of the memorandum is library cutbacks).

³⁶⁷ *Id.*

³⁶⁸ *Id.*

³⁶⁹ Memorandum from Peter M. Gerhart, Dean of the Case Western Reserve University School of Law to the Case Western Reserve University School of Law Library Committee (Jan. 28, 1993) (on file with the Case Western Reserve University Law Library Archives) (topic of memorandum is reallocation of the library budget).

The Dean, questioning the usage of the state print citators, stated that the state print *Shepard Citators* were still available at the Cleveland Public Law Library and the Cleveland State University Law Library.³⁷⁰ Thirty-four state reporters and state print statutes were ultimately discontinued giving preference to Ohio and the largest states, such as New York, California, Florida, and Texas and many of the states geographically close to the state of Ohio, such as Indiana, Michigan, Pennsylvania, and West Virginia.³⁷¹

VIII. Automation Taking Shape (1992-2002)

In the 1992-1993 academic year, the campus libraries permanently moved from the inflexible, ineffectual GEAC system to the Innovative Interfaces system (III).³⁷² After hundreds of hours in negotiations, policy meetings, planning, and training sessions, the actual implementation was smooth, quick, and successful. The law library was able to use all its components with initial success.³⁷³

The law library once and for all put their acquisitions and serials subsystems into electronic format.³⁷⁴ Automated records, after years of frustration, were finally automated and available to staff and users. Added to this major automation event in the 1992-1993 academic year was another called OhioLINK.³⁷⁵ Case Western Reserve University was a charter member of OhioLINK, “a statewide academic library consortium serving 118 libraries, 89 institutions of higher education, the State Library of Ohio and more than 880,000 students, faculty, staff and researchers.”³⁷⁶

New policies and procedures, using both systems, were then developed in the 1992-1993 academic year. The effect was moving the law library from what it had been for decades, a

³⁷⁰ *Id.*

³⁷¹ States for which print state reporters and print state statutes upkeep was discontinued: Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Georgia, Hawaii, Idaho, Iowa, Kansas, Kentucky, Maine, Maryland, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, and Wyoming. *Id.*

³⁷² Kathleen Carrick, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 1992/1993, at 18 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director’s Annual Report 1992/1993].

³⁷³ *Id.*

³⁷⁴ *Id.*

³⁷⁵ *Id.*

³⁷⁶ *Consortium Agreement, OhioLINK Membership and Services*, OHIOLINK, https://www.ohiolink.edu/sites/default/files/uploads/MOU_SAMPLE_OhioLINK_Membership.pdf [<https://perma.cc/DV5L-DU23>] (last viewed Aug. 13, 2019) (listing CWRU as a charter member); *OhioLINK Breaks New Ground in Open Access with Wiley*, OHIOLINK, https://www.ohiolink.edu/press/ohiolink_breaks_new_ground_open_access_wiley [<https://perma.cc/5LY4-4AJF>] (last viewed Aug. 13, 2019) (statistics about OhioLINK); *Member Institutions*, OHIOLINK, <https://www.ohiolink.edu/members> [<https://www.ohiolink.edu/members>] (last viewed Aug.14, 2019) (listing CWRU Law Library as an OhioLINK member institution).

manual, self-contained, print-reliant system to an automated one that was now open to the state and beyond. Law faculty and students had access to resources they could have only imagined beforehand. It took considerable library staff time to examine loan policies, discuss fines, develop renewals procedures, and arrange delivery systems, but the changes were historic for the law library.³⁷⁷

The law library, with its print-based interlibrary loan system, was highly functional. It had become well established over the last several years, and Director Carrick, emphasizing ILLs importance since her arrival, was mostly responsible for the vast improvement.³⁷⁸ In Kathleen's first year, the 1983-1984 academic year, the interlibrary loan staff processed 285 borrowing/lending transactions.³⁷⁹ Nine years later, the same year they were implementing the ILL system and OhioLINK in the 1992-1993 academic year, they were processing 2,607 transactions, an 89% increase in ILL activity.³⁸⁰

Being the only law library founding member of OhioLINK, the new regional consortium would predictably result in even more interlibrary loan transactions.³⁸¹ Director Carrick stated that as the law library receives the first wave of transaction requests they must be prepared to increase the staff to meet the demand.³⁸² Whether the increase in staff occurred to meet the ILL demand, was not determined.³⁸³

Technology, continuing to change as it always has, made it difficult to know how new technology would endure. For example, Director Carrick, as many in the early 1990's had, stated that CD-ROM (disk technology) was going to be a major technology in law for years to come and it would be the medium of choice for archival purposes.³⁸⁴ Carrick is not alone.³⁸⁵ People also predicted that there would be nuclear powered vacuum cleaners and rocket mail,³⁸⁶ and a jet-grille design car named Edsel that would sell 200,000 cars in the first year alone.³⁸⁷

³⁷⁷ Director's Annual Report 1992/1993, *supra* note 372, at 4.

³⁷⁸ Author's opinion. Granted this was taking place before the onslaught of available electronic resources, but it was still impressive.

³⁷⁹ Law Library Briefing Book, *supra* note 364, at 3.

³⁸⁰ *Id.*

³⁸¹ *Id.*

³⁸² Law Library Briefing Book, *supra* note 364, at 12.

³⁸³ Author did not find any more associated references to increased staff in available documentation.

³⁸⁴ Law Library Briefing Book, *supra* note 364, at 11.

³⁸⁵ Moorthy, A. Lakshmana & CR Karisiddappa, *Mass Storage Technologies for Libraries & Information Centres*, DESIDOC BULL. INFO. TECH., Sept. 2000, at 3, 10-13.

³⁸⁶ Robert J. Szczerba, *15 Worst Tech Predictions of All Time*, FORBES (Jan. 5, 2015), <https://www.forbes.com/sites/robertszczerba/2015/01/05/15-worst-tech-predictions-of-all-time/#44d17af81299> [<https://perma.cc/CQP3-GPEK>].

³⁸⁷ *Edsel Historical Documents*, NATIONAL EDSSEL ARCHIVES AND MUSEUM, <http://edsel.net/history.html> [<https://perma.cc/87TP-YCS2>] (last viewed Aug. 9, 2019).

Director Carrick's reflection on the early 1990's as a period of significant technological changes in law libraries reshaping the use of materials and the delivery of information, however, was on the mark and remains poignant well over twenty years later.

These changes come at a time of budget cuts throughout legal education and the revision of ABA and AALS standards. The proposed standards recognize the impact new technology will have in both the format of libraries collections and the type of information that is accessible. Resource sharing has become the accepted norm as libraries try to accurately identify their strengths and weaknesses, realizing that no single institution can afford to be strong in every area.³⁸⁸

The 1995 ABA-AALS evaluation team report³⁸⁹ stated the CWRU law library had proceeded with the integration of CD-ROM products more quickly than many other schools.³⁹⁰ Of course, the use of CD-ROMs in the practice of law didn't take off as anticipated but there are several reasons for that, such as licensing,³⁹¹ rise of smaller mobile computers, lack of capacity, and the rise of non-physical media like digital files.³⁹²

It was reported in the 1995 ABA-AALS evaluation team report that the core collection was solid, but that the collection of treatises was thin and not sustainable of in-depth faculty research.³⁹³ The review stated that the lack of a quality research collection was not a new problem having been identified in the previous ABA site report.³⁹⁴ The library director in answering the evaluation team's query admitted that she no longer prepared a formal annual report in which she would usually ask for additional funds from the Dean because the law library generally received a flat amount based on the University's projection for the other campus libraries.³⁹⁵

Even if there had been additional funds to purchase more of a quality collection beyond the core, there would have been little shelf room. The library had relocated some of the older collection to compact shelving and some to offsite storage due to insufficient shelving space in the building.³⁹⁶ The materials listed as retrievable remained in boxes.³⁹⁷

³⁸⁸ Collection Development Policy Purpose and General Principles 1.1, *in* Law Library Briefing Book, *supra* note 364. – NOTE TO EDITOR: This chapter has its own pagination.

³⁸⁹ John R. Kramer, et. al., Report on Case Western Reserve University School of Law by the Joint ABA-AALS Evaluation Team (March 26-29, 1995) (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter *ABA-AALS Report*].

³⁹⁰ *Id.* at 32.

³⁹¹ Michael Higgins, *Disappearing Data: That CD-ROM May Self-destruct if you Don't Check the Expiration Date*, A.B.A. J. August 1998, at 30.

³⁹² Mark Kyrnin, *Death of the Computer Optical Drive*, LIFEWIRE, (June 24, 2019), <https://www.lifewire.com/death-of-the-computer-optical-drive-832403> [<https://perma.cc/T96K-LXXA>].

³⁹³ ABA-AALS Report, *supra* note 389, at 32.

³⁹⁴ *Id.*

³⁹⁵ ABA-AALS Report, *supra* note 389, at 27. After the 1989/1990 fiscal year, the only reports in the law library archives were dated 1998/1999, 1994/1995, 2000/2001, 2001/2002, 2002/2003, 2003/2004, 2004/2005 and 2007/2008.

³⁹⁶ *Id.*

³⁹⁷ *Id.* at 34.

The library facility paled in comparison to the rest of the Law School. The Law School is “generally spacious, airy, and light,” while the law library, in contrast, is “crowded, dimly lit, and somewhat dingy.”³⁹⁸ The ABA site report concluded that the library facilities needed “substantial”³⁹⁹ attention. The HVAC system was needing adjustment or an overhaul to accommodate the expanding computer facilities.⁴⁰⁰ The library shelving was at 84% full, meaning it was functionally full for standards purposes.⁴⁰¹ The closeness of the stacks on the third-floor made vision difficult.⁴⁰² Even the lighting in the study areas on the third-floor had inadequate lighting.⁴⁰³

Michael Gerhardt, who had spent his previous six years as associate professor and professor of law at William & Mary, became the new dean on July 1, 1996. He decided to address the issues from the 1995 ABA site report by preparing a new self-study. The self-study committee he created addressed the library issues stressed from the ABA inspection (space and facilities, inadequate collection, and budgetary concerns). The dean determined an overall concept for the library was needed.⁴⁰⁴ The final 1997 self-study stated that the Law School needed to identify its long-term plans for the physical library space.⁴⁰⁵

The self-study reported that in the two years since the ABA inspection, the library had grown from 84% full to be 86% full.⁴⁰⁶ The library had identified alternative space storage and started a weeding process.⁴⁰⁷ Dean Gerhardt initiated a 3 percent increase in the materials budget, the first increase in funds since the early 1990s.⁴⁰⁸ The collection remained an unresolved issue with the self-study committee, but the recent implementation of the OhioLINK consortium was thought to be the possible solution to the resource needs of faculty and students.⁴⁰⁹ In sum, the committee stated that none of the problems identified by the ABA site team regarding the library were insurmountable, but the issues still needed attention.⁴¹⁰

Director Carrick wrote an undated document after the 1995 ABA Report and 1996-97 Self-study titled “Law Library Memo: Current Issues and Future Directions.” The late 1990s document stated that the three main concerns (space, operating budget, and collections) confronting the library in both the last ABA Report and the 1996-1997 Self-study, had not yet been

³⁹⁸ *Id.* at 37.

³⁹⁹ *Id.* at 40.

⁴⁰⁰ *Id.*

⁴⁰¹ *Id.* at 39.

⁴⁰² *Id.*

⁴⁰³ *Id.*

⁴⁰⁴ Case Western Reserve University School of Law Self-Study for ABA Reaccreditation 12 (February 18, 1997) (on file with the Case Western Reserve University Law Library Archives) [hereinafter *CWRU Law Self-Study 1997*]

⁴⁰⁵ *Id.*

⁴⁰⁶ *Id.*

⁴⁰⁷ *Id.*

⁴⁰⁸ *CWRU Law Self-Study 1997, supra* note 404, at 14.

⁴⁰⁹ *CWRU Law Self-Study 1997, supra* note 404, at 15.

⁴¹⁰ *CWRU Law Self-Study 1997, supra* note 404, at 16.

addressed.⁴¹¹ The memo first addressed space. Carrick ran through the over 25-year history of the physical law library space mentioning several piecemeal changes the Law School made, such as gerrymandering library space for faculty offices and programs. The Director was also critical of library remodeling projects that never got off the ground due to lack of funds.⁴¹² An example was the scheduled remodeling of the north side of the main first floor that was eliminated in 1994 after the renovations for the new classroom construction ran over budget.⁴¹³

Carrick let out her frustration concerning how the Law School had dealt with library space:

[w]e need to come to two basic agreements. First, the Library needs to be recognized as a priority of the Law School, not as an afterthought which is dealt with only because it is again sacrificing space to another project. Second, the Law School needs to reach an honest acknowledgement that the Library will remain in its current space for the indefinite future...By eliminating the ungrounded expectation that a new building is possible or inevitable, we eliminate one of the basic excuses for not facing our current situation. We would also eliminate the concept that the library can continue to sacrifice space because an addition is in the future.⁴¹⁴

Director Carrick went on to discuss the various facility shortcomings throughout the library, including the poor lighting and the noisy wind tunnels on the third floor, along with insufficient storage and the lack of support for additional compact shelving. One area of immediate concern was the lack of shelf space in the law library. The library was effectively full at 86% capacity.⁴¹⁵ The law library had looked for temporary shelving even before the last ABA site visit, moving some 30,000 volumes to commercial off-site storage. The library also rented some storage space in what they call the Cedar Facility.⁴¹⁶ The facility is not conducive to the open storage of materials. There are some boxed files of a deceased judge's papers there along with old furniture.⁴¹⁷

Storage space was at the very top of the Director's wish list in the memo. The book Carrick used to calculate shelf space, *Planning Academic and Research Library Buildings, 3rd edition*⁴¹⁸ was published in 1999, portending that the writing of the memo took place in 1999. The well written document most likely did get to its intended audience. A reasonable assumption is that

⁴¹¹ Kathleen Carrick, Law Library Memo: Current Issues and Future Directions (circa 1999) (on file with the Case Western Reserve University Law Library Archives) [hereinafter *Current Issues and Future Directions*]

⁴¹² *Id.* at 2.

⁴¹³ *Id.*

⁴¹⁴ *Id.*

⁴¹⁵ *Id.*

⁴¹⁶ *Id.*

⁴¹⁷ *Id.*

⁴¹⁸ PHILLIP LEIGHTON & DAVID WEBBER, *PLANNING ACADEMIC AND RESEARCH LIBRARY BUILDINGS* (3d ed. 1999).

Director Carrick gave the polished memo to the Law School Library Committee. The Director also let some frustration be known over the state of the budget.

The library's major budget issues are unfortunately similar to our space problems. The Law School has often viewed the library as the residuary for the School's space and funding. If space was needed, it was taken from the library. If money was needed, it was taken from the library's funding...The perception of the library's budget as "changeable" – as a figure that the Law School administration could alter throughout the fiscal year – has driven the library's collections, and sometimes policies, through many of our recent years.⁴¹⁹

Curiously, Carrick stated that the current library operating budget was adequate and that the library and Law School needed to keep working together to maintain a clear, reliable budget.⁴²⁰ She imagined adjustments in the budget were possible through communication.⁴²¹ Carrick acknowledged that "the clarification of accounting and adjustments was a major goal that, now achieved, should be protected and maintained in good faith."⁴²² The director went on to state that the budget could develop more stability through the creation of new endowments for equipment and other ongoing expenses,⁴²³ such as maintaining the international collection where inflation is as high as 20 percent.⁴²⁴

Carrick having addressed space and budget in the memorandum, the last of the three significant areas remained: the collection. Carrick lamented the fact that a lot of the budget spending went to maintaining costly duplicative sets of the West regional reporters, the *American Law Reports*, and legal encyclopedias even though these sources were duplicating sets of CD-ROM and online databases.⁴²⁵ Law faculty members were concerned about student accessibility and this conservative view, in her opinion, led to both issues of duplicated costs and space limitations.⁴²⁶

The director was not hopeful for a change of attitude amongst some of the faculty and resigned herself to more doable goals such as establishing a substantial monograph budget that the library could commit to protecting against Law School invasion during times of financial difficulties. Also, she thought there might be potential collection areas where online resources

⁴¹⁹ Current Issues and Future Directions, *supra* note 411, at 7.

⁴²⁰ *Id.*

⁴²¹ *Id.*

⁴²² *Id.*

⁴²³ The author notes that establishing new endowments for maintaining ongoing expenses is a difficult sell.

⁴²⁴ Current Issues and Future Directions, *supra* note 411, at 8.

⁴²⁵ *Id.*

⁴²⁶ *Id.* at 9.

would suffice saving needed shelf space.⁴²⁷ For example, the infrequently used *English Reports* took up much shelf space. Carrick asserted the set would be perfect for online access only.⁴²⁸

There was an influx of personnel in the early 2000s, filling several positions. Director Carrick and Associate Director, D.R. Jones⁴²⁹ hired several talented people who would become essential members of the law school library for years to come, librarians like Rob Myers, Megan Allen, and Lisa Peters.⁴³⁰ In addition to the important personnel additions, Blackboard was the new educational software introduced in the spring of 2001.⁴³¹ The introduction of the software offered faculty the opportunity to post announcements and assignments to their students consistently.⁴³² The law library also introduced Iliad in the summer of 2001, an automated interlibrary loan software allowing users to request and track interlibrary loan requests online.⁴³³

With the influx of new people, the law library had a staff of thirty in 2000-2001.⁴³⁴ Included in the total number was the IT and AV departments. IT had a Director with a staff of five and AV had a two-member department, all under the supervision of the law library director. It was difficult finding workspaces for everyone due to the Law School cannibalization of parts of the law library over the years.⁴³⁵ In January 2002, the library comprised of only 31,495 square feet, which ranked the law library 143rd amongst United States law schools.⁴³⁶

In 2000-2001, the law library took advantage of the opportunity to piggyback on the University Library's decision to move a sizable portion of their collection to an Iron Mountain preservation facility located in Pennsylvania.⁴³⁷ The move to Iron Mountain helped the law library address the long-term storage issue. The law library set in motion a plan to assess the off-site storage potential, identify materials for storage, and start moving the selected items to the Pennsylvania facility.⁴³⁸

⁴²⁷ *Id.*

⁴²⁸ *Id.* at 10.

⁴²⁹ In 2008, D.R. Jones became Professor and Law Library Director at the University of Memphis Law School. CWRU Law Library Self-Study 2009, *infra* note 486, and accompanying text.

⁴³⁰ Librarians Judy Kaul, Deb Dennison, Andrew Dorchack, Cheryl Cheatham, and SaraJean Petite were already staff members.

⁴³¹ Case Western Reserve University School of Law Self-Study for ABA Reaccreditation 34 (Jan. 2002) (on file with the Case Western Reserve University Law Library Archives) [hereinafter *CWRU Law Self-Study 2002*]

⁴³² *Id.*

⁴³³ *Id.*

⁴³⁴ *Id.*

⁴³⁵ *Id.*

⁴³⁶ *Id.*

⁴³⁷ "Iron Mountain Incorporated (NYSE: IRM) is a global business dedicated to storing, protecting and managing, information and assets." *About Us*, IRON MOUNTAIN, <https://www.ironmountain.com/about-us> [<https://perma.cc/3YGW-792H>] (last viewed Aug. 12, 2019).

⁴³⁸ Kathleen Carrick, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 2000/2001, at 2 (unpublished report) (on file with the Case Western Reserve University Law Library Archives).

The 2002 self-study report referred to the upcoming law library renovation, see Section IV below.⁴³⁹ The self-study report described a complete renovation of the library.⁴⁴⁰ The self-study mentioned student conference rooms.⁴⁴¹ There was also mention of more student study and work areas. Increased professional staff space was also an essential factor mentioned in the report.⁴⁴² The plan had been presented to the faculty and was well received. As of January 2002, the hurdle appeared to be the funding.⁴⁴³

IX. Law Library Renovation (2003-2006)

Robert Bull, an architect of the SmithGroup, suggested a design charrette⁴⁴⁴ for the law library renovation.⁴⁴⁵ A letter stated that Bull met with several library user groups.⁴⁴⁶ Five one-page documents represented five different library stakeholders who collaborated: the Dean, the library directors, the law faculty, the students, and the librarians and staff.⁴⁴⁷

In comparing the objectives of the five individual groups, the dean was most concerned with image, engaging students, the flexibility of creating multifunctional and student gathering areas, and fundraising opportunities for attaching naming rights to rooms or areas within the library.⁴⁴⁸ The faculty was also interested in the creation of multifunctional spaces to share resources, image, and engaging students. The faculty also stressed efficiencies, making the maximum utility of the space using creative options. They stated that the quality of the study areas needed to improve with the renovation through the installation of better lighting and more noise control. Lastly, the faculty was interested in technology, stating that there needed to be more access to power and data outlets in addition to increased access to online services.⁴⁴⁹

The students wanted more variety overall and better-equipped study areas. Comfortable and better-configured furniture, better lighting, and larger tables in the study areas were also high on their lists. The students wanted more group study rooms, more A.V. display rooms, and

⁴³⁹ CWRU Law Self-Study 2002, *supra* note 431, at 34 - 35.

⁴⁴⁰ *Id.*

⁴⁴¹ The author interprets to be study rooms.

⁴⁴² CWRU Law Self-Study 2002, *supra* note 431, at 38 - 39.

⁴⁴³ *Id.*

⁴⁴⁴ "A design charrette is a short, collaborative meeting during which members of a team quickly collaborate and sketch designs to explore and share a broad diversity of design ideas." *Charrettes (Design Sketching): 1/2 Inspiration, 1/2 Buy-In*, NIELSEN NORMAN GROUP, <https://www.nngroup.com/articles/design-charrettes/> [<https://perma.cc/7NZ6-USFM>] (last viewed Aug. 12, 2019).

⁴⁴⁵ Letter from Robert Bull, AIA Associate, SmithGroup, to Kathleen Carrick, Director of Law Library (March 10, 2000) (on file with Case Western Reserve University Law Library Archives).

⁴⁴⁶ *Id.*

⁴⁴⁷ Robert Bull, Case Western Reserve University School of Law: Library Renovation Pre Planning Study: Attachment to Letter from Robert Bull (March 10, 2000) (unpublished report) (on file with Case Western Reserve University Law Library Archives) [hereinafter *Bull Report*]

⁴⁴⁸ *Id.* at 1 (Dean).

⁴⁴⁹ *Id.* at 3 (Faculty).

choices between quiet and noisier study areas. Interviewed at the turn of the 21st century, the student group was also looking for the convenience of more email stations on the first floor. They also wanted places within the stacks to lay books as they searched the shelves, such as pull-out shelves. Regarding other technology, the students wanted a bigger computer lab, more power and data connectivity in the study areas, in addition to effortless access to online services.⁴⁵⁰

The library directors also wanted the strong image mentioned by the dean and the faculty of a dignified, academic, and professional space. They wanted the flexibility of space like the dean and the faculty. Like the dean, the library directors mentioned the creation of neighborhoods in the library that would comprise the community of the law library with each neighborhood representing a naming opportunity.⁴⁵¹ While many of the listed attributes amongst the five groups received attention and eventual adoption, the neighborhood theme wasn't one despite the dean and library directors' interest.

The library directors, like the faculty and students, stressed the importance of technology. The library directors specifically mentioned the hope for a "wired School." The directors also echoed the students' need for more comfortable areas and seating in the library. The one area the directors mentioned, not mentioned by any other collaborating user group, was an objective of "openness" in the renovated library with attractive open spaces that promote student interaction.⁴⁵²

The remaining user group, labeled librarians and staff, had some of the same objectives listed by the previous four groups. They advocated for a good image, flexibility, comfort, and efficiency through better organization of staff areas and storage options. Also, the librarians and staff had their ideas regarding technology. They advocated for a future technology plan and a more extensive computer lab. They encouraged more computer stations throughout the library, which would provide online card catalog access, but they discouraged any email use on the first floor.⁴⁵³ They lost the email battle with several email accessibility points added to the first floor in the renovation.⁴⁵⁴

The one objective the librarians and staff addressed that no other user group mentioned, even the library directors, was the current configuration of the circulation and reference desks.⁴⁵⁵ The group was asking for a clear delineation between the reference and circulation desks and a better orientation of the reference space.⁴⁵⁶ Circulation and reference services shared the same space to one side at the entrance to the law library.⁴⁵⁷ The opening to space, approximately

⁴⁵⁰ *Id.* at 5 (students).

⁴⁵¹ *Id.* at 2 (library directors).

⁴⁵² *Id.*

⁴⁵³ *Id.* at 4 (librarians)

⁴⁵⁴ Interview with Robert Myers, Associate Director of Operations at Ben C. Green Law Library (Apr 18, 2018).

⁴⁵⁵ Bull Report, *supra* note 447, at 4 (librarians and staff).

⁴⁵⁶ *Id.*

⁴⁵⁷ *Id.*

four feet off the ground, resembled a coat rack opening with the bottom closed.⁴⁵⁸ Students and faculty, or any other patron for that matter, had no place to sit and remained standing during any interaction at the service point.⁴⁵⁹ Besides, there was a need for more reserve shelving in the reference area.

The *Cleveland Plain Dealer* reported on February 4, 2003, that the law school received 2 million dollars from the family of former U.S. District Judge Ben C. Green to name the law library in his honor.⁴⁶⁰ Judge Green was appointed to the United States District Court for the Northern District of Ohio by President Kennedy in 1962.⁴⁶¹ The late judge, who received both his undergraduate degree (*cum laude*) in 1928 and his LL.B. (Order of the Coif)⁴⁶² from Western Reserve University School of Law in 1930, served 20 years in the Northern District Court and died while still sitting on the Court in 1983 at the age of 78.⁴⁶³

Dean Korngold put the 2 million dollars Green family gift toward a 5.5 million dollars renovation of the entire library taking fifteen months to complete.⁴⁶⁴ After fits and starts, the final planning for the renovation of the law library started in 2003.⁴⁶⁵ The actual construction started in September of 2004, soon after the fall semester started.⁴⁶⁶ Transforming the third floor from a “shelf forest” to a more functional ADA compliant library space, containing eight large study rooms, two computer labs, and some low shelving to create a more open environment, required the removal of approximately 57,600 volumes to long-term offsite storage, adding to the 25,000 volumes already there.⁴⁶⁷

The renovation, taking place in 2004, came toward the end of the “golden age” of academic law libraries.⁴⁶⁸ The “golden age” was a time that included expanded collections, adding more dual-degreed librarians, adequate staffs, and budgets.⁴⁶⁹ The ABA standards focused on volume count in ranking academic law libraries during the “golden age.”⁴⁷⁰ It was a time before the

⁴⁵⁸ *Id.*

⁴⁵⁹ *Id.*

⁴⁶⁰ Barb Galbincea, *Judge’s Kin Give \$2 Million to Law School*, CLEVELAND PLAIN DEALER, Feb. 4, 2003, at B1.

⁴⁶¹ *Id.*

⁴⁶² COMMENCEMENT [PROGRAM]: WESTERN RESERVE UNIVERSITY IN THE CITY OF CLEVELAND 3 (1928), <http://hdl.handle.net/2186/ksl:uarchives-wrucmp1928-06>; COMMENCEMENT [PROGRAM]: WESTERN RESERVE UNIVERSITY IN THE CITY OF CLEVELAND 10 (1930), <http://hdl.handle.net/2186/ksl:uarchives-wrucmp1930-06>.

⁴⁶³ *Ben Charles Green*, FEDERAL JUDICIAL CENTER: BIOGRAPHICAL DIRECTORY OF FEDERAL JUDGES, <https://www.fjc.gov/history/judges/green-ben-charles> [https://perma.cc/EPC8-PEQH] (last viewed Aug. 12, 2019).

⁴⁶⁴ D.R. Jones & Robert R. Myers, *Collection Transformation*, AALL SPECTRUM, May 2006, at 20.

⁴⁶⁵ *Id.* at 21

⁴⁶⁶ *Id.*

⁴⁶⁷ *Id.*

⁴⁶⁸ Lee Peoples, *Designing a Law Library to Encourage Learning*, 63 J. LEGAL EDUC. 612, 613 (2014) (citing Taylor Fitchett et al., *Law Library Budgets in Hard Times*, 103 LAW LIBR. J. 91, 93 (2011)).

⁴⁶⁹ Taylor Fitchett, James Hambleton, Penny Hazelton, Anne Klinefelter, Judith Wright, *Law Library Budgets in Hard Times*, 103 LAW LIBR. J. 91, 93-94 (2011).

⁴⁷⁰ STANDARDS FOR APPROVAL OF LAW SCHOOLS AND INTERPRETATIONS, Standard 601 interpretation 601-1 (Am. Bar Ass’n 2003-2004), https://www.americanbar.org/content/dam/aba/publications/misc/legal_education/Standards/standardsarchive/

electronic collections came to overshadow print, when an essential thing was finding shelving space for countless books. It was a time of quantity over quality. Multiple, redundant sets of primary and secondary print series were the collection norm and were even encouraged in order to pump up the volume count to meet the quantitative accreditation standards.⁴⁷¹

With the renovation taking place during the “golden age,”⁴⁷² the law library was on strict instructions from Dean Korngold not to withdraw any volumes and titles.⁴⁷³ Either the books remained on site or shipped to off-site storage.⁴⁷⁴ After the renovation, the law library still held 210,000 volumes on site.⁴⁷⁵ The law library turned to the law faculty library committee to discern what exactly should be going to storage.⁴⁷⁶ The faculty committee created guidelines in August 2003.

...the committee decided to store long term all state reporters, encyclopedias, and digests (except for five states); all duplicate federal reporters and statutes; all duplicate journal sets; most Canadian and Commonwealth reporters; select government document sets; and a percentage of the law and non-law monograph collections. The committee also approved guidelines to be used in determining which particular monographic titles would be sent offsite.⁴⁷⁷

The faculty approved the committee’s guidelines, and in order to streamline the move to storage, the library staff created a database that collects information from the online catalog on each title’s publication date, edition, circulation history, and re-shelving history.⁴⁷⁸ Lists of all the titles, mostly monographs (more than 19,000), were compiled and distributed to librarians based on their faculty liaison assignments and subject specialty knowledge (many times the same). The librarians would then go to the shelves armed with the list data to make the determinations.⁴⁷⁹ The storage decisions were entered back into the database for all collection decisions going forward.⁴⁸⁰

The compilation of librarian storage decisions was finished in early 2004 and submitted to the faculty via seventeen three-ring binders. Faculty comfortable with reviewing an electronic

2003_2004_standards.pdf [https://perma.cc/8B8N-RR2T] (“Standard 601 is not satisfied by arranging for the students and faculty to have access to other law libraries within the region. (August 1995; August 1996)”).

⁴⁷¹ Lee Peoples, *Designing a Law Library to Encourage Learning*, 63 J. LEGAL EDUC. 612, 613 (2014).

⁴⁷² *Id.*

⁴⁷³ Interview with Robert Myers, Associate Director of Operations at Ben C. Green Law Library (July 24, 2017).

⁴⁷⁴ *Id.*

⁴⁷⁵ The print collection contained 268,000 volumes before the renovation but complying with the American’s with Disabilities Act (ADA) required losing more than 20% (or 57,600 volumes) of the print collection to offsite storage. Jones and Myers, *supra* note 464.

⁴⁷⁶ *Id.*

⁴⁷⁷ *Id.*

⁴⁷⁸ *Id.*

⁴⁷⁹ *Id.*

⁴⁸⁰ *Id.*

format received database access.⁴⁸¹ Since the law library was piggybacking off the main campus library's contract with Iron Mountain and time was of the essence,⁴⁸² only a one-month faculty review was permitted. There were very few faculty requests.⁴⁸³ The process of pulling the volumes, authenticating barcodes, boxing the volumes, and then transporting the boxes to Pennsylvania took five weeks.⁴⁸⁴

The completion of the renovated library transformed what had been the traditional, classic law library structure of rows and rows of shelved printed books mimicking a warehouse with seating along the fringes to a transformative arrangement offering much more comfortable seating, openness, places to collaborate, and areas for study, some designated as quiet.⁴⁸⁵

X. Judge Ben C. Green Law Library: Post Renovation (2007-2017)

After the completion of the renovation, there followed a realignment of staff positions and responsibilities. The law school IT department no longer reported to the law library director, so the number of full-time employees in the library staff diminished. D.R. Jones, deputy director, left to become the law library director at the University of Memphis in the summer of 2008.⁴⁸⁶ Upon her departure, there was a realignment of the position of manager of serials and acquisitions into the position of associate director for collections and acquisitions which led to the promotion of incumbent manager, Rob Myers. Rob had distinguished himself through his excellent collection supervision during the renovation and CRIV committee work.⁴⁸⁷ Besides, he had a background in serials and budgetary matters going back to his days as directing law firm libraries.⁴⁸⁸ In 2009, there were twenty-three members of the library staff. Ten were librarians.⁴⁸⁹

Another redesigned position after the departure of the deputy director was that of the associate director of public services who would now oversee reference, access services, web/technology, and the teaching program.⁴⁹⁰ Andrew Plumb-Larrick filled the position after a nation-wide search in the 2009/2010 school year.⁴⁹¹ Mr. Plumb-Larrick had been the head of public services and lecturer in law at the Arthur W. Diamond Law Library at Columbia Law

⁴⁸¹ *Id.*

⁴⁸² *Id.*

⁴⁸³ *Id.*

⁴⁸⁴ *Id.*

⁴⁸⁵ *Id.*

⁴⁸⁶ The Judge Ben C. Green Law Library ABA Self Study 1 (2009) (on file with the Case Western Reserve University Law Library Archives) [hereinafter *CWRU Law Library Self-Study 2009*]

⁴⁸⁷ Author's knowledge of the associate director's background.

⁴⁸⁸ CWRU Law Library Self-Study 2009, *supra* note 486.

⁴⁸⁹ *Id.*

⁴⁹⁰ CWRU Law Library Self-Study 2009, *supra* note 486, at 1-2.

⁴⁹¹ *Id.*

School.⁴⁹² After the personnel changes were in place, the establishment of administrative unit meetings transpired. The meetings consisting of the director, the two associate directors mentioned above, another associate director of budget and HR, and the library's administrative coordinator meet weekly.⁴⁹³

Lisa Peters was realigned into the position of business law & empirical specialist/reference librarian, relieving her from the daily responsibilities as head of access services allowing her to support the law faculty's growing interest in empirical research areas.⁴⁹⁴ The development of Donna Ertin helped facilitate the change. Donna had served in various capacities in the access services department since 2004, and she served as access services manager since 2006. She assumed the role of head of access services and was assigned to report to the associate director for public services.⁴⁹⁵ Before filling the associate director for public services position, the director supervised the position with the support of the staff.⁴⁹⁶

The law library received increases in its materials budget in the first ten years of the new century.⁴⁹⁷ The increases ranged from between 2% to 5% over the aught years.⁴⁹⁸ Even with the increases, the law library was forced to make some substantial cancelations. 2007 saw a cut of \$104,000 due to the annual price increases for serials supplementation.⁴⁹⁹

During the 2007/2008 school year, with the ABA officially de-emphasizing volume and title count as a method of measuring the value of academic law libraries, the library started to reduce their off-site storage costs. In October 2007, the law library arranged with Iron Mountain to withdraw and recycle thirteen duplicative large sets of federal titles in storage.⁵⁰⁰ The new long-range goal, totally different from what it had been four years previous, was to reduce significantly off-site storage holdings to a collection of unique treatises, legislative materials, and monographs.⁵⁰¹

In the spring of 2013, Kathy Carrick retired. Andrew Plumb-Larrick was chosen by Dean Lawrence Mitchell to become the acting director. Soon after Plumb-Larrick became acting, the Law School confronted a severe budgetary hardship, and Dean Mitchell gave the unpleasant task of cutting four library staff to the inexperienced acting director.⁵⁰²

⁴⁹² Carl Andrew Plumb-Larrick profile, LINKEDIN, <https://www.linkedin.com/in/calarrick> (last viewed on Aug. 12, 2019).

⁴⁹³ CWRU Law Library Self-Study 2009, *supra* note 486, at 2.

⁴⁹⁴ Kathleen Carrick, Annual Report of the Law Librarian to the Dean of the Case Western Reserve University School of Law for the Academic Year 2007/2008, at 1-2 (unpublished report) (on file with the Case Western Reserve University Law Library Archives).

⁴⁹⁵ CWRU Law Library Self-Study 2009, *supra* note 486, at 2

⁴⁹⁶ *Id.*

⁴⁹⁷ *Id.*

⁴⁹⁸ CWRU Law Library Self-Study 2009, *supra* note 486, at 4.

⁴⁹⁹ *Id.*

⁵⁰⁰ *Id.*

⁵⁰¹ CWRU Law Library Self-Study 2009, *supra* note 486, at 7.

⁵⁰² Conversations with law library staff members, April 19-20, 2018.

The Law School hit with a financial, budgetary crisis put a stop to Dean Mitchell's exploratory plans with Arnold Hirshon, Associate Provost and University Librarian at CWRU, to consolidate the law library with the main campus library.⁵⁰³ Soon after that Dean Mitchell faced a much bigger personal crisis that came to light during the 2013/2014 school year alleging sexual impropriety, and Mitchell resigned on March 1, 2014.⁵⁰⁴ He had been on a leave of absence since November 2013.⁵⁰⁵

The Law School landed well on its feet during this challenging time with the President of the University⁵⁰⁶ appointing Jessica Berg and Michael Scharf, two dynamic and highly accomplished law professors, to lead the law school.⁵⁰⁷ The co-deans decided to make the law library director's position a national search, hiring the author as the Associate Professor of Law & Director, Judge Ben C. Greene Law Library. Within two months of Custer's first day on July 1, 2015, the co-dean's interim status was made permanent.⁵⁰⁸

The most important aspect of Custer's tenure thus far on the law library is instilling a program of a living strategic plan partnered with project management to make the rubber meet the road.⁵⁰⁹ The law library already has met several objectives through the completion of many projects. During the 2015-2016 fiscal year, the law library completed eight projects.⁵¹⁰ In fiscal

⁵⁰³ "Dean Mitchell told me that he did not want to pay for a law library anymore." Both the university librarian and dean of Law School were bringing in a group of consultants to advise on the consolidation until the Law School was hit with the budgetary crisis approximately two weeks before the consultants were to arrive. Interview with Arnold Hirshon, Associate Provost and University Librarian at CWRU (Jan. 31, 2018)

⁵⁰⁴ *Lawrence E. Mitchell resigns as School of Law dean*, CASE WESTERN RESERVE UNIVERSITY: THE DAILY (Mar 4, 2014), <https://thedaily.case.edu/lawrence-e-mitchell-resigns-as-school-of-law-dean/> [<https://perma.cc/TPR2-GG42>].

⁵⁰⁵ *Id.*

⁵⁰⁶ CWRU President Barbara Snyder "began her academic career as an assistant professor at Case Western Reserve's School of Law, then joined the faculty of Moritz College of Law at The Ohio State University. After serving in several leadership positions at Moritz and within the central university, Snyder became OSU's Interim Executive Vice President and Provost in 2003 before securing the permanent position the following year. She graduated from the University of Chicago School of Law, where she served as executive editor of its law review, and earned her bachelor's degree from Ohio State." *President Barbara R. Snyder's Biography*, CASE WESTERN RESERVE UNIVERSITY, <https://case.edu/president/bio.html> [<https://perma.cc/C5KK-N9L9>] (last viewed Aug. 12, 2019.)

⁵⁰⁷ *Id.*

⁵⁰⁸ *Interim leaders no more: Law's Berg and Scharf named deans* CASE WESTERN RESERVE UNIVERSITY: THE DAILY (Aug.21, 2015) <https://thedaily.case.edu/interim-leaders-no-more-laws-berg-and-scharf-named-deans/> [<https://perma.cc/5KZP-EA67>].

⁵⁰⁹ Author's plan was not created in a vacuum. In getting his MBA he took several project management and strategic alliance classes. He also read on the topic. See generally, Filippa Marullo Anzalone, *Project Management: A Technique for Coping with Change*, 92 LAW LIBR. J.53, 55-56 (2000); Dragon Z. Milosevic and Sabin Srivannaboon, *A Theoretical Framework for Aligning Project Management with Business Strategy* 37 PROJ. MGMT. J. 98 (2006).

⁵¹⁰ Joseph Custer, Annual Report of Library Director for the Fiscal Year 2016 to the Co-Deans of the Law School, at 2 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director's Annual Report 2015/2016].

2016-2017 the law library completed 21 projects.⁵¹¹ By December 31, 2017, half way through the 2017-2018 fiscal, the law library completed ten projects.⁵¹²

The discussion below covers some of the projects. In fiscal 2016/2017, the law school adopted Freedcamp as the project management software to be used across law school departments. The law library has held project management training classes for the rest of the law school.⁵¹³ The Deans intend there be a reliance upon Freedcamp and the library intends to lead the way.⁵¹⁴

During the 2015-2016 fiscal year, the law library loaded all five Law School journals on bePress, Digital Commons.⁵¹⁵ The law library also relaunched the library liaison program in 2015-2016, which had been dormant since Kathy Carrick's retirement in the spring of 2013.⁵¹⁶ The law library improved innovative faculty teaching.⁵¹⁷ Other improvements in the area of technology included upgrades made to the computer training classroom and installing the Intel Unite model in two of the library study rooms.⁵¹⁸

Also, two self-service Scannx Book ScanCenters scanners were added in the fiscal year 2015-2016 and are big hits with the students and staff.⁵¹⁹ Also, the library has purchased a host of smaller items which students can check-out from the circulation desk (including phone chargers, MacBook chargers, iPads, charging blocks, and standing desks).⁵²⁰

In the 2016-2017 fiscal year, the law library cut over \$150,000 from the law library budget by adopting the MALLCO (Mid-America Law Library Consortium) print treatise and statute collection sharing plans.⁵²¹ The law library collection has become much more electronic since 2015. In the fiscal year 2015-2016 the law library had budgeted \$350,000 for electronic materials and \$625,000 for print serials. With a smaller budget, the law library has almost

⁵¹¹ Joseph Custer, Annual Report of Library Director for the Fiscal Year 2017 to the Co-Deans of the Law School, at 2 (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter Director's Annual Report 2016/2017].

⁵¹² Project management completed projects file spreadsheet (on file with author).

⁵¹³ Director's Annual Report 2016/2017, *supra* note 511, at 4-5.

⁵¹⁴ Email from Co-Deans Berg and Scharf to the law school faculty and staff (May 7, 2017, 13:31 EST) (on file with author).

⁵¹⁵ Digital Commons lets the Law School publish, manage, and increase recognition for everything produced. The five journals are Case Western Reserve Law Review, Case Western Reserve Journal of International Law, Health Matrix: The Journal of Law-Medicine, Journal of Law, Technology, and Canada-United States Law Journal.

⁵¹⁶ Andrew Plumb-Larrick, in his tenure as acting director, deemphasized the program.

⁵¹⁷ Under the leadership of Megan Allen, Assistant Director of Technology and Strategic Initiatives.

⁵¹⁸ Annabelle Gawer & Michael A. Cusumano, *Industry Platforms and Ecosystem Innovation*, 31 J. PRODUCT INNOVATION MGMT. 417 (2014).

⁵¹⁹ Director's Annual Report 2015/2016, *supra* note 510, at 6.

⁵²⁰ *Id.* at 10.

⁵²¹ Joe Custer was President of MALLCO when hired at Case School of Law, and he advocated for Ben C. Green Law Library inclusion into the MALLCO consortium.

flipped those numbers in the last three years.⁵²² The infusion of electronic books over the past three years has been significant. In fiscal year 2015-2016, the library added eleven databases, seven of which were one-time ownership purchases, costing a total of \$200,000.⁵²³ Four of the eleven were subscriptions costing \$23,734.80 annually.⁵²⁴ The money was recouped through the law library cutting print subscriptions, almost all the online subscriptions are online.⁵²⁵

The law library, as stated above,⁵²⁶ added another six Intel innovative platforms to the previous two in the 2016-2017 fiscal year and installed a new state of the art smartboard/monitor in the library computer training classroom.⁵²⁷ The new set-up in the study rooms allows the law library to support student group collaboration needs.⁵²⁸ The installation of new TVs and computers allow students to access to the room's computer/TVs wirelessly and by using Intel Unite the students can project their computer screens to the TV with ease.⁵²⁹

The law library initiated another new project during the 2015-2016 fiscal, upgrading their prior research guide series by adopting an electronic interacting template called LibGuides which takes a traditional straight forward research guide and makes it much more visible and functional offering information in a much more user-friendly format. The number of views of our guides has greatly increased with the new format.⁵³⁰

In the fiscal year 2016-2017, the law library instituted a personal librarian program.⁵³¹ The only other personal librarian program known to be among academic law libraries is the program at the Immel Law Library at Saint Louis University School of Law.⁵³² The personal librarian (PL) program matches each incoming first year law student with his or her own Personnel Librarian to serve as a point of contact with the Law Library.⁵³³

The program also provides incoming LLM students with a personal librarian. Several students used their PL in one of the intended roles of helping them acclimate to the information resources, not only in the law library but beyond to the other campus libraries and the vast electronic world. Several of the personal librarians did social things with their assigned students. One personal librarian took his group of students to a local bar for some live music.

⁵²² For the 2018-2019 fiscal year, the law library is budgeting \$530,000 for electronic materials and \$310,000 for print serials.

⁵²³ Director's Annual Report 2015/2016, *supra* note 510, at 9.

⁵²⁴ *Id.*

⁵²⁵ *Id.*

⁵²⁶ Gawer & Cusumano, *supra* note 518.

⁵²⁷ Director's Annual Report 2016/2017, *supra* note 511, at 4-5.

⁵²⁸ *Id.*

⁵²⁹ *Id.*

⁵³⁰ From 1/1/16 through 12/31/18, there were 105 libguides, created with 51,225 total views.

⁵³¹ Director's Annual Report 2016/2017, *supra* note 511, at 2.

⁵³² Joseph Custer was Assistant Professor of Law & Director of the Immel Law Library from July 1, 2010 to June 30, 2015.

⁵³³ *Personal Librarian*, CASE WESTERN RESERVE UNIVERSITY LAW LIBRARY, <https://law.case.edu/Our-School/Library/Students/Personal-Librarian> [<https://perma.cc/XW8H-597T>] (last viewed Aug. 12, 2019).

Two other personal librarians hooked up and had a Noon pizza fest. Bottom line, it was fun and successful in most peoples' opinion.⁵³⁴

The law library was also one of the founding adopters of ALLStAR, the exciting and groundbreaking project giving academic law libraries an alternative to the diminishing ABA library statistics for gathering and analyzing large sets of data.⁵³⁵ The project supported by the NELLCO Law Library Consortium and Yale Law Library has an Advisory Board. Rob Myers, associate director, was a member of the ALLStAR Advisory Board. SaraJean Petite, reference and government documents librarian, is a current member of the Board. Many additional law libraries have joined since the adoption of the service in the first year. ALLStAR is giving libraries more options regarding the number of features, level of access, and pricing in an attempt to appeal to as many academic law libraries as it can.⁵³⁶

In the late fall of 2016, the Ben C. Green Law Library staff started a weeding project finished in November 2017. Currently, the law library is weeding its compact shelving in the basement. The law library is making room for the books from offsite storage that still hold value for our collection and recycling the many thousands of others that were shipped out to offsite years ago to maintain the volume and title count. Over 90 percent of the stored collection was useless second and third runs of primary sources, old textbooks, dated monographs from pedestrian publishers, and errata.⁵³⁷

Tens of thousands of dollars will be saved yearly in costly offsite storage by project's end.⁵³⁸ Also, the room made available in compact shelving will allow an eventual shift in the collection that will result in a new, exciting, commons area on the third floor extending past the current computer lab area, keeping the outer shell of the current lab.⁵³⁹ We are proposing a plan that will mix well with the current classical look and feel of the law library but also bringing in some comfortable seating and collaborative space. Our goal is to create this friendly student space within the next five years, by July 1, 2022.⁵⁴⁰

In order to further reduce serial costs going forward, the law library entered into agreements at the end of the 2016-2017 fiscal year with both Thomson Reuters (West) and LexisNexis. Under the West Library Management Arrangement, Thomson Reuter (West) print serial costs are fixed

⁵³⁴ Joseph Custer, Robert Myers, Megan Allen, & Andrew Dorchak, *Launching a Personal Librarian Program within a Specialized Library* (Mar. 22, 2018), https://researchguides.case.edu/ld.php?content_id=41420113 [<https://perma.cc/R2VQ-6QMK>] (Presented at the Third Personal Librarian and First Year Experience Library Conference, Kelvin Smith Library, Case Western Reserve University, March 21-22, 2018).

⁵³⁵ ALLStAR, NELLCO, <https://www.nellco.org/general/custom.asp?page=ALLStAR> [<https://perma.cc/AV63-9RQY>] (last viewed Aug. 12, 2019).

⁵³⁶ *Id.*

⁵³⁷ 2016-2017 analysis conducted by Director Joseph Custer and Associate Director Robert Myers (on file with author).

⁵³⁸ Project completed as of July 1, 2019.

⁵³⁹ Construction project delayed in March 2019 due to budgetary restrictions. The goal of finishing by July 1, 2022, is still realistic.

⁵⁴⁰ Author presented this to the co-deans in a December 6, 2017 meeting.

to rise at slightly less than 5% per year for the next three years. In exchange for the lowering of the inflation rate on Thomson Reuter's products, the library has agreed not to cancel any Thomson Reuter print serial products during the term of the contract. However, the law library can swap out lesser used titles for titles that are of more use the students and faculty at the end of each annual period.⁵⁴¹

The LexisNexis two-year agreement is slightly different. Under the agreement, Lexis will be providing e-book access (on the OverDrive platform) to all of the Matthew Bender titles the law library subscribes to in print. While the law library will be paying additional money for access to the e-book titles, the print titles are deeply discounted to off-set the electronic costs.⁵⁴² The savings from the serials, as mentioned above, cancellations have allowed the law library to subscribe to the electronic study aid packages from Westlaw and Lexis.⁵⁴³

In the fiscal year 2016-17, the library added seventeen new databases and e-book collections—seven of which were one-time purchases costing \$107,350,51 and twelve of which were annual subscriptions costing \$61,156.79. Also, part of the Westlaw subscription mentioned above included the Practice Ready suite of resources (e.g., Drafting Essentials, Firm Central, Form Builder, Practical Law, Rise of American Law, Tribal Law, Westlaw China.)⁵⁴⁴ Lastly, the library subscribed to one new electronic cataloging tool: StackMap.⁵⁴⁵ It is a mapping tool that interfaces with the law library catalog so that patrons can click on a "Map It" icon and see exactly where the book located on maps of the law library (the mapped floors and ranges within the library).⁵⁴⁶

XI. The Future of the Judge Ben C. Green Law Library (2018-)

In the fiscal year 2017-2018, through the efforts and solicitation of the chair of the faculty senate committee on University libraries, the University Provost agreed to send a charge to a library external review team (LERT) consisting of five top library administrators from across the county.⁵⁴⁷ The LERT team accepted the charge of providing the University administration with an objective assessment concerning the quality, capabilities, and resource allocation of the University's libraries.⁵⁴⁸ Before the LERT project, the four main libraries which comprise the

⁵⁴¹ Director's Annual Report 2016/2017, *supra* note 511, at 7-8.

⁵⁴² *Id.*

⁵⁴³ Director's Annual Report 2016/2017, *supra* note 511, at 16 (In 2018, the law library purchased the third substantial online study aid package from Wolters Kluwer).

⁵⁴⁴ *Id.* at 8.

⁵⁴⁵ *Id.* at 8-9.

⁵⁴⁶ *Id.*

⁵⁴⁷ Case Western Reserve University Library External Review Team: Report of Review Visit May 22-25, 2018, Submitted to Provost William A. Baeslack app. I (June 29, 2018) (unpublished report) (on file with the Case Western Reserve University Law Library Archives) [hereinafter LERT Report]. Even though the actual review conducted after the end of calendar 2017, the review was planned before in 2016 and 2017 providing 2017 data to the LERT team).

⁵⁴⁸ *Id.*

CWRU system had started some productive collaborations, and the LERT team thought the four libraries could go further to provide some more integrated services to the university community and to develop shared infrastructures and shared expertise where it made sense.⁵⁴⁹

The LERT team did not think that consolidation would result in an additional source of funding for the main campus library, the Kelvin Smith Library (KSL) or result in any hoped-for cost savings.⁵⁵⁰ The LERT team met with students, library staffs, faculty, Deans and Provosts across campus. The following paragraph written by the LERT team was insightful regarding consolidation.

There was a consistent refrain from the Mandel and Law School libraries' stakeholders: they saw no potential benefits and feared losing their relative autonomy and stronger resource base if there were a stronger association with KSL. Rather, they perceived KSL funding to represent a 'lowest common denominator' of services and resources, which underscored the frequent and explicit fear that the LERT visit portended consolidation. However, LERT heard an expression of willingness to work more collaboratively to achieve efficiencies, share best practices, and provide and avail themselves of training and development opportunities.⁵⁵¹

The LERT Report was very complimentary of the law library. In the oral report they presented on May 25, 2018, they specifically pointed out the social sciences and law school libraries as having very dedicated staff, who were professional and service orientated.⁵⁵² The LERT team heard acclamations from administrators, faculty, and library staff that the law library was well-staffed, funded and supported.⁵⁵³ LERT also made note that the Mandel School of Applied Social Sciences (MSASS) and the School of Law have made their libraries priorities and have provided them strong, reliable support.⁵⁵⁴

After completing a three-year strategic plan, the law library held a retreat in 2018, focusing on the next five years, through 2022. In addition to addressing any new projects and changing any that needed restructuring, the law library explored creating both a vision and behavior values statement respectively. These two statements were projects emanating from the law library strategic plan fueled by project management.⁵⁵⁵ The plan's projects need quarterly updates during the year to stay relevant. Retreats need to be scheduled every two years for reflection, change and refocus.

⁵⁴⁹ *Id.* at 5.

⁵⁵⁰ *Id.*

⁵⁵¹ *Id.* at 3

⁵⁵² Yolanda Cooper, Sarah Hooke Lee, Carol Mandel, Mary Ann Mavrinc, & Denise Stephens, LERT oral presentation to the University Provost and other top CWRU administrators (May 25, 2018).

⁵⁵³ LERT Report, *supra* note 549, at 3.

⁵⁵⁴ *Id.*

⁵⁵⁵ See Anzalone, *supra* note 509, and accompanying text.

A law library director's vision should be that of the whole library.⁵⁵⁶ What the law library does is a mission statement. The law library already had a mission statement.⁵⁵⁷ A vision statement, on the other hand, is meant to make a law library uncomfortable.⁵⁵⁸ It is meant to help the law library aspire to greater heights going forward. The law library may never attain the lofty vision, but the continual effort to get there makes the library a dynamic, pace-setting environment in which to work and prosper. The vision statement that leads the Case Western Law Library into the future states: "[b]ecome the leader in creating an environment that empowers world-class scholarship, innovative teaching, and interdisciplinary research support in an interconnected world."⁵⁵⁹ The planning and work go on now to pave the way for this vision statement.

History is inspiring. For those who love law libraries, writing a law library history is a gift to law library literature worth undertaking. The previous law library histories provided the author with the inspiration to research and write the above history. Otherwise, the 125th Anniversary of the Case Western School of Law would have come and past with only faint mention of the beautiful place influencing multitudes over the years. The law library is our past and our future.

Joseph A. Custer

⁵⁵⁶ Author's opinion.

⁵⁵⁷ Mission Statement: The mission of the law library is to provide outstanding service and information access to the faculty, students, and staff of the law community. The library supports the curriculum of the law school and is a resource for the Case Western Reserve University community.

⁵⁵⁸ James K. Elmborg, *Framing a Vision for 21st Century Librarianship: LIS Education in Changing Times*, 55 SERIALS LIBR. 506 (2008); Linda R. Wadas, *Mission Statements in Academic Libraries: a Discourse Analysis*, 39 LIBR. MGMT. 108 (2017).

⁵⁵⁹ Vision Statement created after Law Library held mini-retreat session facilitated by Robert M. Hall, CWRU Director of Professional Development and Learning on Tuesday, June 5, 2018.