

L e a r n i n g

in the

Stunning panoramas of Mount  
Timpanogos will be seen from the  
library's two levels of full windows.

Photography by John Snyder

The New  
BYU Law  
Library

Light

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## MISSION OF THE LAW LIBRARY

*For the last 120 years the law library has been described as the heart of the law school and the law school's laboratory. Ever since Langdell introduced the case method, law students have used the library, principally the reporters and their digests, to find the law as they learn it, one piece at a time. But legal education has undergone a quiet revolution in the last 20 years. A notable result of this revolution is that the traditional adversarial stance of faculty with students has changed to one of facilitator and director of traffic. Law schools are becoming places where students can learn according to individual styles. On the face of it, the role of the law library in this new law school environment seems to be the same as it has always been—to teach legal research and to give good service to all of the library's user groups. But though the library is still the laboratory, the nature of the experiments being done there has changed. With the addition to the law library, BYU has an opportunity to bring its laboratory up to the demands of the new legal education and launch another generation of growth in legal education and legal research.*

### TEACHING ROLE OF THE LAW LIBRARY LEGAL RESEARCH

As law librarians, we teach students the basic research tools they will need in their careers, whether in small or large law firms, government, corporate practice, public service, business, or education. Few law graduates actually enter the career field they expected to. Law students who plan for corporate tax practices may well end up in rural county attorneys' offices, and environmentalists out to save the world may find themselves doing labor work for a large corporation. So each student must leave law school with a chest of legal research tools sufficient for whatever unexpected surprises life brings.

What tools would you as attorneys learn to use if you were in law school today? You would still learn to use books—reporters, digests, Shepards, law reviews, loose-leaf services, and government documents. You would also use more microfilm and microfiche since both government and private publishers are turning to these mediums for such things as congressional hearings and reports. These film formats save space and money and are ideal for little-used resources.

We still teach students to use the on-line services WESTLAW and LEXIS, though instruction is more focused on cost-effective research and on how to download information from on-line services and use it in a word processing format.

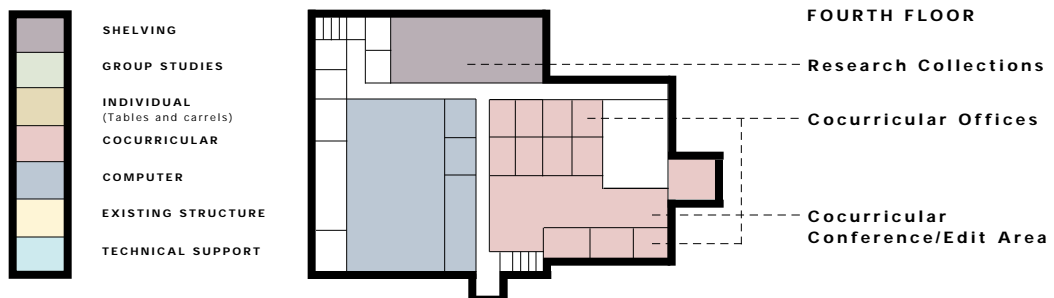
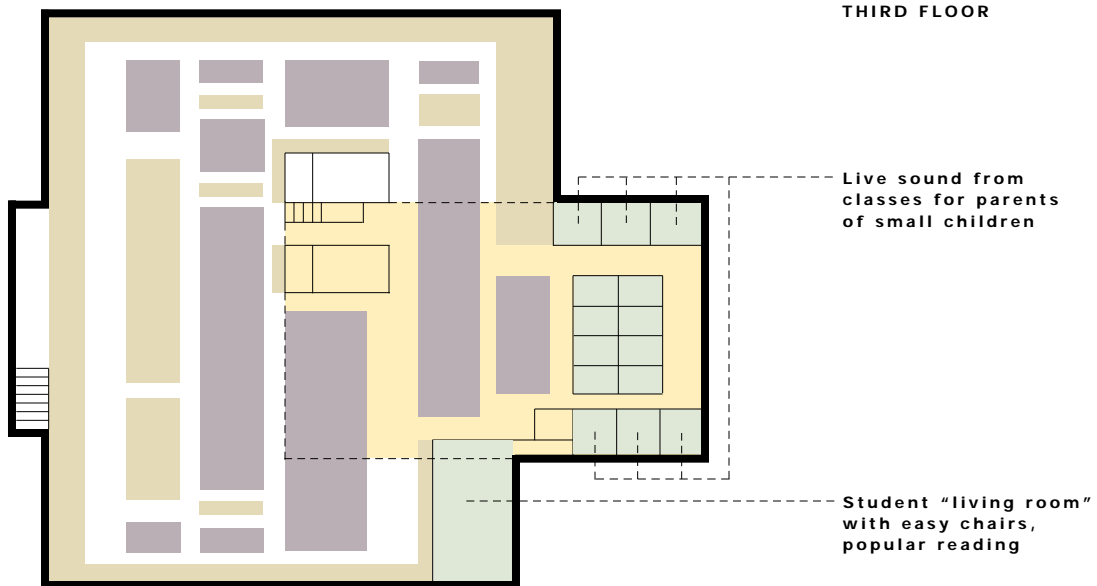
A new and exciting on-line tool is the Internet. The Internet is capable of addressing almost any problem. On the Internet we can read accounts of current events as they occur, written by scholars at the scene. Requests for such information or even the most obscure documents, unat-

tainable in hard copy, are met, often in minutes. There are bulletin boards where information is posted on thousands of subjects. There are list serves, web servers, E-mail, gophers, and telnet facilities by which Internet users can share information, access documents, hold conferences, and otherwise plug into a worldwide legal and academic community. Related to these resources are the shared collections of major research libraries worldwide, accessible at a terminal or PC in the library. At the BYU Law Library, we are just starting to teach students how to use these incredibly powerful tools.

Other computer tools are essential to a 21st-century lawyer. CD-ROM is fast gaining favor in small law offices and even in some large ones. It can be searched like an on-line service, but at a minuscule annual cost as opposed to the minute-by-minute metered time for LEXIS and WESTLAW. The databases must be searched one by one and are smaller than those on-line, but the cost efficiency makes this a tool available to any lawyer. There is a developing business in user tools on CD-ROM that empower lawyers and students—tools to manipulate data, produce documents, charts, graphs, forms, spreadsheets, analyses.

Finally, there are expert systems—computerized versions of the expertise of scholars like Stan Neeleman—that can be used by a lawyer in her office to produce documents for anything from a will to a Blue Sky offering in Georgia to jury instructions for a murder trial in California.

Because of these advancements, the role of the library in legal education at BYU has mushroomed. About 40 different half-day legal research classes are offered by the library faculty each year. Students are required to take eight basic classes during the first week of school and four more



during their first semester. After that students must take an additional 10 research classes to graduate.

The classes are small. No more than 25 students are in any class, and most of them have about 10 students. They are hands-on classes—students learn about a research tool then go into the library on their own to use it. The classes get good reviews from students and from employers who see students use their research skills as summer clerks.

At the present time the library is not a good facility for such teaching. Students learn in uncomfortable, noisy circumstances. Some of you learned WESTLAW and LEXIS sitting at the terminals as they are now, along the west aisle of the main floor of the library, next to the reference area. Not much of a classroom. There are even less adequate resources for other teaching. Many classes are taught in regular classrooms, with the library materials hauled in on book trucks. Then students go back to the library and try to find the same materials in their natural habitat.

### SUPPORT CLASSROOM TEACHING

The law library has always acted as a backstop to classroom teaching. That role has increased. The library maintains course and professor reserve collections and provides bibliographic support for every course taught. This support has been expanded with the acquisition of many tutorial videos from our faculty or other experts.

As faculty assume their new role as facilitators, their students are moving into more group projects. Students are negotiating and drafting contracts, drafting statutes, writing client advice letters, constructing litigation strategies, solving labor disputes, and otherwise engaging in a variety of group practice activities. But there is nowhere for these busy students to meet. The group study rooms in the original library have mostly been converted to house computer facilities and cocurricular programs. As a result, students meet in the halls, between the stacks, around carrels, in the lobby, on the stairs. The library should house such group activities, but needs expanded facilities to do so.

Students are learning to use and, more important, to design their own expert practice systems. Commercial practice systems published by such major publishers as Matthew Bender, CCH, CT Corporation, Jurisoft (subsidiary of Mead Data Central), and Shepards are based on the CAPS system designed at the Law School. Many of the system designers are BYU law graduates or faculty. The research-based classes are also without a home. At present they are limited to an enrollment of eight because the only place they can be held is in one of the library computer rooms.

### TEACHING IN THE NEW LAW LIBRARY

What a difference you will see in the new library. There will be three separate computer classrooms: one for WESTLAW, one for LEXIS, and one for training students in other types of computer use and research, including practice system design. All three classrooms will be used as student research facilities whenever classes are not being taught. The classrooms will be equipped with master controls that enable instructors to view the work of each student and to project the work at any terminal onto a large screen for viewing by the entire class. There will be 50 computer stations, each connected to the Law School local network as well as to the university computing system and to the Internet.

Every student will still have a carrel (a BYU innovation that has proved a durable and unique part of BYU Law School training), but each carrel will be tied to the Law School, university, and Internet systems. All students will need to do is set up their laptops and plug in. (Most students bring their own laptops to law school, by the way. One of our prelaw school services is counseling prospective students on which systems to purchase.)

In addition to solo study areas, the new library will have 26 group study rooms, as well as tables and

easy chairs scattered throughout the library to accommodate different study styles and needs. Both the study rooms and the spacious, casual seating will contribute to a more peaceful study atmosphere.

The teaching role of the library will be enhanced in other ways as well. There will be a video viewing room, a greatly expanded reference facility, and interactive video stations. Interactive video is the legal version of a flight simulator. A student can introduce evidence, cross-examine a witness, negotiate a contract, get a search warrant, or perform many other legal tasks with a computer to tell him whether he crashed, bobbled, or performed a perfect three-point landing. I remember my first direct examination of a witness. I wish there hadn't been any witnesses to it!

### SERVING USER GROUPS

The library's clientele hasn't changed greatly since you were here, but the level of service has deepened and broadened. Law students and law faculty are still our major users. Facilities and collections are still provided in the library for cocurricular programs. As always, the library also provides support and service to the campus as a whole, to Church administrators, and to the community.



The new building will have a two-story window almost the full expanse of the north wall. The outside south walls will also be all glass.

*Technology has been a cornerstone to the success of the J. Reuben Clark Law School and Library. The school has enjoyed a reputation for applying cutting-edge technology to legal education and research since its founding in the early 1970s. Prestigious law schools, firms, and companies have sent their representatives to Provo to learn from BYU's success. There is no secret to that success. Hard work, research, dedicated and enthusiastic employees, and the willingness to take a chance or two have developed the BYU Law School into one of the premiere legal research centers in the Intermountain West.*

- *Many legal researchers limit their technology to the on-line services of LEXIS and WESTLAW. The BYU Law Library was one of the first to establish student labs and training in these services, but the commitment to computers and technology began long before. Because of that earlier commitment, BYU was chosen to be one of the first sites to gain dedicated student access to LEXIS and WESTLAW. Since then, a steady stream of technological investments has given rise to a first-class legal research facility.*
- *The BYU Law Library was one of the first law libraries to take their catalog on-line, a monumental change. The Law School's technological direction was set.*
- *New technologies continue to develop. Here are some of the computer and electronic resources available at the Law School.*

- LAN** The local area network began replacing the mini-mainframe VAX in 1986.
- E-MAIL** All students and faculty members have their own E-mail accounts. They can send and receive electronic mail to and from each other and to and from any Internet, BITNET, CompuServe, or America On Line address.
- LIST SERVER** A useful tool of an E-mail system is the ability to subscribe to list serves. List serves are discussions carried on by E-mail and are limited by topic or user. There are list serves on many subjects, including specific areas of legal practice and research. The advantage of list serves is that with one E-mail message you can reach hundreds or thousands of experts in your field.
- CD-ROM** Currently the library has about 50 databases on CD-ROM. These databases include the Utah Code, tax forms, environmental law databases, and phone directories. The library will acquire hundreds more in the near future. These CDs will be housed in towers and jukeboxes that will allow researchers access with just a touch of a button.
- GOPHER** Information mounted on remote systems worldwide at other universities, libraries, and commercial entities can be accessed by gopher, either through direct Internet access or through an E-mail system.
- WWW** The World Wide Web is a hypertext system for accessing information on remote systems. It requires special software programs, such as Mosaic, which can be obtained as public domain software directly from the Internet. The www organizes information by topic, location, and type of information.
- FTP** File Transfer Protocol is a method for making files accessible on remote systems. On the information highway you will often read "Anonymous FTP such-and-such file from." This means that this file is available for the asking. You dial up the address and download the file to your own computer. You can then read it, manipulate it, or edit it as you need.

The BYU Law Library found an early on-ramp to the Information Superhighway. Through forward-looking leadership, the library was soon racing down the fast lane. Technology has been the fuel to keep it going ever since.



## COCURRICULAR PROGRAMS

The Law School started with two cocurricular programs—law review and moot court. We now have five robust and busy programs, training students in legal research and analysis. The law review and moot court remain. They are doing well, garnering the Law School laurels and commendations throughout the country. The moot court team competes nationally, bringing back trophies each year. There are two additional journals. *The BYU Journal of Public Law* publishes two volumes a year, focusing on questions of public law. Like the *BYU Law Review* it is offered on LEXIS and WESTLAW and is a nationally cited journal. *The BYU Journal of Education and Law* fills a different niche. Published principally by our students seeking joint degrees in law and education administration, the journal has grown from a small newsletter to a nationally distributed service to education administrators and others interested in the increasingly complicated and challenging area of education law. All three journals are published in-house using a desktop publishing program. The trial advocacy program has joined moot court and is beginning to make a name for itself as well.

The five cocurricular programs enroll well over 100 students a year. Their demand on the research collection is so great that they have their own computers, tied into on-line services and the BYU law network, and they need a set of the national reporters to support their work. We have the resources but no place to house them.

Cocurricular programs have absorbed all but one study room on the fourth floor, and we have lined the halls with bookshelves (to the distress of the fire marshal), but to say their quarters are cramped is a great understatement. Six, eight, or even ten students share an 8' by 10' office. We are eager to see what great gains they make when they have more room to work in.

The new cocurricular office complex will include one to four offices for each program (depending upon the size and nature of the program). In addition, there will be a central conference area for all students to use. The cocurricular area will occupy about one-third of the present fourth floor. The remainder of the space will be occupied by a research library (a set of the last series of the national reporter system plus digests and other core research materials) and the computer classroom and student computer lab.

(Mark Twain once said that before you remodel a house it is best to consult the residents. Students from all five programs, plus some alumni of the programs, have participated in the planning of the space.)

## STUDENT RESEARCH

Not only are the cocurricular programs booming, student research generally is on the rise. The faculty adopted a substantial writing requirement for graduation where each student writes at least one 30-page research paper with editing and consultation by a faculty member. Student papers can be superb. Next time you interview a student for a job, ask

to see hers. Some are published in BYU or other legal journals. Others are referenced by faculty in their own writing and research. We are excited to be able to support this work with additional work space and computer facilities in the library.

In considering general student study and research space, we have also consulted the residents, past and present. One of their recommendations was to retain the personal carrels. Another was the addition of the aforementioned group study rooms and casual study areas.

## MASTER'S OF LAW

In the last few years the Law School has taken on a more international character. In 1987 the Law School launched a master's of comparative law (MCL), now a master's of law (LLM), program for foreign lawyers. The program is enjoying full enrollment (10 students a year) with students representing Europe, Africa, Asia, and North and South America. Our many students returned from foreign missions have enjoyed being a resource for the LLM students. Their studies and research are new facets of legal education at BYU.

The new law library will have sufficient space to provide better facilities for these students and the collections they use.

## A RESOURCE FOR THE CHURCH

Like every school, we have obligations to our sponsoring institution. Many of the faculty, students, and alumni have had an opportunity to serve the Church, especially during this period of rapid international growth and multicultural challenge. The law library is no different. Our library—especially its constitutional law, law and ethics, family law, and international collections—supports research by library faculty and other members of the Law School community who are given the opportunity to serve General Authorities or the counsel for the Church. The electronic media are especially valuable. The growth in demand for information is too great to be met by traditional methods of acquisition. We draw on other research libraries with whom we have agreements to share collections. We are drawing even more heavily upon Internet.

Our new building will help greatly, principally in supporting expanded computer tools, providing general research space, and serving as a home for expanded collections in areas of family, international, and moral foundations of law, and other areas of critical Church interest.

## SUPPORT FACULTY RESEARCH

The dean is proud of highlighting the scholarly productivity of the Law School faculty. Most years the Law School leads the BYU community in the rate of publication, and our faculty regularly publish in nationally and internationally recognized journals and other forums.

The faculty scholarship is equally notable within the legal academic community. Professor Whitman's service as the

reporter to the *Restatement of the Law of Property—Security Interests* is highly regarded, as are Professor Neeleman's work as a moderator on Legal Counsel Connect (offered as a LEXIS service to corporate and government counsels and their law firms) and Professor Durham's unceasing service to assist emerging democracies in their movement to expand human rights.



Their ever-burgeoning scholarship requires a broader range of materials than any library can house. In supporting their work, the library is moving heavily into cooperative collection agreements with sister libraries, and research and access to national and international networks, gophers, and list serves. The library computer network supports the research. The law library faculty and staff keep the systems running and desperately try to stay current with the availability and use of the resources that expand and change daily.

The new building will provide facilities for increased computerized research tools and enhance off-campus access for our busy faculty. The overtaxed computer facilities will have a place to grow, and the computer staff will be able to function efficiently in a library designed to house this type of sophisticated computer research. Now computer support staff are spread throughout the library, mostly in remodeled study rooms. They communicate by radio in order to keep working. Our computer support team is eagerly looking forward to spending all their time working on Law School needs and not having to spend hours every week just staying coordinated with each other.

#### SERVICE TO THE COMMUNITY

Unlike many private law school libraries, we have always tried to support the larger community as part of our service. Though law students and faculty are obviously our highest priorities, our greater service community includes the rest of the university, members of the bar, other schools within Utah and in the Rocky Mountains, and residents of the community with legal research needs.

We provide this service on-site, hosting people as they come in with queries. We teach research classes to undergraduate and graduate students at BYU and give more limited library tours and research assistance to students from other colleges and universities within Utah. The practice-oriented parts of our collection are not only used by students in skills courses, but also by lawyers and other concerned people who come to us for help. We provide more services to other academic institutions and to lawyers throughout the West through interlibrary loan and through our document copying and delivery service. Though our service is not as extensive as that offered by some law libraries in major urban areas, our reference staff does fill written and telephone requests from lawyers, particularly in rural areas.

As indicated above, we are actively involved in collection sharing with other research schools. The law library is a member of the Research Libraries Group, with about 40 research law libraries nationally. We also participate in the Utah Academic Library Consortium. Through gateways, researchers throughout the world can search our on-line catalog. We provide 24-hour-turnaround service to researchers at participating institutions. These services require staff and equipment (photocopy, fax, and modem) but enable all the participating libraries to control acquisition costs and reduce growth rates. When you go into another law library and request, and receive, an article or other document, you will probably never know whether that document came from the library you are in, from the BYU Law Library, or from another cooperating library. You should know that the service you receive is greater, at a much lower cost, and days faster than if libraries were operating as solo institutions.

#### A WINDOW ON THE WORLD

The remodeled law library will better respond to the changing ways law is taught and learned. It will provide better service to all of the library's varied clientele. But what almost every alumnus of the Law School wants to know is "Will the new building have windows?" As fond as we all are of the window slots in the current building, you will be glad to know that we have expanded our vision, and that of future users of the library. The new building will have a two-story window almost the full expanse of the north wall. The outside south walls will also be all glass. A large current-periodicals room on the third floor will have two full walls of glass—one looking out at the mall, the other into the building. These windows symbolize the expanded mission of the law library. We are a home to our students, but we look to the mountains, and into the heart of the campus, to see the larger community we and our students serve. We look forward to a new era of ample space, peace, quiet—and light.