The Cornell University Law Library: A Tradition of Excellence

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Fifty years ago, in the summer of 1930, construction began on a new home for the Cornell Law School—Myron Taylor Hall. From the moment the building was dedicated in 1932, it has housed an outstanding law library, and today, as this library faces the next fifty years, it retains its reputation as an excellent facility that supports the teaching and research activities of the law school. The elegance and solemnity of the setting, the quality of the collection, the outstanding service and expertise of the staff, justify its high standing. But the library also faces the typical pressures of maintaining excellence in times of change and financial constraint.

The collection was begun in 1886, even before a department of law had been established, with the purchase of the Merritt King Library. University appropriations and gifts from individuals added to it. In 1892 the library moved to Boardman Hall. With the addition of the Nathaniel C. Moak collection in 1893 and the efficient and generous directorship of Alexander Fraser from 1893 to 1911, it reached the national prominence it has held ever since.

When Myron Taylor Hall was built, the depression had begun and new construction had almost ceased in the endowed colleges. Fortunately Myron Taylor, the chairman of the board of U.S. Steel and a graduate of the class of '94, had donated the funds in 1928, and no expense seems to have been spared for the new building. It has a richness and solidity that could not be matched today: walls made of native stone from the University quarries near Ithaca; bookcases, tables, and paneling of solid oak; ornamental carvings at intervals throughout the public spaces of the building. The spaciousness of the major rooms is striking.

For generations of students who have come through the law school since the thirties, one memory of this spaciousness stands out: the main reading room of the law library. Its dimensions are impressive: 255 feet long, 70 feet wide. Built in the "collegiate Gothic" style, its walls rise three stories into the graceful arches of the ceiling above. Although the space would make an energy expert despair, nothing better reflects the combination of worldly success and high-minded idealism that built Myron Taylor Hall than the height of this room. The vaulted ceiling is paneled with oak. The walls are of sand-colored stone. To the north, windows run the length of the walls; to the south, they are placed at the top of the vertical rise. From the middle of the ceiling six chandeliers pace the length of the room.

Care was taken to preserve links with the past. Graduates from the Boardman Hall days would recognize many of the portraits of judges and jurists that line the room. The marble plaques commemorating the purchase of the Moak collection and the service of Alexander Fraser were moved to the library. From its largest dimensions to its smallest details this is a memorable place: the simplicity of light, wood, and stone combines with the solemnity of the Gothic style to create one of the most beautiful and elegant spaces on campus.

The main reading room is the center of much student activity. It contains most of the materials that students, faculty, and researchers constantly need, such as law reports, codes, administrative rules and regulations, citators, finding tools, and loose-leaf services. On the same level to the north is the periodical room, which currently houses new technology available to library users: the microfilm and microfiche reader and printer and the computer terminal for LEXIS. To the south is access to the five levels of stacks: on the first floor, monographs on social science issues related to law and a special collection of statute law books; on the second level, foreign and international material; on the third, a duplication of the basic material in the reading room; on the fourth, law reviews and journals; and on the fifth, United States treatises and monographs. Most faculty offices are located right next to the stacks, and the offices of the administrative staff of the library are next to the main reading room.

The heart of a good library is its collection. Professor Jane Hammond, who has been head librarian since 1976, when she came from the Villanova University School of Law, is in charge of the administration of the library, and one of her special responsibilities is collection development—maintaining and perfecting the quality and usefulness of the holdings.

For several years the Cornell law library has been
fourteenth in the size of its holdings, according to rankings of United States law school libraries approved by the American Bar Association. Professor Hammond notes that the library's collection is second to none in United States and state materials: "Our students come from over thirty states and go back to practice in all parts of the country. Our collection covers all states, so that students who come here can do research on their home jurisdiction." The collection that supports the comparative law program is also strong.

The library contains some special collections that are significant. A hard-copy set of the U.S. Supreme Court Records and Briefs is available—one of twenty-five sets in the country. The Bennett collection, which occupies a major part of the first level of the library, contains the session laws of all states from the colonial period to date; this important collection is kept current through funds from an endowment. There is a special collection of early English legal history, which includes a manuscript of Dyer's Reports and several first editions of early English treatises. Another collection covers reports and pamphlets on nineteenth-century trials. From the twentieth century the library has the court reporter's typescript of the Scottsboro case.

To maintain the quality of the library holdings and their usefulness for teaching and research, Professor Hammond reads various periodicals and notices and makes the basic decisions about what to buy. At this point a process begins that is invisible to most of the people who use the library but is crucial to the maintenance of its serviceability and reputation: the searching, ordering, and cataloging of new materials.

These procedures take place under the direction of Diane Hillmann, head of the Technical Services Department, with the help of Lois Hickson, acquisitions librarian, Ellen Pletsch, cataloger, and nine staff members. Some aspects of this work are as traditional as the oak and stone and hard-bound volumes of the main reading room: checking the card catalog, filling out forms, writing letters. But other aspects are done with the help of computers, which are revolutionizing librarians' work.

After the decision to buy has been made, a staff member conducts a preorder search to establish that the book is available, to determine the correctness of the title, author's name, and publisher, and to make sure that it has not already been ordered or cataloged. The searcher checks the card catalog, but at this early stage a computer is used also. It links the law library to the OCLC system, a major bibliographic base in the country with over six million records from fifteen hundred libraries. The computer is a major aid in verifying the accuracy of the bibliographic information and in checking whether another library within the Cornell system has the volume. If the law library does not want to duplicate a book that may exist elsewhere on campus, it can even check the on-order files from Olin Library, which are available on microfiche.

Cataloging is an area that has been affected by computer technology. When a book arrives, it is matched with the order; the cataloger then does a search on OCLC. If the book is in the system, the librarian immediately has a good deal of information from the terminal screen: the call number, descriptive heading, and other information needed for the catalog card. The computer prints this information. The cataloger then edits it to conform with the library's practices and to catch mistakes.

Once the information exists in the form the librarian wants, it is typed into OCLC so that a set of catalog cards can be produced for the Cornell Law Library. These cards are mailed to the library every two weeks, already filed in the various ways in which they will be placed in the system: by call number for the library staff's file, by
subject, author, and title for the card catalog in the reading room. A new book would typically require a minimum of four cards. For example, Democracy and Distrust: A Theory of Judicial Review, by John Hart Ely, has a card for author, title, subject heading (“Judicial review—United States”), call number, and extra cards for the acquisitions file and for faculty members who requested the book or whose field of special interest it covers.

If a new book is not yet in the OCLC system and is not urgently needed in circulation, it is placed on a recycle shelf for eight weeks to see if its record appears later. Approximately 70 percent of the books cataloged are found in the system, a significant savings in time and money, for when OCLC can be used, there is less typing and filing, and corrections need not be done manually. As it is, even with the help of the computer, it costs approximately $15—apart from the purchase price—to buy and catalog a book. Hillmann comments that the system has made a tremendous difference: “Efficiency has increased, work gets done faster, and the backlog is decreasing.” And Hammond writes in the annual report for 1978–79 that “with this system we have been able to stay current in our cataloging, even with staff vacancies, and to reclassify and amend the cataloging of our older collection when at full staff.” A new book is normally in circulation two weeks after its arrival.

All this work, rarely visible to the people who use the library, goes into maintaining the quality of the holdings. Possession, as the saying goes, is nine points of the law—and, one might add, of the law librarian. But the best
collection would be useless if it were not accessible to people. Here another dimension of the Cornell Law Library enters in: its services to students, faculty, and other researchers.

Dan Freehling, the assistant law librarian, is in charge of public services (reference, circulation, stacks). Along with Alan Diefenbach and Joanne Scanlon, reference librarians whose services are highly valued, Freehling assists users of the law library in many ways. One of these three staff members is on call weekdays, evenings, and Saturday afternoons. Their availability is a center of calm in the reading room, where all the usual kinds of legal research go on ceaselessly in moods ranging from the serene to the frantic.

Students are trained how to do basic legal research in two courses they take in their first year: Practice Training I and II. The first segment, given in the fall semester by Hammond and Freehling, trains students to use finding tools and to operate LEXIS, an automated legal research system. The second segment, given in a three-week period during the break between semesters by full-time faculty and a few practitioners from the Ithaca area, is an intensive exercise in researching and writing about legal problems. Students must find the law on a given issue and write opinion letters to clients, memoranda, and briefs. In Practice Training II they are not allowed to use LEXIS, both because the emphasis is on developing traditional skills and because the high number of students working on the same problem in a short time period precludes access to the computer.

The library staff is responsible for training law students in the use of LEXIS. LEXIS is a full-text on-line computer system that includes decisions from all fifty states as well as federal courts and the U.S. Code and statutes of several states. It also offers specialized libraries of statutes, decisions, and regulations in such fields as trade regulation, tax, securities, and patent, trademark, and copyright law. LEXIS searches the full text of all court decisions and statutes that have been programmed; it is not dependent on abstracts.

Students must learn to make their search requests properly in order to use the computer effectively. A single search word can be used, or words can be combined in various ways with connectors that are governed by the LEXIS search logic. A search request can be modified at any time, so that users generally begin at a broad level and narrow their request. The use of KWIC (key word in context) allows a researcher to examine cases more rapidly by highlighting key words in context (i.e., twenty words before and after the key word or phrase used in the search request).

For example, a question from Practice Training I presents students with the following problem: "In how many U.S. Supreme Court opinions from 1945 to date did Mr. Justice Douglas dissent? In how many of those cases was the first amendment mentioned?" The search at level one (using the phrase "dissent by Douglas and date after 12/31/44") shows 824 cases. These are available one by one to the researcher—title, citation, full text—in reverse chronological order. The researcher narrows the request by adding "and first amendment" to the search phrase. The result: 169 cases. KWIC is then used to see where "first amendment" appears in context (which would, incidentally, include the phrase "twenty-first amendment").

Another problem begins with this question: "Your client, an attorney, is a defendant in a malpractice action. Plaintiff's argument is that your client failed to undertake reasonable legal research in preparation of her (Plaintiff's) case. Find a relevant case from the Supreme Court of California." Search level one ("Attorney or lawyer w/seg malpractice") results in fifty cases, but not all deal with legal malpractice. Search level two modifies the request by emphasizing "legal research" and comes up with two cases. Their full text can be read on the screen and even typed on the computer printout. Most people, however, take the citations and read the text in book form.

New technology such as an automated legal research system inevitably raises questions about legal education. What is the right balance between LEXIS and traditional research tools? The former method has some limitations: most material in LEXIS does not go beyond twenty-five
years. A researcher has to be imaginative and knowledgeable about legal vocabulary, because the search is tied to words actually used in decisions, and the computer does not make connections an indexer might (for example, in a felony murder case the judge may not have used the word “murder”). LEXIS may also not be available to the individual practitioner or small firm.

But the computer has strengths, too. It can easily pull out specific nouns (brand names for example). A search of a particular judge’s decisions is done easily and rapidly. Some material that is not always published (district court cases) is in LEXIS. And many research problems can be done quickly and thoroughly on the computer.

Freehling and the law school faculty members describe the two methods of research as complementary. Both ways require good thinking and imagination; there are more similarities than differences between them. Students do not learn LEXIS at the expense of the traditional skills in research; rather it increases the range of their skills.

The first computer terminal for law library operations was installed in 1976—the OCLC system for cataloging. LEXIS arrived in 1977. The advent of such systems is a visible reminder of the way the law library is linked to other institutions and people. Such connections are part of its very make-up, for in its organizational structure it is a unit in the University library system. Its integration is the exception rather than the rule for libraries of its type. The fact that it is not autonomous inevitably creates tensions. The wants and needs of the law faculty and library sometimes differ from policies and practices in the larger system. But Hammond believes that “the benefits of being part of the system are greater than the constraints.” She notes that “on our own we would have difficulty moving ahead in the area of technical services.”

Hillmann points out that “we could not use the OCLC system to its fullest extent if we were not able to call on others at Cornell to help us keep up with it.” She adds that people in Olin Library help out in many ways, “with languages we cannot deal with or with bibliographic tools we don’t have—they are very generous with their time and expertise.” Some of the rare books that need special care and security are at present kept in the Olin Library Rare Book Room.

As the number and complexity of issues increases, the connection to other resources becomes more and more important. Professor Roberts, whose field is land-use planning, remarks that the Cornell law library is “a perfectly good research library” but is not specialized in areas he needs. “No law library today will reflect all the needs of the law faculty. There is just not the money to have everything here that is relevant to the law. Law libraries are no longer self-sufficient. Fortunately we are at Cornell. If this library were isolated from the university system, it would not be the same.”

Of course it is not only the number and complexity of legal issues that increase. Costs do, too, and this fact, occurring as it does in a time of retrenchment in academia, creates serious pressures in maintaining the high standards of the law library.

The first pressure is financial. It is normal for a law library to use a much greater percentage of its budget (80 to 90 percent) for continuations than other libraries do. As prices increase, it is difficult to save a sufficient percentage to buy new books, yet quality depends on doing more than keeping things current. So far the library has succeeded in dealing with this problem, but in the words of Professor Clermont: “In a time of budget constraints the collection gets frayed around the edges. This is a superb collection, large and nicely maintained, but it is thin in some areas. Some books are just not there when you need them. In Ithaca there is no place to fall back on for legal research. In many academic disciplines you can plan ahead. But in legal research and class preparation you can’t always predict where a question will lead. You refer to a great number of sources, and you need immediate access to them.”

Having enough space for books and for users is a problem in any library, but an acute one in law libraries, where the expansion of legal opinions is relentless. Also, the nature of the holdings is such that few books circulate—much is held in place, like a huge reserve
collection to which everyone needs access. To make space and to delay the moment when the stacks are full, some books have been shifted to the library annex (located on Dryden Road). These volumes are not browsing material. People who need them generally have a specific citation to look up. The book is made available within twenty-four hours, or the researcher can use it at the annex.

Lack of space for the current number of students is the most immediate problem in the building. The Association of American Law Schools recommends that a law library be able to seat 65 percent of the students enrolled. The Cornell Law Library can accommodate 50 percent. This figure does not include the undergraduates or other students who use the facilities. In the past there have been as many as a thousand students in law-related courses on campus, and their use of the facilities and staff of the law library has created a strain. With law materials now placed in other libraries at Cornell, the strain has lessened. But pressure from the law school student enrollment remains. Mark Underberg, editor of the Cornell Law Review, comments that carrel space is only sufficient to cover the needs of students involved in research for the journals and for faculty. Even these researchers often have to double up in a carrel, and they cannot use their material elsewhere. According to Hammond, expanding the physical dimensions of the library, without damage to the elegance and charm of the present structure, is an important priority.

Though problems undoubtedly exist, they are the ones that come with excellence and high enrollments. The Cornell law school library continues to be an outstanding facility for the teaching and research activities of the law school. Its collection remains distinguished. Professor Hammond is proud of the fact that “our library is service-oriented,” and the quality of this service is confirmed by the annual evaluation of the administration conducted by the dean from the senior class: the performance of the library staff is rated excellent by 95 percent of the respondents—an enviable record among administrators of any sort. Praise from the faculty is as close to unanimous as lawyers get.

Some changes are already planned in the use of new technology. In 1981 the library will shift from the OCLC system to another bibliographic data base known as RLG/RLIN. Within the next five years the card catalog will probably be available in an on-line computer system with backup on microfiche. Several terminals for the public, with a reserve terminal for the staff, would replace the hundreds of wooden file drawers.

This arrangement will be a long step from the early days of the law school, when a librarian spoke of arranging books and underlining the catalog of another large law library to show students which volumes Cornell possessed. But through whatever changes occur, the law library continues to maintain its outstanding reputation. At issue is more than prestige and national ranking; for law students and lawyers alike, a good library will always be the center of intellectual and professional life.

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