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FOCUS ON LAW FIRM LIBRARY ISSUES

Space: the Final Frontier for Law Firm Libraries

Abstract: The amount of physical space available is a vital issue for virtually all law libraries. In this article, Dunstan Speight, Library Manager at City law firm Berwin Leighton Paisner LLP, presents the issues involved in reducing and retaining library materials, to help library managers present a sound business case for maintaining the collection they need. Dunstan's experience is that of a law firm librarian, but it is hoped that much of what follows will also be relevant to librarians in other sectors.
Keywords: law firm libraries; space management; collection management

COLLECTION MANAGEMENT: INTRODUCTION

There are two main aspects of collection management: what to buy and what to keep. The first of these concerns is dealt with more fully in commentary on collection management. Librarians have taken a much more rigorous and commercial approach to the acquisitions aspect of collection management, especially since the economic crisis. Requests for new resources and renewals for existing subscriptions are now carefully scrutinised to determine whether they are business critical for the firm. Hard choices have had to be made and negotiation skills are more important than ever in ensuring that firms achieve the best possible deal. The end result is that most library managers take a very practical, business-like approach to this task.

The collection retention aspects of collection management, by contrast, often seem less pressing. Given the pressures on library services, the periodic review of the complete collection will often seem of relatively low priority. Sooner or later, however, most law firms start taking a critical look at the physical space they occupy and librarians may have to justify their need for this costly resource.

This can be a tricky task at the best of times, especially as the people responsible for determining the overall space requirements of the firm may not be frequent library users and may well be non-lawyers. The sheer cost of office space means that librarians need to have robust arguments prepared to justify the extent of their collections. If they haven't done so already, librarians need to be proactive in taking a business-like approach to space management. The following are all key elements of this:

1. Understand the business drivers for saving space
2. Know your collection
3. Understand the practice needs for resources
4. Understand the individual publications
5. Record retention policies
6. Grade your collection – understand the priority sources
7. Be creative in looking at solutions for using space efficiently

1. UNDERSTAND THE BUSINESS DRIVERS FOR SAVING SPACE

The basic driver behind management designs on library space is easy to appreciate. In early 2015, research by CBRE found that the top 100 law firms were spending an average £24,900 per lawyer, per annum on office space. The average space occupied was 490 sq. ft per lawyer. The research also found that the total volume of space occupied has fallen by 3% over the past three years, while the costs of office space have continued to increase[1]. These findings clearly demonstrate that office space is an obvious target for any manager wishing to reduce his/her firm's cost base. They also reveal that space reduction is already on the agenda for many firms.

The findings should give librarians pause for thought. Does the firm's collection really justify the cost of the space it occupies? This is not a simple question to answer, particularly if you are required to reduce the amount of library space at short notice. It therefore makes sense to take the initiative and take a critical look at your collection. You will then be in a stronger position if you are asked to reduce your holdings at short notice. You will know what can safely be discarded and what needs to be retained. In addition, if you discover that your collection contains material which is no longer required you can dispose of this before being asked to do so – thus demonstrating that you are attuned to the needs of the business and acting accordingly.

2. KNOW YOUR COLLECTION

It is important for library managers to know the extent of their collection: the number of volumes and, especially,

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the amount of shelving occupied. This information may seem fairly irrelevant on a day-to-day basis, as it is the quality and currency of the collection which is important, not its extent. Nonetheless, the ability to quote accurate figures for the space occupied by library collections will be an asset when discussing space requirements with managers, as it helps demonstrate a business-like approach.

When gathering this information, it is important to include all the subsidiary collections of books and journals which may be held within practice groups or non-library locations. It is also essential to remember that different materials require shelving of different heights. At the very least, libraries are likely to require some shelving 30 cm high for books and law reports and 36 cm high shelves for most journals and oversized items. Most standard bookcases will accommodate fewer shelves for the latter, which will increase the amount of space required.

3. UNDERSTAND THE PRACTICE NEEDS FOR RESOURCES

The focus on cutting costs by reducing library space does, of course, need to be set against the information needs of the lawyers. Where there is urgent pressure on office space, the librarian will often have to contend with a number of over-simplified opinions on legal resources. The two commonest views are: a) that all legal sources are now online and, b) where a source is available online, the print copy can be jettisoned. The first of these views is obviously untrue. The second view is more reasonable, but still an over-simplification. Clearly a more nuanced assessment of the collection is needed and the following are some ideas for achieving this.

It is important to consider who should assess the collection. The main people responsible for this will be the library staff – especially researchers with specialist knowledge of the different subject areas. It will often be advisable, however, to double-check with practitioners, not least in ensuring you have the support of colleagues if your decision to dispose of items is questioned. We frequently consult with our professional support lawyers or practitioners who specialise in niche areas. In the majority of cases, they concur with our assessments, but occasionally when we draw attention to an unused item, a lawyer will have forgotten or been unaware of its existence and spot a use for it.

We particularly involve the PSLs when assessing whether an old edition should be archived or discarded. Where we are asked to retain old editions, we record this information on the catalogue record and the reason why it should be retained. This enables us to justify utilising office space for an archive, which may not be used frequently, but which is nonetheless viewed as essential by the practice areas. (The extent to which different departments need archived items varies widely of course, but it is particularly important for areas such as litigation and tax).

4. UNDERSTAND THE INDIVIDUAL PUBLICATIONS

When making decisions about individual publications, there are specific considerations such as publication date and availability of online alternatives. Often these criteria will point in contradictory directions and you will need to balance these competing issues.

- **Publication date**

  It is obviously important for law libraries to have the most up-to-date resources, but relying on the publication date can on occasions be misleading. Some areas of law change much more rapidly than others, so some ten-year old books can be as relevant as a title published yesterday.

- **Online alternatives**

  The fact that a print source is available online can offer a tempting justification for disposing of the hard copy. This is particularly true of collections of law reports or journals which are occupying significant amounts of space. It also makes sense for firms which have multiple offices or where staff work remotely.

  Before discarding material, however, it is definitely worth remembering that to access the online equivalent you have to pay on an annual basis. If you have disposed of your print collection and then cancel the online subscription, you lose your whole collection.

  There is also no guarantee that the online alternative will always be affordable or even available. This is a particular concern if you are reviewing an archive of official publications, where older material is sometimes removed from free government websites. A striking instance of this was when the Inland Revenue and HM Customs and Excise were combined into one organisation and many publications were not transferred to the new single website. A library cannot retain everything on the grounds that it might not always be affordable or obtainable online, but it is an important factor to consider.

  It is also important to remember that the advantages and disadvantages of print and online are not identical for all categories of material. Lawyers use different types of material in different ways. Online is by the far the most effective source for the majority of research involving primary legal sources. The same is often not true for researchers consulting legal commentary – and this does not appear to be a generational distinction. Despite efforts to reproduce the experience of browsing a book online, the printed text is still often easier to browse, in terms of flicking between index, context and main text.

  Another relevant consideration is the quality of the online formatting. Although this has improved significantly in recent years, there are still publications where tabular data and images are missing from the online version.

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A collection management policy which balances these considerations in a pragmatic way is likely to be more successful than one which aims to replace print with online wherever possible.

- **No online alternative**
  The fact that a print source might not have an online alternative is not, of itself, a reason to retain a copy unless it is likely to be of continuing relevance to the practice.
- **Document supply options**
  Document supply services, such as those offered by the Law Society, the British Library, the Institute of Advanced Legal Studies and the Bodleian Law Library can offer a very cost-effective way of accessing little-used material, where the costs of ad hoc requests are less than those of storing your own collection.
- **Ease of accessing information within the publication**
  For sources such as journals, it is important to consider how easily lawyers will be able to locate information within the publication. As most legal journals are indexed on Westlaw, a lawyer can search here to find article citations, but the picture is usually very different for publications which are predominantly comprised of short news articles. Without a printed or online index it is very time-consuming to find relevant information. As such, these sources tend to be useful only for current awareness and it is rarely worth keeping more than the most recent issues.

5. RECORD YOUR DECISIONS

As is evident from the above, there are a number of criteria which will influence whether or not you retain material and it is useful to record why you reached your decision. This is particularly useful when recording superseded items you have decided to keep for a finite time. Library archive collections have a tendency to mushroom over time, so it is important to know what you are keeping and for how long.

Where you are discarding material, your library management system may offer the facility to 'hibernate' records, so you could still use these as a place to record the decision to discard an item. Alternatively, a simple alternative such as a spreadsheet should suffice.

Ideally, in addition to recording what has been discarded, it is worth noting the reasons for this and, where relevant, who authorised the decision. This could save difficulties if the decision is challenged in the future.

6. GRADE YOUR COLLECTION: UNDERSTAND THE PRIORITY SOURCES

The criteria discussed above relate to decisions made about individual items. Ideally, every library should have a written overview of the collection, identifying those items which are business critical, those which are useful rather than essential and those which could be discarded with little or no adverse impact.

In preparation for a recent relocation of our Corporate and Finance libraries, we reviewed our collection and categorised it according to the following criteria:

- Business critical
- Accessible
- Archive
- Store offsite
- Discard

The business critical category covers items which need to be immediately available for lawyers – e.g. current directories and the textbook collection.

The accessible category covers items which the departments need, but which are not in constant everyday use, and could thus be stored elsewhere in the building. This category covered many of the journals and law reports.

We found the distinction between 'business critical' and 'accessible' useful as it establishes the items we need to keep within the office (both categories), whilst identifying where we can be flexible in terms of where we store certain material.

The archive category is fairly obvious – superseded items that are still required, but which should not be on the open shelves. Past experience has taught us the need to be rigorous in adding material to the archive to keep this at a manageable size. We therefore recorded a reason why something should be archived, rather than simply discarded.

In our recent exercise, we decided not to store any of our material offsite. There are costs involved in this option and also a delay in retrieving material. The delay in recalling items may only be a matter of a few hours, but this is still likely to be a problem for many law firm research enquiries. In most cases, relying on a document delivery service is a more satisfactory and cost-effective solution. Storing material offsite could, however, work well as a short-term solution – e.g. if the reduction in library space was temporary during building moves or refurbishment. It would also be a good option if the reduction in space was being treated as a pilot project to determine the effects on the service.

The 'discard' category is also obvious. Material can be discarded immediately. Alternatively, you may wish to reserve this course of action until you are required to save space, at which point you will be able to act quickly.

The exercise we undertook was quite quick to carry out for the majority of the material – especially for journals and law reports, where a lot of shelf space can be taken up with one item.

When we reviewed the textbook collections, we reviewed these in conjunction with the PSLs and

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removed any items which were to be archived or discarded. We then treated all the remaining textbooks as one block of shelving – the whole defined as business critical.

The results were recorded on a spreadsheet, enabling us to see the shelving requirements for the different categories of materials. It also enables us to measure how much space we are saving with the items we discard. This is important in demonstrating how we are contributing to the broader business priority of using our space more efficiently.

On this particular occasion we were fortunate in not being required to save much space, but the exercise in categorising these two collections means that we are well-placed to know exactly what is essential (as opposed to what is desirable) should we be asked to make further reductions in the future.

7. BE CREATIVE IN LOOKING AT SOLUTIONS FOR USING SPACE EFFICIENTLY

If you are required to reduce the size of the library, it is worth thinking about the layout of the physical space as a way of mitigating the scale of cuts you need to make.

The physical space of many law firm libraries is not efficiently designed. Given the intense competition for space, libraries may be crammed into awkward sites and be furnished with bookcases which have not been designed for the space. Standard shelving from office suppliers is often far deeper than required, taking up unnecessary space. There will typically also be 'dead space' in the room which is too small to accommodate standard bookcases. Scenarios like this can be frustrating for law librarians. There may be some options to use space more effectively. Double-shelving items is one option, although it only tends to work for long runs of periodicals or law reports, or it runs the risk of hiding large parts of the collection.

Where the library furniture is not making efficient use of the space it is worth considering the possibility of having bespoke shelving designed. Set against the costs of office space the costs of producing bespoke shelving for a library will be modest. They will also be a one-off cost, compared with the continuing savings achieved with less space. Where a library can demonstrate that its print collection is business critical for the firm, this idea might not be as unlikely as first appears.

A CONTINUING CHALLENGE

If all of the above appears to be a minefield, that is because it is one. A sound collection management policy is based on a large number of competing factors which must somehow be balanced to create the most cost-effective resource for the firm. It is also an ongoing process, as the needs of the business evolve. Key drivers today are the need to reduce unnecessary office space and keep pace with new working patterns. There is no knowing what additional factors will complicate matters still further in the future, but collection management will surely remain a consistent challenge to law librarians.

Footnote

[1] Law in London, *CBRE, 2015* http://www.cbre.co.uk/uk-en/research

Biography

Dunstan Speight is the Library Manager at city law firm Berwin Leighton Paisner LLP. He is the Chair of the LIM Editorial Board and the Treasurer of the City Legal Information Group.

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