

Practicing Reference: Thoughts for Librarians and Legal Researchers

OK, YOU'RE SURE
THE CASE WAS IN A
TAN BOOK. DO YOU
REMEMBER ANYTHING
ELSE ABOUT IT?



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Practicing Reference

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To students,
past, present, and future



INTRODUCTION

HOW THIS BOOK CAME ABOUT AND WHAT TO EXPECT IN IT

Reference work is challenging, exciting, interesting, fast-paced, and ever-changing—except when it's exasperating, routine, and tedious. It calls on a wide variety of skills, knowledge, and abilities. Good reference librarians must be creative researchers, familiar and facile with print and online resources. Meanwhile, they must often jump from task to task while courteously, sensitively, and thoughtfully interacting with all kinds of people. This book is a collection of essays about that work, particularly as practiced in law libraries—doing legal research and serving legal researchers.

“Practicing Reference” Column

Early in 1999, Frank Houdek, the editor of *Law Library Journal*, called me and proposed that I start a column about reference. He suggested—as I recall—that it be light but thoughtful. Beyond that, he gave me a lot of latitude, just saying that it should be something of interest to reference librarians.

We had both been fond of the “Questions and Answers” column in *LLJ*, which each issue addressed a few tough reference questions, discussing research techniques and sources—as well as the particular answer. Many of us—not just reference librarians—had enjoyed and learned from the column over the years, but it had been rendered obsolete by the rise of e-mail discussion lists like law-lib.¹ The discussion

¹ Interested in subscribing or searching archives? See Christopher Noe, Law-Lib Listserv FAQ (Aug. 19, 2004), <<http://home.olemiss.edu/~noe/llfaq.html>> (unofficial guide).

lists enabled people faced with research challenges to ask for—and receive—help from colleagues around the country. Sometimes the answers were perfunctory, but sometimes they included the sort of background information and advice that had made “Questions and Answers” so helpful. Frank suggested that the new column might be an indirect successor—something by a front-line reference librarian that would be useful to front-line reference librarians.

I wasn’t sure how much I would have to say or whether I could sustain a column, but it seemed worth a try. We called it “Practicing Reference” because that name seemed at once to emphasize the practical approach we wanted and to evoke the contrasting concept of “practicing law” (which librarians don’t do at the reference desk). I liked that it was about reference, not just research. I could talk about research techniques, but also about all the other aspects of a reference librarian’s job.

My first essay was “Golf Buddy Reference Questions,” and it established the pattern for the rest. First, it arose from an actual incident in our reference office. Basing my essays on things that come up at work has not only given me ideas enough to meet Frank’s quarterly deadlines; it has also helped keep the column practical. What has come up in my library is likely to come up in readers’ libraries too. Second, “Golf Buddy Reference Questions” wove together several strands—the reference interview, reference policies, research techniques, and a little bit of law. Those themes have recurred throughout the column, generally mixed together. In fact, as I organized the first six years of columns for this book, the fact that the themes are so interwoven sometimes made it difficult to decide whether a particular piece should go with, say, the reference interview or research techniques and sources. I like to think that this is a good thing, for our workdays are interwoven in just that way. If we are to give good reference service, each interaction must be informed by reference policies, reference interview skills, and knowledge of research techniques.

Who is the audience for “Practicing Reference”? Well, the core audience is reference librarians in law libraries. I have always worked in academic law libraries, but I try to have examples that resonate for court or law firm libraries too—and, happily, I have heard from some law firm librarians and others that my work has been useful to them. Because

reference touches on so much else, other law librarians (from technical services to administration) also have found them valuable.

A special subset of this audience is the rookies—the students and others who are just starting out. Since we get a new crop of law librarianship students in our library each year, I have a chance to test market the pieces. It often turns out that a piece I wrote in response to a comment by one student responds to another student's question a couple of years later. We keep a binder with all of the pieces from the column (as well as some reference readings from other publications) in the reference office, and students find it helpful to browse during those slow shifts when there isn't much patron demand. I hope that this collection will be as helpful to other students and beginning librarians as the binder has been to our own students.

I hope that the book will serve a broader audience as well. Some of the pieces are so much about basic reference (even though they are set in a law library) that they would interest librarians in other types of libraries. Branching out in another direction, some pieces could be helpful to legal researchers who aren't librarians. I have been pleased to hear when one of my pieces has reached someone outside law librarianship—for instance, when one was assigned in a Government Documents class in my university's Information School, when another was quoted in a medical library newsletter, and when a third was assigned to students in a legal writing class.

Why a Book?

Several people suggested gathering the columns into a book. Having the columns all together will be more convenient than having a stack of individual issues of *Law Library Journal*—or retrieving the pieces from online sources (AALLNet, HeinOnline, LexisNexis, and Westlaw). The book also has some updates and additional features that are not in the original pieces.

I hope that students and beginning reference librarians will use the book. The book might also make the pieces more accessible to the audiences outside law libraries. *Law Library Journal* probably attracts little attention outside law library circles—but librarians in public, academic, and special libraries could use the book. Legal writing

professors and other legal researchers who are not law librarians might also find value in the book.

Organization

I have grouped the pieces by theme. Part One is “The Reference Interaction.” You can have all sorts of research skills, but if you don’t communicate well with the person who needs help, you can’t really provide reference service. Of course, we can turn this around too: You can be a wonderful communicator, but if you don’t know how to look things up, the reference service will be very poor. Still, I want to begin here, with this very human aspect of reference work.

This part includes the reference interview (finding out what they want to know) as well as communicating results. “Re: Memos” suggests ways for writing a summary of research (and why it’s a good idea). This could be helpful for all sorts of researchers, not just reference librarians. “On Not Doing Research” discusses situations when not doing research at all is appropriate. And “Golf Buddy Reference Questions” illustrates the limits of reference assistance with a story about a caller with an unusual question.

Part Two, “Developing, Growing, and Coping as a Reference Librarian,” addresses general themes about our work—how we can cope with bad days and take satisfaction in our work. It also addresses the larger library context in which we work. For example, “The Trouble with Utopia” takes exception to the claim that the perfect library wouldn’t need reference librarians. “On Reference and Revelation,” a piece by my colleague Nancy McMurrer, celebrates the collaborations between reference librarians and technical services librarians and staff. “The Sensory Law Library” explores the library through the senses.

Part Three, “Research Techniques and Sources,” is the largest. It ranges from a piece about a nineteenth century law dictionary (and its popularity today) to one about cool web sites, concluding with the old-fashioned but still pertinent idea of books that people might sit down and read.

Updating

These essays, which originally appeared between 1999 and 2005, are generally not time sensitive. Even if something written four or five years ago talks about an edition of a book that has since been superseded or refers to a piece of legislation as “recent” when it no longer is, those examples are incidental to the main themes.

I have updated a few things and added some material when appropriate. However, I have not gone through and revised every footnote to cite to a current edition. For example, in “The Trouble with Utopia,” which appeared in 2001, I cited the 2000 edition of *West’s New Jersey Statutes Annotated*. For the point made—a tangent about full-service gas stations—there is no need to go confirm that the statute still exists in the current edition.

I have changed a few proper names to make them consistent—for instance, changing LEXIS-NEXIS (the company’s spelling in 1999) to LexisNexis (today’s spelling).

I checked URLs to make sure links still worked. When they didn’t, I tried to find another source or, in some cases, cite the Internet Archive. One piece (“*Bouvier’s, Black’s, and Tinkerbell*”) had several citations to websites—maintained by individuals and non-mainstream political groups—that can no longer be found. I did what I could and sometimes just noted that a document was *once* available at the cited URL.

I often draw examples from my own library. The details aren’t important to readers in other libraries, so I haven’t updated them. If I give an example of sending a patron to the seventh floor for a journal, you don’t care that we have since moved into a new building and the bound periodicals are on Floor L2. I did not update my 2002 statement that Nancy McMurrer was our liaison to LexisNexis and Westlaw even though Kristy Moon is now the liaison. Again, it doesn’t matter to the reader for the point made (that reference librarians have important duties outside the reference office).



ACKNOWLEDGMENTS

This book never would have come to be without Frank G. Houdek. I am grateful to him for recruiting me to write a column, for letting me develop my ideas and write in my own style, for editing and prodding me, for appreciating discursive footnotes, and for inspiring me with regular deadlines. I am also grateful to Frank for suggesting that I turn the columns into a book and putting me in touch with Sheila Jarrett of Hein as well as AALL's Publications Committee.

This book was made possible by my boss, Penny A. Hazelton, Associate Dean for Library and Computing Services, University of Washington School of Law, who encourages the Gallagher Law Library's librarians to write and be active professionally *and* makes it possible for us to do so.

My colleagues have been patient when I was obsessed with an idea or gnashing my teeth at a deadline. Some have also read and commented helpfully on drafts. Thanks to Jonathan A. Franklin, Ann Hemmens, Peggy Roebuck Jarrett, Nancy M. McMurrer, Kristy Moon, and Cheryl Rae Nyberg. Nancy had such a good idea for a piece that she wrote it herself, giving me a quarter off from deadlines. ("On Reference and Revelation" is included in this collection.)

Each year, a new class of students enters the UW's law librarianship program. Working with these bright, curious students in the reference office—and talking to them outside it—leads me to think about my work in ways that I otherwise would not. Many of the pieces in this book have been inspired or shaped by their thoughtful questions and comments as they learn their new profession. Over the years they have given me help, ideas, and encouragement. I thank them all.

I also owe thanks to the library patrons who keep reference work interesting, especially the faculty at the University of Washington School of Law, whose questions have given me the opportunity to dabble in

sources from Herodotus to PubMed. Some faculty members have also commented on drafts of different pieces. These include Professors Craig H. Allen, Steve P. Calandrillo, Joan M. Fitzpatrick, Mary A. Hotchkiss, Deborah Maranville, and Kate O'Neill.

When I give a talk, I watch the audience and gauge as I go along whether I'm reaching them—do they ask questions? do they laugh at my little jokes?—but written work often seems to be sent out into the void. Let me say here, to anyone who has ever sent me an e-mail message about my writing or greeted me at a meeting with a kind word about it: THANK YOU.

When I first started writing the column, I viewed the boxes of reprints with some puzzlement. Everyone I knew who was a law librarian already got *Law Library Journal*, and who else but a law librarian would want to see these? Eventually I started giving reprints to some friends who had no connection to law libraries—my ninth grade English teacher, the women in my book group, my childhood friend who is now a history professor. Since my friends are very kind and supportive people, they encouraged me in my writing. Giving copies to them also helped me develop my voice for the column, because I wanted to offer something helpful to specialists, but also wanted the writing to be accessible to people who didn't know a key number from a kiwi fruit. Thanks to Cay Bennett, Miriam Black, Alice Bloch, Sarah Gage, Beth Healy, Marian Michener, Emmie Russell, and Nancy C. Unger. Nancy, in particular, has commented helpfully on drafts of many of my pieces, encouraged me in my work, and shared with me her current projects.

Last but not least, I thank again Professor Mary A. Hotchkiss, formerly a law librarian and now a full-time faculty member, for her professional and personal encouragement throughout the run of the column and longer.

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PART ONE:

THE REFERENCE INTERACTION