
Legal resources in an academic business library

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Online databases v. the paper chase.

Business libraries agree that a large set of traditional sources of information are needed to meet the needs of business research. Traditionally these needs have been met more or less successfully by publications issued on a regular basis by many specialty publishers such as Moody's, Dun and Bradstreet, and Standard and Poor, with financial information on companies and industries to keep investors informed. Also, well-known journals such as *Fortune*, *California Management Review*, *Journal of Marketing Research*, along with trade journals having titles such as *Advertising Age*, *Playthings*, *Savings Institutions*, and *Footwear News* serve to keep students of business abreast of events and trends in the business world.

Less agreement exists, however, on the amount of law materials required for business research. Most business schools subscribe to the philosophy that "with a maturing U.S. economy and an increasingly litigious society, business students must understand the workings of the legal mind and be in command of basic legal principles as they apply to business."¹ Many articles have been written on the need for legal education, but many disagree as to implementation of courses and teaching methodologies to meet this need.² There are numerous

schools offering a business program at either the undergraduate or graduate levels which have a law school attached to their parent university, and one would expect these schools to be in the fortunate position of being able to offer their business students all the legal courses and resources available to the law students of their institution. In fact, however, this is often not the case. Competition for scarce resources among the various schools within a university often leads to the hard decision that students in one program may not use the resources specifically allocated for another program. The result is that business law students in these schools are just as hard-pressed to find all the legal resources they need to perform adequate research as their counterparts in schools without a law school.

Most libraries serving a business program purchase such standard legal titles as the *American Law Reports*, *Supreme Court Reports*, *Northeastern Reporter* for case law; *American Jurisprudence 2nd*, the U.S. and the local state Code sets; and the *Code of Federal Regulations* for administrative law. In the case of Bentley College, a free-standing business school with both undergraduate and master's programs, pressure was being exerted by the faculty for more current sources of legal information than are usually available in traditional business school libraries; sources such as advance sheets for the various court systems, and update services to the *Code of Federal Regulations*, as well as a broader selection of legal periodicals. In addition,

¹Henry B. Reiling, et al. *Business Law: Text and Cases* (Boston: Kent Publishing Co., 1981), 8.

²A selected list of journal articles is given at the end of this article.

the absence in the collection of the *Federal Supplement* series, an enormous set for which many libraries do not have sufficient shelf space, was often pointed out as a serious deficiency in the library's legal resources. One option that business schools might consider in urban areas such as Boston, with many academic institutions in the area, is to draw on the resources of other educational institutions in the area; however, libraries are understandably reluctant to share their own scarce resources with others not enrolled in their institutions. Another option to consider is to install an electronic online legal database, such as Westlaw or Lexis. This was the route Bentley College decided to pursue, the results of which are discussed below.

A library considering introducing such an electronic legal database will realize early on that the typical pay-as-you-use fee structure would quickly devour the whole materials budget. Costing back such a service to the users would defeat the purpose of introducing the service, which is to find an alternative to buying paper sources, the use of which would naturally have been free to all. Fortunately we discovered that Mead Data Central, parent company of Lexis, had recently begun a pilot project to introduce their electronic database into the non-law school market. A crucial part of this project is the fixed-fee structure, which allows academic institutions to purchase Lexis without having to adopt a chargeback system. The arrangement is normally that a library receives one UBIQ terminal with printer, four passwords, and unlimited search time except during 2:30-5:00 p.m. weekdays, which is traditionally the time of heaviest use by the law firm subscribers. In exchange for this educational flat rate, the school must agree to make Lexis available only to their current students, faculty and staff.

Costs and justifications

Business schools will undoubtedly want to do an analysis of the costs of the introduction of an electronic legal database and to measure these against the benefits. The direct costs, which include the subscription, the passwords, the terminal and printer rentals, and the initial training, are all costs negotiable with Mead. In the case of Bentley College, these came to approximately \$13,000 for one year. Business schools considering a service such as Lexis will also need to take into account telephone charges, for which Mead charges a flat rate of \$50 per month per terminal.

Another cost which must also be considered is that of the additional staff that we discovered we needed to hire to assist us with all the Lexis training and routine patron assistance. In our case, we found we had to increase the reference staff by 24 hours a week of additional part-time professional help to handle the large number of Lexis tutorials that are requested daily. Using an electronic legal database requires some training, otherwise the pa-

trons become frustrated and often leave the library without the information they were seeking. We discovered that a tutorial of 20 minutes usually teaches users enough to enable them to find what they need. However, since each such tutorial requires 20 minutes of the reference librarian's time, having the reference desk unattended that long is an unacceptable level of reference service. Adding more staff at key busy times solved that problem, but naturally the cost is high, adding an average of \$240 per week to the library's payroll.

To complete an analysis of the costs of introducing an electronic legal database, a library must compare what materials are already being received against what it will be receiving on the legal database. As an example of such an analysis, we list below the titles which our library was receiving at the time Lexis was installed for which there was a comparable title or service on Lexis:

Law titles

Code of Federal Regulations
Federal Register
U.S. Reports
Federal Reserve Bulletin
Department of State Bulletin
U.S. Code
U.S. Code Annotated
American Law Reports—2nd, 3rd, 4th, and
Later Cases
BNA U.S. Law Week
Northeastern Reporter
Massachusetts Decisions
Supreme Court Reports
Harvard Law Review
Yale Law Review

Accounting and taxation titles

AICPA publications
FASB publications
Tax Lawyer
CCH U.S. Tax Cases
Cumulative Bulletins of the I.R.S.
IRS publications
U.S. Tax Court Reports
Tax Court Memorandum Decisions
Prentice-Hall Private Letter Rulings
Prentice-Hall American Federal Tax Reports
Prentice-Hall Tax Court Reported Decisions
Prentice-Hall Tax Court Memorandum Decisions
Prentice-Hall Federal Tax Service
CCH Standard Federal Tax Reporter (2 sets)
Prentice-Hall Divorce Taxation
Prentice-Hall Federal Tax Guide
CCH Federal Tax Guide
CCH Internal Revenue Manual
Rabkin & Johnson Federal Income Gift & Estate Taxation
RIA Federal Tax Coordinator
Merten's Law of Federal Income Taxation

It is apparent looking at this list that the library receives many services in the taxation field, and that there is much duplication, or near-duplication of services, as befits a school which teaches accountancy at the graduate level. The question all libraries need to answer is how much of their duplication is true duplication with the services available on the electronic database. Theoretically these duplicate services could then be dropped from the library's subscription list, saving money that adds to the justification for the electronic service. We found, however, that there were only a few paper services that could be considered candidates for dropping: CCH *Standard Federal Tax Reporter* (the 2nd set only), Prentice-Hall *Divorce Taxation*, Prentice-Hall *Federal Tax Guide*, CCH *Federal Tax Guide*. Similarly, in the law area the Law Faculty were willing to give up the paper editions of *American Law Reports*, and *BNA US Law Week*. The reasons for not discontinuing most of the paper services that are apparent duplications of the electronic service were several. First is the traffic factor. If usage of a certain paper service is heavy, then it becomes difficult to force all that traffic onto the Lexis terminal, which with its 300-baud printing rate is slow for printing out cases. In our library we found that most of the tax services and the federal law case reporter services fell into the "heavy use" category and were therefore necessary to keep in paper format. A second factor was Town and Gown relations. Since some of the use of our materials comes from outside the Bentley community, mainly alumni and local townspeople who would be ineligible for access to Lexis, it was decided that we had an obligation in the interest of goodwill to maintain at least a few services that might otherwise be dropped. The Prentice-Hall *Private Letter Rulings* was a good example of this point. Another factor is the Faculty Factor. At Bentley, we of course consulted with the faculty on the issue of discontinuing services in the taxation and law areas, and discovered that our taxation faculty felt strongly that it is important to keep the RIA, the Rabkin & Johnson, the Prentice-Hall, the Mertens and the CCH federal tax reporters as teaching tools to educate their students about the uniqueness of each service. In addition, the Law faculty felt that the problem of pagination on Lexis—that is, that the page references on Lexis are different from the official page references due to the smaller pagination on the Lexis screen—was an additional reason why many of the paper services needed to be retained. This is a problem especially for faculty research and publications, for which official page references are required, a problem that producers and vendors of electronic legal services would do well to consider.

In all, then, the direct savings we were able to accumulate through this analysis were modest. The process, however, is a very useful one for any business school library, and we felt we had gained much through the process.

A business school library should also consider the indirect savings from the installation of an electronic legal research service. A list should be compiled of all the services and periodicals available on the service that are not currently being received in paper format. At Bentley, we made such a list and selected those titles which we knew would be used by our faculty and students:

BNA Chemical Regulation Reporter
BNA Pension Reporter

BNA Government Employee Relations Report
BNA Occupational Safety & Health Reporter
BNA Product Safety & Liability Reporter
BNA Securities Regulation & Law Report
BNA Environment Reporter
BNA Antitrust & Trade Regulation Report
35 law journals

Federal Supplement series (current and retrospective)

Federal Reporter series (current and retrospective)

Regional Reporter series (current and retrospective)

State cases from all 50 states

State tax cases from all 50 states

The cost of all the titles listed above would have far exceeded our annual fee for Lexis, and while we had not had subscriptions to them and therefore could not consider them real savings, we did view them as value-added. This was important to our collection development program, where the pressure to enhance the law and taxation areas of the collection has now become almost non-existent due to the introduction of these added services on Lexis.

Summary

To sum up then, the staff, faculty and students consider the introduction of Lexis to have been an enormous success. It has cost us, and continues to cost us, a considerable chunk of the materials budget. However, the benefits to the college have been many. First, there has been an enormous increase in the law collection at really minimal cost. Staff time in ordering, processing, handling, filing, shelving all these additional materials in print format would have been beyond reason. In addition, the library now has materials for which little need had been perceived but which now receive regular use. The library feels that any complaints in the future about the size of our law collection will be considered unjustified, freeing us up to concentrate on collection development in other equally important and demanding areas of the collection. Also, with the trends towards electronic information of all sorts, on CD-ROM, remote databases, or microcomputer-based systems, it is important that business schools offer their students the best and the most current technology available, since these students will later need access to the best and latest information to compete in the world business and political markets.

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INNOVATIONS

Introducing junior staff to the administrative process

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The Administrative Council and staff of the North Texas State University Libraries participated in two planning retreats in the early summer of 1983 and 1985. These retreats served to enhance the library's commitment to an intensive goal and objective planning program based on input from all levels of staff. A recurring finding from the two retreats indicated that junior staff members felt alienated from the decision-making process. Staff members new to the library and junior staff without administrative exposure felt that senior administrative staff were privileged to more inside information, made decisions not based on staff input, tended to be reactive to problems instead of proactive, and did not relay information to fellow staff in an efficient manner. While these tend to be fairly common complaints to be directed toward management, the library administration decided to see if there might be some way to reduce or defuse the

basis for such criticism.

The associate director suggested a project in which junior staff members, librarians and clerical staff, would participate in small study/task groups which would review and make recommendations about matters and issues usually reviewed only at the Administrative Council level. The make-up of the group would vary depending upon the topic to be reviewed, and the associate director would serve as the chairperson for each group. The intent was to have one such group active for a period of time during each academic year. The group was to serve two purposes: to inform staff members about matters that were not part of their regular job information, and to have the staff members make recommendations within the context of this new information. Side benefits would be to help staff understand the complexity of administrative decision-making when confronted with many op-