

## Foreign and International Law Librarianship

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Many librarians, lawyers, and law students express interest in becoming foreign, comparative, and international law (“FCIL”) librarians. This article answers common questions about the job duties, salaries, qualifications, satisfactions, and frustrations of FCIL librarians.

### **1) What is FCIL librarianship?**

#### *Foreign Law*

Three areas fall under the “FCIL” umbrella. The first, foreign law, covers the national and sub-national (e.g., provincial) laws of other jurisdictions. Although the term “foreign law” often refers to the law of any jurisdiction other than the United States, it also has a narrower connotation; some law librarians restrict the term foreign law to jurisdictions outside the Anglo-American legal family.

#### *Comparative Law*

*Black’s Law Dictionary* defines “comparative law,” the second FCIL component, as “[t]he scholarly study of the similarities and differences between the legal systems of different jurisdictions, such as between civil-law and common-law countries.”<sup>1</sup> From the FCIL librarian’s perspective, comparative law usually plays out as a foreign law question. In other words, when aiding a comparative law researcher, the FCIL librarian must identify and locate foreign law sources.

Comparative law scholars often focus on comparisons between two or more legal systems. They will never agree on how many types of legal systems exist in the world, but the major types are common law, civil law, Islamic, and mixed (i.e., a combination of one or more legal systems). Other types of legal systems are Talmudic (i.e., Israeli), customary, and indigenous.<sup>2</sup> Socialist legal systems, once widely-studied, have dwindled nearly into irrelevance.<sup>3</sup>

FCIL librarians need to understand foreign legal systems so that they can research efficiently. Despite much overlap, each system has a different array of sources of law. Moreover, civil law systems make different distinctions between types of law than do common law systems (e.g., private versus public law), and these distinctions affect how to find relevant materials. Some FCIL librarians learn about foreign legal systems by studying abroad, or by taking comparative law classes; others flesh out their knowledge by reading.

### *International Law*

The third component of FCIL librarianship, international law, has become increasingly important since World War II and the birth of the United Nations. Although classical public international law dealt exclusively with the legal system governing relations between nations, the modern concept extends to relations among international organizations, nations, and individuals. Human rights, international trade, and the environment are among the new subjects of public international law.

Private international law, while something of a misnomer, makes up another part of foreign and international legal work. Private international law, also called “conflicts of law,” refers to the law that governs interactions between citizens or entities of two

different nations. Until recently, private international law consisted primarily of national law, and perhaps the set of principles known as “lex mercatoria.”<sup>4</sup> Increasingly, however, international bodies such as the U.N. and the Hague Conference on Private International Law have translated principles of private international law into treaties. Examples of “private law” treaties include the United Nations Convention on Contracts for the International Sale of Goods<sup>5</sup> and the Hague Convention on the Civil Aspects of International Child Abduction.<sup>6</sup> With the shift to treaties as a source of private international law, techniques for researching treaties have become more important in this area.

Another important development of the past half-century is the rise of intergovernmental organizations. Librarians must understand the workings of global and regional institutions such as the World Intellectual Property Organization, the Organization of American States, and the Council of Europe. The trade organizations, such as the World Trade Organization, the North American Free Trade Agreement framework, and Mercosur, have become key players. Their policies affect both international and domestic law.

Many FCIL librarians in the US have had to learn the structure and law-making role of the world’s major supra-national organization, the European Union. European Union law adds another layer of complexity to research in the major Western European countries, and, increasingly, in Central and Eastern European ones as well. Fortunately, librarians such as Marilyn Raisch and Duncan Alford of Georgetown University, along with others, have created useful guides<sup>7</sup> to the complicated task of EU research.

Foreign, comparative, and international law has changed from an obscure backwater of scholarly interest to a dynamic, growing legal practice area.<sup>8</sup> Even the *U.S. News & World Report*'s 2006 law school rankings issue highlighted this dramatic increase in the relevance of international and foreign law.<sup>9</sup>

During the last half of the 20<sup>th</sup> century, a handful of FCIL librarians were scattered in the largest U.S. law schools. Many of them were Europeans displaced by events such as World War II.<sup>10</sup> With foreign law degrees and knowledge of several European languages, they built foreign collections focused primarily on Western Europe. This "first generation" of FCIL librarians has nearly disappeared,<sup>11</sup> raising the question of where to find its successors.<sup>12</sup>

The current generation of FCIL librarians tends to be American-born, with U.S. library degrees and, in most cases, U.S. law degrees. Most practice reference and collection development. A few work as foreign law catalogers or legal bibliographers. They have spread from a few elite law schools into other schools, law firms, and even corporations. Increasingly, large law firms have a librarian who specializes in international and foreign legal research.

### *The Work of FCIL Librarians*

Duties vary widely in type and content, but generally fall under the headings of reference, collection development, teaching, or cataloging. Most FCIL librarians do at least some reference.

### *Reference*

Foreign law reference questions range from "here's a citation to a foreign law—can you find me a copy?" to "what is the law on doctor-patient confidentiality in Chad?"

Some patrons may just need help deciphering a foreign citation. Other patrons may need to delve into the inner workings of a foreign legal system—to identify the relevant sources of law, such as a civil code and regulations, and then to find the necessary sources on a topic.

For most questions, the librarian can use English-language books, articles, research guides, and databases to identify the relevant sources of law. For example, someone looking for the adoption law of Sénégal can determine that the relevant source of law is part of the Code de la famille, loi 61 of 12 Jun 1972.<sup>13</sup> Finding the text of those sections, however, may require the librarian to search union catalogs, internet sources, or article indexes. Moreover, the librarian may need at least a working knowledge of French, either to search French websites, scan descriptions of books written in French, or send an email inquiry to a French organization.

Most reference work in international law can be conducted using English sources. Nonetheless, international law research poses its own hazards. The variety of sources used in international law can overwhelm researchers, and the field lacks a clear hierarchy of authority. Thus, unlike researching U.S. law, in which the Constitution trumps statutes which trump regulations, researching international law often involves identifying a hodgepodge of documents from which the lawyer infers a general principle of international law. Treaties are the clearest source of international law, but they are not like a contract between the signatories. A state party may add a “reservation” to the treaty in which it refuses to be bound by certain provisions. Even more confusingly, a non-party may find itself bound by principles in a treaty that it never signed. Because international law is based, in part, on what states do, FCIL librarians must often track

down examples of “state practice” in international law. This research task can be so difficult that some distinguished FCIL librarians have published a looseleaf set designed to simplify this research.<sup>14</sup>

Reference work in both foreign and international law has become easier with the advent of internet sources. In addition to excellent online searching skills, however, an understanding of older, paper-based tools plays a part in most FCIL librarians’ work. Mastery of these tools ordinarily comes from experience; the details of various treaty and literature indexes cannot easily be taught.

### *Teaching*

A fraction of FCIL librarians teach courses in international and foreign legal research. Such teaching may consist of guest appearances in substantive law courses, such as a human rights or comparative constitutional law class. Or the librarian may teach a session on FCIL research as part of an Advanced Legal Research class. A few law schools, such as Georgetown, Boalt, Minnesota, Brooklyn Law School, and Duke, offer a regular class or seminar focusing on FCIL research.<sup>15</sup> Other schools offer shorter courses on the topic. To support librarians who teach FCIL research, the Foreign, Comparative & International Law Special Interest Section of AALL maintains a page of syllabi, presentations, handouts, exercises, and other class materials.

Many FCIL librarians also teach U.S. legal research to foreign L.L.M. students. The librarians’ familiarity with foreign legal systems, particularly civil law systems, helps them understand the misunderstandings that foreign lawyers may have about the U.S. system. Moreover, many L.L.M. students write papers comparing aspects of their “home” legal system with those of the U.S., and FCIL librarians often get involved in

helping them with their foreign law research. Thus, it makes sense for FCIL librarians to get to know, and to work closely with, the L.L.M. students.

### *Collection development*

FCIL collection development has become increasingly expensive. With the upsurge in transnational and international law interest, publication of FCIL titles is booming. Also, the number of sovereign nations has increased three-fold since World War II.<sup>16</sup> This increase means more countries from which law libraries might collect materials. In addition, new organizations and regimes have sprung up, including the European Union (EU), the World Trade Organization and NAFTA. These three organizations have created whole new areas of law to which FCIL collection development must respond. With new titles on EU law numbering in the hundreds each year, collection librarians must choose carefully. Meanwhile, new trade agreements such as CAFTA keep adding to the mix.

Collection development librarians struggle with how to direct their foreign law budgets. Most of their patrons seek information about major Western European countries. Thus, libraries tend to duplicate one another's holdings. Partly because of this duplication, libraries have less money to buy materials from other jurisdictions. So while several libraries own the current German Civil Code, far fewer have codes from Latvia, or Ugandan statutes. Efforts to develop cooperative collecting arrangements have fallen prey to budget cuts, changes in institutional focus, and inattention.

Generally, everything that is hard about collecting American law materials applies to FCIL work. But collection of foreign and international legal materials adds new headaches to the usual problems. In addition to agonizing over whether to switch to

electronic formats, librarians must cope with foreign currency transactions, overseas shipping costs, slips and catalogs in foreign languages, and vendors whose first language is something other than English. (For acquisitions librarians who struggle to make sense of U.S. legal publishers' invoices, imagine the complications of doing so in another language!) Recently, the dollar's weakness against foreign currencies has made acquiring these materials even more expensive, exacerbating the budget woes suffered by all law librarians. Libraries that collect from third-world countries, such as most African jurisdictions, must deal with erratic publication schedules, unreliable vendors, and logistical obstacles such as poor communication and shipping infrastructures.

Collection development may include extensive work in foreign languages at law libraries that acquire foreign monographs, but FCIL librarians in smaller libraries may attend only to English-language publications. Most of the demand from U.S. patrons is for materials in English, making those materials the first priority for many collection librarians. After spending money on the first priority, little cash may remain for others.

Because of the wide scope and high cost of possible materials, few libraries can afford to collect them from every jurisdiction. Harvard and the Law Library of Congress come the closest to a comprehensive global law library.<sup>17</sup> Certain libraries have chosen to focus on countries or regions for their most in-depth foreign law collections. For example, the University of Washington is known for its East Asian/Pacific Rim collection. The University of Arizona has an exceptional collection of Mexican legal materials. Linda Tashbook, of the University of Pittsburgh Law Library, has undertaken an effort to collect and publish detailed information about US foreign law collections.<sup>18</sup>



Foreign and international law librarians often play a significant role in collection development at their libraries: they may write policies, review and evaluation collections, and select many of the monographs and journals. Their involvement is usually more extensive than that of the typical reference librarian.

### *Cataloging*

Of course, once someone selects a foreign title, it will have to be cataloged. The bulk of foreign law collections often consists of serials, making the task a little less daunting. But cataloging foreign titles, especially in non-Roman alphabets, is not for the faint-hearted. Fortunately, records for most titles are available through OCLC or RLIN.

Many libraries collected foreign law before the Library of Congress had set up any schedule for it. Although country schedules have been available for several years, some libraries still have a backlog of unclassified foreign materials. At the University of Minnesota Law Library, for example, many titles are still classed in the catch-all section “Foreign Texts.” Patrons must search for items using the last name of the author. Other law libraries sort materials by home-grown abbreviations such as “Rus” for Russian and—regrettably—“Jap” for Japanese.

Changes to the Library of Congress classification system have also affected FCIL catalogers. The “JX” class, established in 1910, originally covered both international relations and international law. As international organizations and international law grew in importance, works on these topics no longer fit neatly into the JX class. A drastic change was needed. After years of work in the 1990s, the Library of Congress split the class into Political Science (JZ) and Law (KZ).<sup>19</sup>

Reclassifying even a small JX collection makes a lot of work and headaches for catalogers. As two law librarians from the UC-Davis stated mildly, “This was not going to be a simple and straightforward reclassification project.”<sup>20</sup> In addition to the problems of deciding whether a title fell under political science or law, or where within the law schedule it fell, the reclassification forced many libraries to move a lot of books, including over two thousand volumes of the *United Nations Treaty Series*.

Islamic law has been another challenge to FCIL catalogers. Until recently, the Library of Congress classification schedule had no place for it. Thus, catalogers used a variety of approaches to works on Islamic law, scattering them among classes such as BP (Islam), or not classifying them at all.<sup>21</sup> The Library of Congress, led by Jolande Goldberg, labored over Islamic law and the other Religious Law schedules (KB), releasing the last piece in 2004. Reclassifying books on religious law will keep FCIL catalogers busy for at least a few years.

## **2) Attractions of FCIL work**

Most librarians who do FCIL work cite its variety and challenge as the reasons they enjoy it.<sup>22</sup> Of course, law librarianship itself is characterized by variety.<sup>23</sup> FCIL librarianship, however, widens the scope of work dramatically. Foreign law questions can cover more than 190 countries; international law reaches from the deep seabed to outer space. FCIL research pulls librarians into foreign legal systems; calls on their foreign language skills; exposes them to different cultures and different approaches to legal problems; and takes place in an ever-changing landscape of print and electronic resources.

“Regular” academic law librarians sometimes tire of teaching endless waves of first-year students to use basic sources such as digests and citators. FCIL librarians, on the other hand, rarely complain of similar boredom.

Another benefit of FCIL work stems from the relatively small number of librarians in the field. New FCIL librarians often comment on how warmly their seasoned colleagues welcome them.<sup>24</sup> Because few libraries’ foreign and international law collections come close to being complete, librarians tend to cooperate and share resources readily.

#### *Employment prospects*

Generally, the market for FCIL librarians is strong.<sup>25</sup> AALL salary surveys show FCIL librarians making more money than law librarians in nearly all other positions – more than reference librarians, computer/automation librarians, and government documents librarians.<sup>26</sup> Probably this difference stems largely from the type of libraries (large, well-funded) most likely to employ FCIL librarians. Anecdotal evidence such as recent job postings, however, suggests that FCIL positions pay better than comparable positions at the same institution.

Moreover, the globalization of law practice will continue to increase demand for foreign and international legal information, and the people who know how to find it. Some experts on law librarianship predict that innovative legal research products may make law librarians obsolete.<sup>27</sup> They envision a future in which a lawyer will pose a natural language question to her computer and receive a tailored package of relevant information. But even those who find this scenario plausible are talking about U.S. legal

research. The number of foreign jurisdictions and the complexity of foreign and international legal research make the scenario highly unlikely for FCIL librarians.

### **3) Qualifications**

#### *Education*

Because most FCIL librarians work in reference, at law school libraries, a majority have J.D. degrees. However, not all academic FCIL librarians do. One highly-respected FCIL librarian without a J.D. works at the University of California's Boalt Law Library; others are scattered at various law schools. A 1992 survey of FCIL librarians showed that 19 of the 34 respondents had a J.D., L.L.M., or a degree in civil law.<sup>28</sup> Few law firm librarians who specialize in FCIL work have law degrees, but some do.

As with U.S. legal research, FCIL research may be easier for librarians with law degrees. Law school provides grounding in useful vocabulary, the relative authority of legal sources, legislative and regulatory processes, and dispute resolution mechanisms. But a good understanding of law-making institutions and legal concepts does not require a legal education. Moreover, the typical law school education does not include classes in foreign or international law,<sup>29</sup> though students can choose them as electives.

Like most law librarians, most FCIL librarians have degrees in librarianship. Academic law libraries usually require this degree for professional positions. Exceptions usually arise when talented paraprofessionals get promoted into jobs that ordinarily require the degree, or when law libraries hire a lawyer based on his or her research skills.

#### *Languages*

Foreign language skills are deemed one of the "necessary strengths" for FCIL work.<sup>30</sup> Historically, French, German, Spanish, and Italian have been the most common

languages used by FCIL librarians.<sup>31</sup> One linguistically-talented FCIL librarian commented recently, however, that “if we could choose now, we would all know Chinese.”<sup>32</sup>

Nearly all FCIL librarians bring knowledge of at least one foreign language to their first job, and many study additional languages after they are hired. Sunil Rao, Foreign Law Librarian at the University of Wisconsin, says that “[l]anguage skills have proved invaluable” in his job.<sup>33</sup> Rao knew Spanish when he was hired, and took French classes afterward.<sup>34</sup> Although free online translation services have proliferated,<sup>35</sup> most FCIL librarians’ work requires some knowledge of foreign languages. Generally, librarians do not translate documents for patrons. Willingness to slog through foreign-language documents with a bilingual legal dictionary, however, is definitely required.

But librarians without strong foreign language skills should not despair of their FCIL prospects. The most common use of foreign languages is the slow deciphering of written words—the easiest of the four basic skills (reading, writing, listening and speaking). Heidi Kuehl, who teaches FCIL research at Northwestern University Law Library, notes that “[i]t’s more important to be able to read & interpret languages in print for collection development purposes [than to speak foreign languages].”<sup>36</sup> Moreover, as Cook County FCIL Librarian Jean Wenger says, “I have found that the ability to read a foreign language increases with the desperation of the reader.”<sup>37</sup>

### *Curiosity and Intelligence*

Many FCIL librarians share an interest in foreign countries, international relations, or history. Some report that studying overseas sparked their interest. Amy Burchfield, International & Foreign Law Reference Librarian at Georgetown University,

was headed toward a career in science before she spent her junior year of high school in Germany. “After that, it was 100% international all the way,” says Burchfield.<sup>38</sup>

Similarly, Lee Peoples, Associate Director for Faculty, Research and Instructional Services, Oklahoma City University Law Library, traces his interest in FCIL librarianship to a college semester at Utrecht University, in the Netherlands.<sup>39</sup>

A non-librarian expert in comparative law notes that “[b]ecause family law, succession and donations are, in civil-law countries, largely ruled by personal law and because personal law may be determined by reference to facts of nationality, domicile, religion and ethnic identity, considerable academic sophistication is demanded of foreign and comparative law librarians.”<sup>40</sup>

Similarly, one distinguished FCIL librarian has written that “either subject training or a scholarly approach to the acquisition of knowledge are essential” for FCIL work.<sup>41</sup> Librarians who like to grapple with new concepts, and who are willing to learn some background before jumping into search mode, flourish as FCIL librarians.

### *Training*

In the mid-1990s, Oceana Publications, Inc., which was recently acquired by Oxford University Press, joined with AALL to sponsor a series of five institutes on foreign and international law librarianship. The institutes culminated in a series of books, published by Oceana, that still provide valuable guidance for FCIL researchers. As the last institute took place in 1996, however, they do not address the key role of web research, and are outdated in some other respects.

The influx of new FCIL librarians in need of training led the FCIL-SIS to try to revive the institutes. Daniel Wade, of Yale Law Library, spearheaded an effort to

develop eight one-day workshops. This effort paid off in two workshops—one on international trade, one on the EU—held before the AALL annual meetings in 2004 and 2005. Unfortunately, AALL did not approve the third proposed workshop, and the future of these sessions is unclear.

Programs at organizations other than AALL fill some of the need for FCIL training. Organizations of importance to FCIL librarians include the International Association of Law Librarians (IALL)<sup>42</sup> and the American Society of International Law (ASIL). For the past several years, the Law Library of Congress has offered inexpensive, valuable, one-day workshops the day before the American Society of International Law meeting opens in Washington D.C. Topics have ranged from Latin-American legal systems to the new UN treaty on persons with disabilities.

One innovative approach to learning FCIL research takes the form of an online tutorial. Open to any user, the tutorial resides on Duke University's web site.<sup>43</sup> CALI, the Center for Computer-Assisted Legal Instruction, has one tutorial on foreign law, and plans to add an entire library of lessons on FCIL research. Those lessons, however, are open only to students and staff at CALI member law schools.

### *Experience*

While reading books and articles, using online tutorials, and attending programs can provide some grounding in FCIL work, most librarians agree that nothing replaces experience.<sup>44</sup> Some specialists have benefited from an internship or a practicum.<sup>45</sup> Others have sharpened their skills by volunteering to take on any FCIL questions that reach the reference desk. One newer librarian recalls, “[W]hen I was interviewing with

various institutions, I wanted to make sure that they would be open to my pursuing FCIL librarianship.”<sup>46</sup>

Recent difficulty in filling positions has led some major law libraries to hire applicants who have little FCIL experience. Harvard and the University of Michigan have both hired recent library school graduates; the University of Minnesota hired a librarian without significant FCIL experience. Experience with FCIL work certainly improves an applicant’s prospects, but the lack of it does not ruin them.

#### **4) Frustrations**

##### *Unrealistic expectations*

Asked about the frustrations of their work, most FCIL librarians mention the gap between users’ expectations and the realities of access to foreign legal information, especially in English. Law students and lawyers without foreign law experience usually make two faulty assumptions: first, that foreign law is available on the internet to the same extent that US law is; and second, that foreign laws, regulations, and cases are available in English.<sup>47</sup>

An FCIL librarian who takes a patron’s incomplete citation, checks various sources, and emerges triumphantly from, *e.g.*, the Droit Francophone database with the text of a requested law, may not appreciate the patron who looks at it incredulously and says, “What? I can’t read French!” When unable to provide requested English translations, FCIL librarians sometimes suspect that the patrons doubt their abilities. Moreover, no librarian likes to disappoint a patron.



*Too few colleagues?*

While the relatively small number of FCIL librarians creates collegial and cooperative relationships, it has drawbacks. First, AALL hesitates to support specialized FCIL training because the potential audience is not large. AALL tends to accept introductory- or intermediate-level FCIL programs, and disfavors the advanced programs that experienced FCIL librarians need. Some of these librarians have shifted their professional development money to attending other organizations' meetings.

A second implication of the small number of FCIL librarians is the burnout experienced by those who are professionally active. While many outstanding librarians continue to propose AALL programs, serve as SIS officers, and volunteer on committees, others believe, understandably, that they have "done their time." The burnout effect does, however, open up interesting professional development opportunities for newer FCIL librarians.

*Too little money*

Globalization may be shrinking the world, but it has greatly increased the number of foreign and international law information sources for sale. New regimes like the EU spring up, and must be reflected in the collection. But the advent of the EU has not enabled libraries to stop buying legal materials for EU member states.

Librarians ponder whether to buy the titles other schools have bought, so that their patrons can find these sources when they see them cited. Or perhaps a better policy is to buy what other libraries have not. Such an approach maximizes the resources available, assuming the other titles are available through inter-library loan. FCIL collection

development is a bit like trying to pay back law school student loans on a librarian's salary—anxiety-provoking and difficult.

## 5) Conclusion

While FCIL work has its own frustrations, it is never boring. Foreign and international law librarianship offers all the rewards of law librarianship, with an extra dose of challenge. Trends in the globalization of law practice make employment prospects attractive. To become an FCIL librarian, learn foreign languages, seek out educational opportunities, and find opportunities to develop FCIL reference, acquisition, or cataloging skills at your current job.

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<sup>1</sup> Black's Law Dictionary 300 (7<sup>th</sup> ed. 2004).

<sup>2</sup> For an excellent brief introduction to legal systems, see University of Ottawa, Faculty of Law, Civil Law Section, Legal Systems, <http://www.droitcivil.uottawa.ca/world-legal-systems/eng-presentation.html> (last visited Jan. 23, 2006).

<sup>3</sup> Anders Fogelklou, *The Regional Ombudsman as a Western (Swedish) Legal Transplant: Experiences from the Legislative Process in St. Petersburg*, 13 *Transnat'l L. & Contemp. Probs.* 537, 538 (2003) ("What we are witnessing now is less a convergence of the socialist legal systems with the Western systems, but rather the disappearance of the former.")

<sup>4</sup> Friedrich K. Juenger, *The Lex Mercatoria and Private International Law*, 60 *La. L. Rev.* 1133 (2000) (describing the relationship between the lex mercatoria and conflicts of laws).

<sup>5</sup> Convention on the Law Applicable to International Sale of Goods, June 15, 1955, 510 U.N.T.S. 147.

<sup>6</sup> Convention on the Civil Aspects of International Child Abduction, Oct. 10, 1980, 1343 U.N.T.S. 89, 19 I.L.M. 1501.

<sup>7</sup> See, e.g., Marilyn J. Raisch, *European Union Law: An Integrated Guide to Electronic and Print Research*, <http://www.llrx.com/features/eulaw2.htm>; Duncan Alford, *European Legal Materials: A Guide for Infrequent Users*, 97 *Law Libr. J.* 49 (2005).

<sup>8</sup> See, e.g., China Miéville, *Anxiety and the Sidekick State: British International Law after Iraq*, 46 *Harv. Int'l L.J.* 441, 451 (2005) (noting such trends as "globalization of the law," "penetration of international law into domestic law," and "an increasing interest in international law"); John K. Setear, *A Forest With No Trees: The Supreme Court and International Law in the 2003 Term*, 91 *Va. L. Rev.* 579, 581-82 (2005) (noting Supreme Court justices' remarks on the role of international law); Melissa A. Waters, *Mediating Norms and Identity: The Role of Transnational Judicial Dialogue in Creating and Enforcing International*

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*Law*, 93 *Geo. L.J.* 487, 573 (2005) (“The Justices’ interest in foreign and international law seems to grow with each passing year”); and David S. Clark, *Transnational Legal Practice: The Need for Global Law Schools*, 46 *Am. J. Comp. L.* 261, 273-74 (1998) (describing economic importance of transnational legal practice).

<sup>9</sup> Dan Gilgoff, *Law: Beyond the Borders*, *U.S. News & World Rep.*, 2005, at 54, 54-55.

<sup>10</sup> For an interesting account of the European-educated librarians (and lawyers) who came to the U.S. after World War II, see Lorraine Kulpa, *The Contributions and Unique Role of Foreign-Born, Foreign-Educated Law Librarians*, in *Law Librarianship: Historical Perspectives 203-13* (Laura N. Gasaway & Michael G. Chiorazzi eds., 1996).

<sup>11</sup> See, e.g., Marie-Louise H. Bernal, *Editorial Comment*, 31 *Int’l J. Legal Info.* lix (2003) (noting the deaths of three such librarians--Jan Stepan, Adolf Sprudz, and Willi Steiner).

<sup>12</sup> Replacing this generation of distinguished experts has concerned law librarians for many years. See, e.g., Jules Winterton, *In Memoriam*, 31 *Int’l J. Legal Info.* lxiii, lxv (2003) (“The retirement of this generation has caused no less than a skills crisis in the operation of legal research libraries which seek to maintain collections and services relating to legal systems of continental Europe, so much so that the American Association of Law Libraries has mounted a campaign to train the new generation of foreign and international law librarians.”)

<sup>13</sup> *Senegal*, Thomas A. Reynolds & Arturo Flores, *Foreign Law Guide: Current Sources of Codes and Basic Legislation in Jurisdictions of the World* (1989) (listing relevant sections of the Code de la famille).

<sup>14</sup> *Sources of State Practice in International Law* (Ralph Gaebler & Maria Smolka-Day eds., 2002).

<sup>15</sup> FCIL-SIS Syllabi and Course Materials web page, <http://www.aallnet.org/sis/fcilsis/syllabi.html> (last visited Oct. 12, 2005).

<sup>16</sup> *Harper’s Index*, *Harper’s Magazine*, Feb. 2001, at 13.

<sup>17</sup> Andrew Grossman, *Towards Cooperation in Access to Foreign Primary Law*, 30 *Int’l J. Legal Info.* 1, 28 (table 2) (2002).

<sup>18</sup> Foreign Law Collections in U.S. Libraries,

<http://www.law.pitt.edu/library/international/foreigncollections.php> (last visited Jan. 23, 2006).

<sup>19</sup> Katherina R. Lin & Erin Murphy, *Reflections on a JX Reclassification Project*, 92 *L. Libr. J.* 459, 459 (2000).

<sup>20</sup> *Id.* at 460.

<sup>21</sup> M. Lesley Wilkins, *Harvard Law School Library Collections & Services Related to Law of the Islamic World*, 31 *Int’l J. Legal Info.* 380, 383-84 (2003).

<sup>22</sup> See, e.g., Mary Rumsey, *Strangers in a Strange Land: How to Answer Foreign Law Research Questions*, *AALL Spectrum*, July 2004, at 16, 17.

<sup>23</sup> Mary Whisner, *Choosing Law Librarianship: Thoughts for People Contemplating a Career Move* (1999), <http://www.llrx.com/features/librarian.htm>. Whisner’s article serves as an excellent overview for anyone considering becoming a law librarian.

<sup>24</sup> See, e.g., *New Member Profile: Julie Horst*, *FCIL-SIS Newsletter*, Feb. 2005, at 17, 17.

<sup>25</sup> In an informal 2005 email survey of law library directors, 21 of the 40 respondents said that their libraries had an FCIL position. Of those, seven, or 33%, were created in the last five years. (Laura N. Gasaway, Director of the Law Library & Professor of Law, University of North Carolina, sent out the email inquiry; results are summarized in an email from Teresa Stanton, Reference/Foreign and International Law Librarian, University of North Carolina, to Mary Rumsey, Foreign, Comparative & International Law Librarian, University of Minnesota Law School (Nov. 7, 2005, 05:05 p.m. CST) (on file with author).) Similarly, the number of FCIL positions listed in the *AALL Directory & Handbook* grew from 36 in 1991 to 61 in 2004, an increase of almost 70%. The membership of the FCIL-SIS has increased from 134 in 1985 to 390 in 2005.

<sup>26</sup> *Am. Ass’n of Law Libraries, AALL 2005 Annual Salary Survey, Summary - All Library Types* (2005), available to members only at [http://www.aall.org/members/pub\\_salary05/s-7.pdf](http://www.aall.org/members/pub_salary05/s-7.pdf); *Am. Ass’n of Law Libraries, AALL 2003 Annual Salary Survey, Summary - All Library Types* (2003), available to members only at [http://www.aall.org/members/pub\\_salary03/s-7-s-8.pdf](http://www.aall.org/members/pub_salary03/s-7-s-8.pdf).

<sup>27</sup> See, e.g., Dan Dabney, *Envisioning the Future: The Publisher’s Perspective*, presented at the *Future of Law Libraries Symposium* (2005), <mms://broadcast.cali.org/foll05/DanDabney.wmv>.

<sup>28</sup> David McFadden, *Survey of FCIL Membership: Results*, *FCIL Newsletter*, Feb. 1992, at 14, 15.

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<sup>29</sup> The University of Michigan is one exception to this generalization, as it requires its law students to take a class on transnational law. Jeffrey Lehman, *International Law and the Legal Curriculum*, 96 Am. Soc'y Int'l L. Proc. 54, 55 (2002).

<sup>30</sup> Marylin J. Raisch, *Book Review*, 30 Int'l J. Legal Info. 369, 370 (2002) (reviewing Mirela Roznovschi, *Toward a Cyberlegal Culture* (2001)).

<sup>31</sup> David McFadden, *Survey of FCIL Membership: Results*, FCIL Newsletter, Feb. 1992, at 14, 17.

<sup>32</sup> Maria-Smolka Day, Associate Director for Foreign Law, and Lecturer, University of Pennsylvania, telephone conversation with author, Sept. 19, 2005 (notes on file with author).

<sup>33</sup> E-mail from Sunil Rao, Foreign Law Librarian, University of Wisconsin Law Library, to Mary Rumsey, Foreign, Comparative & International Law Librarian, University of Minnesota Law School (Oct. 24, 2005, 03:39 p.m. CST) (on file with author).

<sup>34</sup> *Id.*

<sup>35</sup> See Sarah Yates, *I Need This in English*, AALL Spectrum, April 2005, at 9 (describing availability and shortcomings of automated translation services).

<sup>36</sup> E-mail from Heidi Kuehl, Research and Instructional Services Librarian, Pritzker Legal Research Center Northwestern University, to Mary Rumsey, Foreign, Comparative & International Law Librarian, University of Minnesota Law School (Oct. 14, 2005, 09:02 a.m. CST) (on file with author).

<sup>37</sup> Jean Wenger, Government Documents/Foreign & International Law Librarian, Cook County Law Library, "Globalization Moved My Cheese: Or, Finding Foreign Law," American Association of Law Libraries Annual Meeting (July 12, 2004).

<sup>38</sup> E-mail from Amy Burchfield, International & Foreign Law Reference Librarian at John Wolff Library, Georgetown University, to Mary Rumsey, Foreign, Comparative & International Law Librarian, University of Minnesota Law School (Oct. 5, 2005, 11:35 a.m. CST) (on file with author).

<sup>39</sup> E-mail from Lee Peoples, Associate Director for Faculty, Research and Instructional Services, Oklahoma City University Law Library, to Mary Rumsey, Foreign, Comparative & International Law Librarian, University of Minnesota Law School (Oct. 3, 2005, 16:10 p.m. CST) (on file with author).

<sup>40</sup> Andrew Grossman, *Towards Cooperation in Access to Foreign Primary Law*, 30 Int'l J. Legal Info. 1, 1 (2002).

<sup>41</sup> Marylin J. Raisch, *Book Review*, 30 Int'l J. Legal Info. 369, 370 (2002).

<sup>42</sup> Silke Sahl, *Introduction*, 31 Int'l J. Legal Info. 151, 151 (2003) ("The program offers countless learning opportunities, including scholarly lectures, visits to libraries and information centers, and meetings with publishers and vendors. Last but not least, it offers the chance to meet new colleagues as well as to renew friendships and contacts with law librarians from around the world.")

<sup>43</sup> Marci Hoffman & Katherine Topulos, International Legal Research Tutorial, <http://www.law.duke.edu/ilrt/index-2.html> (last visited Nov. 7, 2005).

<sup>44</sup> Mary Whisner, *Learning A Little about the World: Foreign and International Research and the Nonspecialist*, 97 Law Libr. J. 595, 598 (2005) (describing learning treaty research).

<sup>45</sup> Lyonette Louis-Jacques, in Special Feature, A Tribute to Adolf Sprudz, *Remembrances of Adolf Sprudz*, 95 Law Libr. J. 331, 334-335 (2003) (describing internship with Adolf Sprudz).

<sup>46</sup> Email from Heidi Kuehl, *supra* note 36.

<sup>47</sup> Yates, *supra* note 35, at 9.