Practicing Reference . . .

Change and Continuity (Rip Van Winkle's Reference Office)*

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How much has law librarianship changed over the past twenty years? Ms. Whisner imagines coming back to her library after being asleep for twenty years, and concludes that while our tools have changed, the basics of our jobs have remained remarkably stable.

¶1 I imagine most of us get similar comments when we meet nonlibrarians: "I bet the Internet has really affected your job!" "Geez, haven't computers changed libraries a lot?" "My, *your* job sure must have changed because of technology!"

¶2 The odd thing is being pulled between two answers: "You bet!" and "Sure there have been changes on the surface, but the core remains the same." In this essay, I'll explain what I mean.

¶3 First, let me give you a sense of where my observations begin. I started law school in 1979. I had a manual typewriter and my law school's library subscribed to LexisNexis but not Westlaw. (When I was a 3L, a reference librarian showed me LexisNexis, and I used it once.) I started working at the University of Washington in 1988. Our catalog was on microfiche, with older materials in the card catalog, and we did not yet have a computer in the reference office.

¶4 Obviously I've seen a lot of technological changes. If, like Rip Van Winkle, I had magically slept for twenty years and awakened in the same place, I would have been startled by much that I saw.[1] But I think that it wouldn't take long to realize that the reference librarians and patrons are still engaged in the same enterprise as the one I'd been part of before my long nap. They greet people who came to the reference desk and talk to them about what they were looking for. Then they suggest sources. Perhaps I'd see them conduct online searches, but I'd see that they are just using different equipment than when I had shown patrons how to use digests, encyclopedias, and the rest.

¶5 If I looked carefully, I would even recognize a number of patrons—the students from the 1980s are now dropping by as attorneys, dressed a little better,

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1. In my variant of Washington Irving's tale, I'd actually have to wake up a few blocks away. My library and law school moved into a new building during that twenty years. The university is using the old law school building as space for departments who need a temporary home while their buildings are renovated—first Earth and Space Sciences, then Sociology, Economics, and Physics. Falling asleep in a law library and waking up in a geology lab would have given me a bigger jolt than waking up in a new law library with new technology.

perhaps, with a little gray in their hair. The editor-in-chief of the law review in 1989 is now a professor, still quite recognizable. About a dozen faculty members from the late 1980s are still around—a few of them are emeritus, but most are still teaching. And some of the regular public patrons from twenty years ago are still around. Even if particular individuals are no longer here, they've been replaced by similar folks with similar needs—the paralegal students with homework assignments, the members of the public with messy divorces or perplexing civil actions, the law review students assigned to gather elusive sources, the professors trying to write tenure pieces, and so on. The mix might be a little different, but it's not as if the 2009 librarians are dealing with a wholly different type of person with starkly different needs than the 1989 librarians did (despite what some who talk about the Baby Boomers and the Millennial Generation might suggest).

¶6 The reference librarians' skills still include conducting an effective reference interview, suggesting appropriate resources to patrons and explaining how to use them, and performing efficient and effective research with available resources to answer professors' questions. Like my colleagues and me when I dozed off back in 1989, they value excellent service; fairness and decency in relations with patrons and coworkers; and reliable sources with accurate, current, and complete information. They have a nearly unshakable desire to solve knotty research puzzles. They enjoy chatting with some of the patrons. They find satisfaction in a job well done.

¶7 Understanding the sources of law (and their differing weights of authority) is central to effective legal research. And the sources of law have remained the same—after my twenty-year absence, I'd have to learn how to find statutes and cases on the web as well as in souped-up versions of LexisNexis and Westlaw, but statutes are still statutes, and cases are still cases. Unlike Rip Van Winkle, who went to sleep "a subject of His Majesty King George the Third" and awoke "a free citizen of the United States,"[2] I would still be working within the same legal system.

¶8 I would find that some of my specialized skills were no longer needed. In 1989 I had a pretty good patter about using *Shepard's Citations*: bound volume, bound supplement, gold supplement, red supplement, newsprint supplement; check the front for the reporter abbreviations and the meaning of the treatment codes; and be sure to Shepardize each of the parallel citations because the coverage in *Shepard's Pacific Citations* is different from that in *Shepard's Washington*

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2. WASHINGTON IRVING, RIP VAN WINKLE 77 (David McKay Co. 1921) (illustrations by N.C. Wyeth) (1819). I had remembered from childhood the dramatic change in government, but I had forgotten the role that Rip's wife played in the story. It was to escape her nagging that he went for a walk in the mountains in the first place, and her death during the years he was asleep was a great relief to him:

> It was some time before he could get into the regular track of gossip, or could be made to comprehend the strange events that had taken place during his torpor. How that there had been a Revolutionary War—that the country had thrown off the yoke of old England—and that, instead of being a subject of his Majesty George the Third, he was now a free citizen of the United States. Rip, in fact, was no politician; the changes of states and empires made but little impression on him; but there was one species of despotism under which he had long groaned, and that was—petticoat government. Happily, that was at an end; he had got his neck out of the yoke of matrimony, and could go in and out whenever he pleased, without dreading the tyranny of Dame Van Winkle.

Id. at 76–78. It's not unusual for a classic story to have a sexist lesson embedded in it—I'd just forgotten this one.

Citations. No need for all that twenty years later. But I would still be able to use my pitch for the value of *Shepard's* (and now KeyCite, too): you can find parallel citations, you can find the history of your particular case, and you can expand your research by finding cases and other materials that cite your case. Twenty years ago it was useful to know (or be able to look up) that "j" meant that a case was cited in a dissent and that "q" meant it had been questioned. But really, what was most important to know then, as now, were the basic reasons a researcher should care about *Shepard's*—and those reasons persist.

¶9 In my own Rip Van Winkle tale, I would surely notice changes in communications technology. Today's reference librarians talk to patrons face to face and over the telephone, just as we did in the old days. But I wouldn't see as many handwritten notes from faculty (and certainly not the aerogrammes one professor sent during a summer he spent in Germany). In their place is a fairly regular stream of e-mail, as well as questions that appear in a web form from QuestionPoint.[3] And why weren't lawyers and other visitors asking to use the office phone? Why didn't people call and ask the librarians to take messages for the lawyers in the reading room? Wow, the lawyers and nearly everyone else visiting the library seem to have phones of their own![4] After a time, I might notice that there are a lot fewer calls asking the librarians to read statutes and court rules over the phone, because people have access to the Internet and the librarians can tell them where to find the sources they're requesting.

¶10 As I talked to today's reference librarians, I'd learn that the e-mail they handled in the reference office was just the start of it. They skim, read, file, write, forward, or otherwise handle dozens and dozens of e-mail messages every day. If they're away from e-mail for just a few days, they have a backlog of hundreds of messages. When they want to share articles (with each other or with faculty), they don't photocopy them and attach handwritten notes: instead they send e-mail messages with attachments or links to the documents. Once again, there would be new routines to learn, but the basic tasks—keeping up with the literature and sharing it with others—would be the same as in the late 1980s.

¶11 The increased access made possible by the Internet and digitization would be dazzling. Instead of trudging to the campus's main library to look for United Nations documents, I could find thousands (but not all) of them online. Instead of painstakingly plodding through old issues of the *Federal Register* and the *Congressional Record*, I could search or browse them on HeinOnline.

¶12 I wouldn't miss the type of printing and photocopying we used to do. Before law journals were widely available on LexisNexis, Westlaw, and HeinOnline, we often had to photocopy them, one or two pages at a time. Even material that was online often required a cumbersome rhythm of print-screen, next-page, print-

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3. QuestionPoint is a web-based virtual reference service available from OCLC. QuestionPoint, http://www.oclc.org/questionpoint/default.htm (last visited Nov. 10, 2009).

4. This concept wouldn't be entirely foreign to me, even with my 1989 consciousness, since as a child I had watched *Get Smart* and read "Dick Tracy."

screen, next-page.[5] Printing and downloading with just a couple of clicks would be very welcome to the librarian waking up from 1989.

¶13 The tremendous speed and flexibility of online searching have enabled reference librarians to handle questions that would have been daunting or impossible twenty years ago. Now it's routine to hop from jurisdiction to jurisdiction and to check indexes from several other disciplines. We aren't limited to searching our catalog (or any other library's) by subject, author, and title—we can look for words anywhere in the catalog record and construct elaborate queries seeking works with a specified date, format, location, or language, as well as author, title, subject, or key words.

¶14 Because it is now possible to ask new questions, people do ask them. Some things—like checking a case's history or finding all the cases that are classified under a given topic and key number—have become much quicker and easier. But oddly, that doesn't mean that there's less for today's librarians to do. In fact, they seem busier than ever. They're answering those new questions and instructing people how to use new resources. And instead of maintaining a handful of research guides that were photocopied and displayed near the front desk, they are now posting a wide variety of guides on the library's web site. In addition to writing short pieces for the law school's newsletter, they're now writing a blog. Waking up from the 1980s, I would take a while to get used to the library web site, the blog, and the online catalogs—but would recognize them as being just new ways to organize and communicate information that's important to the library's users.

¶15 A veteran photographer for *National Geographic* recently remarked that the changes brought by digital photography and high-speed transmission over the Internet have "been liberating in ways I couldn't possibly have imagined."[6] And yet it strikes me that the core of her work is the same: she travels, she observes nature and people, she chooses scenes to photograph, and she submits photographs to her editor. It's certainly impressive that she could send a photograph from Victoria Falls in Zambia to her editor the same day she took it. But what affects the magazine's readers the most is the quality of the image—shaped much more by her journalistic and artistic judgment than by the technology used to get it to us.

¶16 And so all of this is why I can honestly reply to the comments in either of two ways. Yes, computers and the Internet have made a tremendous difference in

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5. I clearly remember doing this with Dialog and DataTimes results. I had a vague memory of printing screens from LexisNexis, too, but I wasn't sure. I found a contemporary guide that had instructions for printing "individual screens of text"—but there were also commands for printing an entire document (PRINT DOC key or .pr) or all the documents in a search level (MAIL IT key or .mi). Learning Lexis: A Handbook for Modern Legal Research 37 (1989). Users were cautioned: "Do not TRANSMIT *.sp* unless you have a Mead Data Central stand-alone printer in your office. Using this command without a stand-alone printer in your office may result in your screen print being printed at our offices and shipped to you." *Id.*

Many LexisNexis printouts in those days—the ones from the Deluxe terminal—came out as long scrolls. Sometimes we cut them up into pages so they could go in a file or binder; other times we just kept them rolled up.

6. *Photographer's Life Changed by Nobel-Winning Work*, All Things Considered, NPR, Oct. 6, 2009 (interview by Michele Norris of *National Geographic* photographer Annie Griffiths Bell), transcript, audio file, and a shorter, written version of the story (with a fabulous photo) *available at* http://www.npr.org/templates/story/story.php?storyId=113546436.

the way I do my job. I have certainly seen a lot of changes! And no, computers have not fundamentally changed the nature of what I do. My job is still about providing library patrons with excellent service in order to help them find appropriate and relevant information for their legal and nonlegal research questions. And my job is still challenging and rewarding.