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### Diversity Dialogues: Finding Common Ground

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## **Finding Common Ground\***

Raquel J. Gabriel\*\*

*Many law librarians tend to identify strongly with their work setting and set themselves apart from other types of librarians. Doing this may cause us to lose sight of what we have in common, and prevent us from advocating for ourselves in the future. Ironically, such separation also prevents us from truly examining diversity.*

¶1 As I write this, the academic semester is in full swing. I'm juggling preparation of materials for my legal research class, trying to hire research assistants for the library, and getting used to the new reference schedule. Walking into the library, I remember I need to contact a few faculty members to see if they can do a class observation of a library colleague, and I also need to set up a meeting with another faculty member's research assistants to frame a long-term project that will last through the summer. This afternoon, a meeting about the legal research teaching materials will lead to my revising them for the rest of the day (and probably tomorrow as well).

¶2 At the same time, I know that somewhere not far from here, a friend of mine is likely juggling just as heavy a workload. As the head of reference at a large law firm, she's responsible for overseeing all reference questions that come into the firm's New York library. She could be doing anything from giving a one-on-one database tutorial to a new associate to handling a partner's urgent request for a source to running searches in legal and financial databases. I know working beyond the end of her official day is not an uncommon occurrence and, given the reality of law firm life, on average she probably has to deal with a larger population working under tighter pressure to meet deadlines than I do.

¶3 We have known each other for years, having worked at the same place, what seems like eons ago. Since then, I've moved a bit further into academia while she has started working in law firms. As is normal, I think, for most librarians who know each other, we occasionally ask each other for assistance when we're trying to find something out of our usual realm of "expertise." She'll ask if I can find an older document that I might have access to and I'll solicit her advice on the best way to navigate an unfamiliar database that I know she uses all the time.

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¶4 We get together when we can, laugh, reminisce, and share “war stories” from where we work. We talk about odd reference requests and the stress of our jobs, and we almost always share our impressions of student and attorney research skills. She’s always interested in what I’m teaching and how I’m teaching it, and I’m always fascinated by the research requests from her attorneys. While some things must be kept confidential, it has always been heartening to me to realize that we share some of the same joys and frustrations on a number of topics.

¶5 I don’t think our situation is an unusual one. We are both professionals, and I respect her knowledge and the work she does tremendously and she feels the same about me. What has always been great about our relationship is that even in the infrequent times we get together, we always find a lot in common despite our very different work settings and responsibilities.

¶6 I know that friendships like ours must exist throughout the profession—but it has always been a bit of a puzzle to me why there aren’t more of them. I accept that there are some “normal” divisions between academic, private, and court librarians or technical services, reference, and digital librarians, but I’m sometimes perplexed at how difficult it is for us to interact with one another on issues that affect the profession as a whole. In a previous column, I wrote about how I tend to identify myself as “librarian” first to the outside world, but when at the AALL Annual Meeting, I’ll say I’m an “academic” librarian to differentiate where I work.<sup>1</sup> Doing this creates certain images in the minds of whomever I meet, just as when someone introduces themselves to me as a law firm, court, or public librarian, I have certain ideas in my head about their job responsibilities. Unfortunately, I think that there has been an increasing tendency in the past several years to create even stronger divisions within the profession based on where we work or what we do, when in fact, finding what we all have in common would probably do more to strengthen the profession.

¶7 For example: How many of us are frustrated by the limits on pay within our positions, upset by the lack of recognition by our larger organizations, or frustrated when dealing with a vendor or a vendor’s product? Who has smiled and gritted their teeth during a particularly difficult encounter with another individual you were trying to help? Who has struggled with the realization that they’re being asked to take on additional tasks or duties with less help? These are issues that concern all of us as librarians and as a profession. Yet for some reason we seem to focus on our individual groups when discussing these issues, and find it difficult to expand beyond those self-imposed boundaries.

¶8 Part of this, I’m sure, can be attributed to the limited amount of time we spend interacting with law librarians who work in different settings. Many of us have little time to chat with our colleagues in the same city, much less other regions or throughout the nation. It’s easier, too, to share your experiences with those who are closest to you in terms of job positions and responsibilities, because they are the people you interact with for work. Even at the Annual Meeting, it’s easier to catch up with old friends you haven’t seen all year than to venture out to another group

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1. Raquel J. Gabriel, *Tying Diversity to Organizational Culture*, 102 LAW LIBR. J. 507, 507, 2010 LAW LIBR. J. 28 ¶ 1.

of librarians, simply because of time constraints. And as the economy, emerging technology, and our jobs pressure us to perform more (to justify our positions or just keep afloat), it can be truly difficult to move beyond the circles we already know.

¶9 My personal opinion is that the divisions within law librarianship will likely continue in the immediate future, and even if it could change, I'm not sure what approaches would work. But I worry that adhering to our old patterns of self-division may do more to harm our profession in the long run when it comes to issues such as complaints about the discussion of the overall state of and cost of legal education.<sup>2</sup>

¶10 The discussion that continues to swirl around legal education and the way lawyers are trained is not a new one. But the recent economic downturn has led to a closer examination of both the legal education model and the ability of law school graduates to obtain employment after amassing considerable amounts of debt.<sup>3</sup> If law librarians fail to engage and involve ourselves in these larger discussions and ignore the criticisms leveled at the legal profession, we do so at our own peril. Perhaps the economy will improve within the next few years and there will be a collective sigh of relief throughout the legal landscape as things settle down and we regain our equilibrium. Or perhaps more law firm librarians will find themselves laid off to save on costs, and academic and court librarians will be told that no new staff can be hired or that open positions are being eliminated due to budget constraints. This could lead to many of us having little choice about taking on additional duties for fear of losing our current positions.

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2. Many of us know of the Carnegie Report that calls for a reexamination of the current legal educational system. WILLIAM M. SULLIVAN ET AL., *EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW* (2007). There is currently a joint venture between Harvard Law School and New York Law School known as Future Ed, which was, in part, a response to the critiques found in the Carnegie Report. See *FutureEd 2: Making Global Lawyers for the 21st Century*, HARVARD L. SCH., [http://www.law.harvard.edu/programs/plp/pages/future\\_ed\\_conference.php](http://www.law.harvard.edu/programs/plp/pages/future_ed_conference.php) (last visited Feb. 18, 2011); *Future Ed: New Business Models for U.S. and Global Legal Education*, NEW YORK L. SCH., [http://www.nyls.edu/centers/harlan\\_scholar\\_centers/institute\\_for\\_information\\_law\\_and\\_policy/events/future\\_ed](http://www.nyls.edu/centers/harlan_scholar_centers/institute_for_information_law_and_policy/events/future_ed) (last visited Feb. 18, 2011). There have also been numerous recent publications that have questioned the usefulness of a law degree, the current law school education model, and the cost of obtaining a degree. See, e.g., ABA COMMISSION ON THE IMPACT OF THE ECONOMIC CRISES ON THE PROFESSION AND LEGAL NEEDS, *THE VALUE PROPOSITION OF ATTENDING LAW SCHOOL* (Nov. 2009), available at <http://www.abanet.org/lpd/legaled/value.pdf>; Maulik Shah, Current Development, *The Legal Education Bubble: How Law Schools Should Respond to Changes in the Legal Market*, 23 GEO. J. LEGAL ETHICS 843 (2010); Richard A. Matasar, *Does the Current Economic Model of Legal Education Work for Law School, Law Firms (or Anyone Else?)*, N.Y. ST. B.J., Oct. 2010, at 20; David Segal, *Is Law School a Losing Game?*, N.Y. TIMES, Jan. 8, 2011, at BU1.

3. Many articles discuss the amount of debt taken by students attending law school, the bleak job market, or the dissatisfaction of law graduates in general with their legal education. See, e.g., Amir Efrati, *Hard Case: Job Market Wanes for U.S. Lawyers*, WALL ST. J., Sept. 24, 2007, at A1; Nate Raymond, *As Jobs Decline for Class of 2009, Many Work in Non-Legal Posts*, N.Y.L.J., May 21, 2010, at 1; *Trouble with the Law*, ECONOMIST, Nov. 13, 2010, at 79; Alex Williams, *No Longer Their Golden Ticket*, N.Y. TIMES, Jan. 17, 2010, at ST1; Jennifer 8. Lee, *Unemployed and Struggling Lawyers Seek Solace*, CITY ROOM, June 16, 2009, <http://cityroom.blogs.nytimes.com/2009/06/16/unemployed-and-struggling-lawyers-seek-solace/>.

¶11 By nature, I'm not a pessimist. Yet I'm frustrated at times—at myself, at the profession, at the legal education system—with how we limit ourselves and our discussions of what could help us by keeping to the groups we know and rarely venturing beyond them unless pushed by some external force.

¶12 I know it's difficult for each of us to find the time to even think about larger issues like “the profession” when we deal with our day-to-day lives. But I believe thinking about these larger issues is necessary if we actually want to diversify the profession. Finding ways to interact with each other and talk about what we have in common will help us understand that while the details of our jobs may be different, the frustrations and other feelings are the same. For instance: How many of us have been irked by unexpected changes to a system or product we relied upon? Or been flabbergasted by the lack of knowledge by someone assessing our work or our value to an institution about what we do on a day-to-day basis?

¶13 This is not to say that efforts to create communication channels among various law librarian groups don't exist, or that these channels are not working as they should. In some areas, law firm and academic law librarians are reaching out to each other to discuss what students are learning in school and trying to figure out the best way to communicate to them what they'll need once they're out in the real world.<sup>4</sup>

¶14 But I think that we need to think about more ways to reach out to one another to find out how our different groups operate and how we work. Academic law librarians must articulate to students the level of knowledge that's expected of them. Law firm librarians need to understand that the traditional law school curriculum doesn't always allow librarians to teach students formally—but that most academic law librarians still manage to find ways to teach students the basics. Both groups need to hear from court and government librarians about what other types of attorneys or members of the general public need from the law library profession.

¶15 And perhaps my most radical thought: Law librarians need to realize we are truly part of the legal profession. Not on the edge, not on the periphery of it, hovering around like an outsider. We educate and teach future lawyers; we assist them in their daily work; we are responsible, in part, for what they do and how they do it. We make sure they have the tools they need to do their job, and many times we train them on how to use those tools. We belong in the discussion about the future of legal education, and how it is shaped, because we are the ones who often help fill in the gaps of what is missing when a new attorney starts out. And we are the ones who help senior attorneys learn new methods for retrieving relevant information.

¶16 I've often sensed hesitancy in librarians—not only in the legal profession, but in librarianship as a whole—to embrace the concept that our work is integral to those we support. Overall, librarians in general public libraries appear to be better at articulating their mission and their purpose to the communities they serve,

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4. This could occur informally, as it does in my discussions with my friend who works in a law firm library. Or it may occur more formally, in settings like “bridge the gap” programs that help law students make the transition to working in their summer placements. In these, law firm librarians and academic librarians can work together to help make the program as useful as possible to students and future practitioners.

and those that do it best usually have a vibrant base of users who support them in good times *and* bad. Many public libraries (including several public law libraries) seem to be better than most of us at communicating why they're a valuable asset to their communities—through marketing, through participation in and explaining how they enrich the life of their community, and by starkly laying out the potential losses to the community if their budgets or resources are cut.

¶17 In academia, I believe librarians have been somewhat protected from the perils of continually having to justify their existence because of ABA accreditation standards that require law schools to maintain libraries (though we sometimes fail at making our faculty, deans, or even students understand why that's the case). In some law firms, a prosperous bottom line and clients who have traditionally not questioned billing practices for legal materials may have helped libraries as well. But the current questioning of the value of the legal education system and of the manner in which law firms conduct their business implies that our own positions are likely to be more rigorously questioned in the future.

¶18 This brings me back to finding common ground among the various groups in law librarianship and to the idea of diversity within the profession. On an individual level, I know that there are librarians in every type of legal setting who prove the value of their work to their organizations every day. I am confident that there are librarians in all settings and with all types of job titles and assigned duties who share the same pressures, frustrations, and fears about how their workplaces are evolving and what their place may be in that new arena.

¶19 So what stops us from harnessing that energy into promoting our value to the legal profession? Is it our lack of time? Is it our split into our self-imposed groups along types of legal settings? Is it a general characteristic of a "service" profession that we don't speak up—or speak to each other—to share our strength? I actually think it is probably a combination of all those factors, but that our inclination to define ourselves by our differences is a significant factor.

¶20 Ironically, I think this type of separation inhibits a real discussion of diversity and examining the root causes of it. By labeling ourselves by the type of legal setting we work in, we make the same mistake of the legal profession and legal education at large—we limit the opportunities to see what we may have in common or that the repercussions of one action may reach further than is immediately realized.

¶21 Thus, another librarian may not realize that the trouble I might have teaching a student a certain concept in legal research is perhaps related to the trouble the student might have researching in a law firm a few years from now, or that it has an impact on knowing how to articulate an issue when he gets to the county library as a solo attorney. I may not be able to see that a law firm tightening its purse strings means that certain databases or sources I teach my students might not be available in practice, or that a small public law library cannot accommodate the sudden uptick in demand for certain types of materials.

¶22 If we don't interact with each other, we won't necessarily be aware of these connections. The lack of interaction and the continuation of the status quo means each group faces the potential evolution of legal education and the legal profession alone, as opposed to together. Doing so will likely mean that the profession as a whole will be further separated and diluted, and it will be more difficult to make

the case that law librarians should have a place in defining the future of legal education and its impact on the practice of law.

¶23 More importantly, by not recognizing what we all have in common in the first place, we make it more difficult to accept and acknowledge the differences that diversity can bring to the profession as a whole. Without understanding that we should be united in some very basic goals—that we are professionals with expertise, that we share the same feelings of frustration over certain developments in our jobs, and that we are all important to the larger legal profession—I think there's little chance we can ever get past that to discuss diversity.

¶24 Then again, I've been able to see my friend regularly and remain in contact with her even though it has been more than ten years since we worked together. Perhaps there is room for optimism after all.