

BI-International Grant Report: Bibliothekartag 2011 and the University of Passau

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INTRODUCTION

Since August 2007, I have worked as a librarian at the Pepperdine University School of Law Harnish Law Library. I began working as a law librarian shortly after I earned my law degree from Pepperdine.

As a law student, I participated in Pepperdine's exchange program with the Juristische Fakultät at the University of Augsburg, through which I studied law in Augsburg during the summer semester of 2006. Having retained many of my contacts in Augsburg, I asked them about the possibility of my returning to Germany, this time in a professional capacity, to learn first-hand about academic law librarianship as it is practiced there.



The response to this inquiry was overwhelmingly positive. Eventually, it was arranged that I would spend two months altogether in Germany. I would spend the first month, May 2011, in Augsburg. There, I would teach a two-week English-language course in American law and legal research to German law students, as well as provide a German-language training class in the Westlaw legal research database. I would also spend some time shadowing the head law librarian (*Fachreferentin für Recht*), Dr. Jana Kieselstein, during her daily work in the law library (*Teilbibliothek für Recht*).

Thanks to the tireless efforts of Dr. Kieselstein, several other opportunities were organized for my second month in Germany, including:

- Giving a full-day Westlaw training workshop to law librarians from throughout Bavaria at the *Bayerische Bibliotheksschule* in Munich
- Attending the *Bibliothekartag* library conference in Berlin
- Spending one week each at the universities in Passau and Würzburg, giving Westlaw training classes and learning more about the practice of academic law librarianship in Germany

Once these opportunities were arranged, I contacted BI-International to find out if I could receive financial support for any of the library visits, my attendance at the *Bibliothekartag*, or both. Thanks to the generosity of this organization, I received a grant to support my visits to the *Bibliothekartag* and to the Universität Passau.

This report focuses mainly on those two events. It also provides some general information about academic law librarianship in Germany that I gathered throughout my entire two-month visit.



LIBRARY VISITS : A WINDOW TO LAW LIBRARIANSHIP IN GERMANY

Altogether, I visited seven law libraries in Germany. As stated previously, I was able to enjoy an extended stay at the *Fachbibliotheken für Recht* at the universities in Augsburg, Passau, and Würzburg.



I also toured the *Fachbibliotheken für Recht* at two universities in Berlin (Humboldt and the Freie Universität) during the *Bibliothekartag*.

I also saw the law library at the European Business School in Wiesbaden, as I had become closely acquainted with the law librarian from there at the *Bibliothekartag*.

Finally, I also visited a non-academic law library: the law library at the *Bundesfinanzhof* (Federal Financial Court) in Munich.

I was also able to tour two state libraries: the *Bayerische Staatsbibliothek* in Munich, and the *Hessische Staatsbibliothek* in Wiesbaden.

This section discusses general principles of academic law librarianship in Germany, as well as specific information based on my observations at the *Universität Passau*, and provides comparative information about similar aspects and practices for these types of libraries in the United States.

General Library Infrastructure: The Universitätsbibliothek and the Teilbibliothek für Recht

An academic law library in Germany is generally a subject-specific library (*Teilbibliothek*) within the larger infrastructure of the university library. In general, the law library at a German university is known as the *Teilbibliothek für Recht*.

The university library's administration oversees the operation of this entire infrastructure. In general, a single group of staff members (led by the head of the university library) handles the following responsibilities for all of the libraries, including the law library, in the university library system:

- Technical services, including purchasing, cataloging, and processing print materials
- Borrowing services, such as interlibrary loan
- Public services, including establishing library hours and rules of use
- Maintenance of a central storage repository ("*Magazin*") for materials in all subjects, including law
- Building and maintaining the relationship between the library system and the university administration



The *Universitätsbibliothek* and the *Tielbibliothek für Recht* at the University of Passau generally follow this model. However, an interesting difference between Passau and other academic law libraries that I saw in Germany is that the *Tielbibliothek für Recht* is actually housed in two separate buildings. When the current law faculty building, the *Juridicum*, was built, it was discovered that the space dedicated for the law library would not be large enough to accommodate the entire print collection. Therefore, the faculty members who specialize in public and criminal law, along with the library materials dedicated to these topics, remained in the old building. Everything else was moved to the *Juridicum*.

This configuration presents some challenges for the library administration in Passau, including the necessity of purchasing and processing twice the number of copies of standard legal reference materials and law journals, one for each library.

In contrast to the university library model generally used in Germany, the academic law library in the United States can be more of a standalone organization. It may have its own library administration, as well as its own technical services, public services, and reference services personnel. In the law library where I work, the law school's information technology department also comes under the law library administration. I did not see a similar organizational configuration in any of the libraries I visited in Germany.

Personnel and Job Responsibilities

As a *Teilbibliothek*, the law library in a German university has its own staff, which is headed by the head law librarian (*Fachreferent/in für Recht*). A *Fachreferent/in für Recht* is trained in both law and librarianship, which is similar to the training of a professional law librarian in the United States.

The staff of a *Tielbibliothek für Recht* is also likely to include librarians who are educated in general librarianship but not law, as well as additional staff members with some library training but no university-level education in librarianship.

In general, a *Tielbibliothek für Recht* will only have one *Fachreferent/in*. This person is responsible for a number of duties, including:



- Collection development and management for both print and electronic sources, including negotiation of subscription contracts for electronic databases
- Information literacy services and support, including research training for law students and *wissenschaftliche Mitarbeiter* (graduate-level students who provide extensive research support to faculty)
- Faculty and student outreach
- Reference services
- Personnel management (for the staff of the *Tielbibliothek für Recht*)
- Facility management and planning

In an American academic law library, by contrast, these duties are handled by several professional librarians who work together as a team. For example, my duties in my own law library, as a reference library, are nearly exclusively limited to reference services and collection development. I

provide research services for faculty, instruct students in legal research principles, and select print and electronic resources for inclusion in our library collection. I do not deal with budgets, personnel, or facilities. Although it would be interesting to be more involved in daily library management, I am perfectly satisfied with my limited responsibilities, because this gives me time to provide optimal service for our library customers.



As for the law library in Passau, it is currently without a *Fachreferent/in*. They have, however, hired an individual to fill this role, and she will start later in the year.

The law library is currently managed by two professional librarians who do not have legal training, but have worked in the *Tielbibliothek für Recht* for many years. Librarian Elisabeth Niederhuber is responsible for organizing reference services and managing personnel, and librarian Marianne Kobler manages and performs technical services tasks specifically for law library materials.

There are also several other people, including both professional librarians and general staff, who fill other roles in the operation of the *Tielbibliothek für Recht*, mainly in public services.

One notable observation that I made in Passau was that library personnel treated one another with an extraordinary amount of warmth and professional courtesy. Despite their administrative challenges (such as maintaining library collections and services in two different buildings on campus, as well as the lack of a *Fachreferent/in*), the library staff is a very cohesive unit, and they provide a high level of service. These people are a team in the truest sense of the word, which was clear to me from the first day that I was there. They are also all very enthusiastic about welcoming the *Fachreferentin für Recht* in October. I found it to be a delightful place, and am pleased for the newest addition to their team that she will inherit such a great group of co-workers.

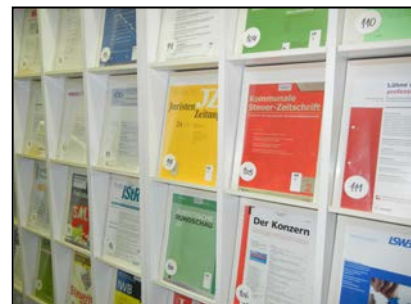
The Collection

Print and electronic law library collections in each country have distinctive features.

Print Collection

The *Teilbibliothek für Recht* at a German university provides access to print materials related to the study of law, including the following:

- *Zeitschriften* (journals)
- Primary materials, such as code books and case law reporters
- *Lehrbücher* (texts specifically targeted toward the teaching of law)
- *Kommentare* (texts by legal scholars that provide detailed analysis of a specific legal topic)
- Legal treatises that discuss general legal topics
- Reference materials, including legal encyclopedias, lexicons, and dictionaries



The most commonly-used print materials are shelved in the *Teilbibliothek für Recht* itself, and the rest of the materials are stored in the university library's *Magazin* (archive room), which is often in a different building.

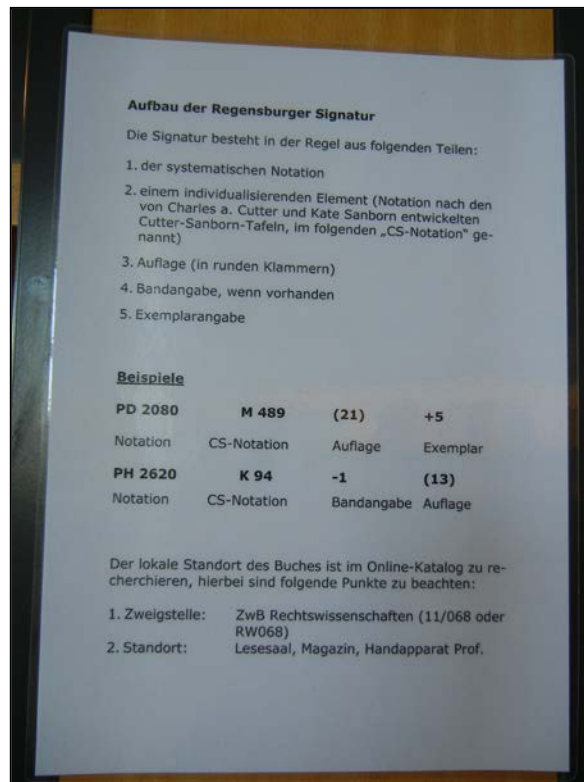
In general, there is an elaborate system in place for patrons to order books from the *Magazin*, and for them to be delivered to the library from which the order was placed.

I have not seen a *Magazin*-like separate archive in American academic law libraries. All of the law library's print materials are generally located on the law library's shelves, which are open to direct access by authorized library users.



The major difference in the print collection between an American law library and a German law library is related to fundamental differences between the two countries' legal systems. Since the American common law system relies heavily on the precedential value of case law, the print collection in an American law library includes a large number of case reporters and case law finding aids.

A German law library collection, on the other hand, focuses on statutory materials and commentaries. It is my understanding that these commentaries are especially influential in shaping legal interpretation in Germany, which is why students generally demand them and study them carefully.



One more interesting difference that I noticed between law libraries in Germany and the United States is the classification system for library materials. According to what I gathered, newer law libraries in Germany (those that were established within the last 30-40 years) tend to prefer the classification system created by the University of Regensburg library, under which all materials having to do with law are cataloged in a category that begins with the letter "P."

Older law libraries, however, generally use the prior classification system; however, some of them are attempting to switch to the Regensburg system, which means that there is a mix of old and new call numbers on the shelves. I was told that this has presented unique organizational challenges, and can leave long-time patrons frustrated and wondering where to find things.

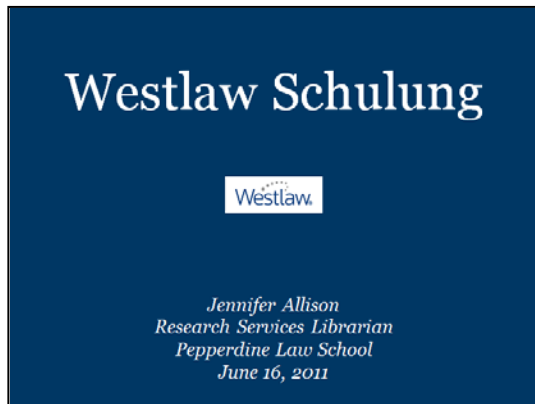
To me, this indicates that, even though the process is painful, the Regensburg system provides a superior classification infrastructure, and that it

has generally been determined that making the switch will benefit the librarians and the library users in the long run.

Electronic Resources

A *Teilbibliothek für Recht* generally offers access to a large collection of law-related electronic databases. This collection includes the major German legal databases, such as **beck-online** and **Juris**, as well as international databases created and maintained by foreign publishers, such as **Westlaw International**. On-campus access to proprietary legal databases, which is generally facilitated by a single campus-wide license, is provided through a special URL listed on the *Teilbibliothek's* website.

In contrast to this system, American law students are provided with personal user credentials to access to the two major American legal databases (**LexisNexis** and **Westlaw**). This means, of course, that these databases can be accessed using any Internet connection, and the student is not required to physically be inside the law library or law school building.



During my time in Germany, I provided a number of German-language Westlaw International training sessions to law students, *wissenschaftliche Mitarbeiter*, professors, and law librarians. There were two well-attended training sessions in Passau.

German law librarians I met consistently told me that Westlaw training is hard to get in Germany. The participants in the training sessions were very receptive and asked a lot of questions, not only about how the database itself worked, but also about the

American legal system in general. This indicated to me that this type of knowledge is highly relevant to legal research that is taking place at German law schools, and that German law students and professors value the ability to perform legal research on a global scale.

Public Services

In a *Tielbibliothek für Recht*, borrowing policies are, in general, fairly restrictive compared to those used in American academic law libraries. Students are generally only allowed to borrow books overnight, or over a single weekend, although professors often do not have similar borrowing restrictions.

German law students tend to frequently copy and scan library books, so law libraries are generally equipped with multiple copiers and sophisticated scanning machines.

As for the building itself, a *Tielbibliothek für Recht* generally includes a large number of individual study desks, as well as conference rooms for study groups. In fact, one of the law libraries I visited (at the Freie Universitaet of Berlin) had designated a conference room specifically for families, and equipped it with a counter and sink, a diaper-changing area, and toys to keep the kids busy while their parents studied.

Most libraries also have enclosed study carrels, which can be rented by certain students (such as PhD candidates completing their doctoral dissertations) for a designated



amount of time.

Frequently, laptop use is only permitted in certain sections of the library, and quiet sections are strictly maintained.

As theft of materials is viewed as a significant problem in German academic libraries, users of the *Tielbibliothek für Recht* are generally not permitted to enter the library with book bags or backpacks, and must stow them in lockers outside the library entrance. Some libraries also restrict or prohibit the consumption of food or drinks.

These generalities apply specifically at the *Tielbibliothek für Recht* at the University of Passau (although I believe students are permitted to bring drinking water into the library).

Public services rules and restrictions seem to be more strict in German law libraries than in many of the American academic law libraries with which I am familiar. In my own library specifically, students can borrow books for three weeks (with the option for several renewal periods), use laptops in any location within the law library, and bring bags, backpacks, food, and beverages into the law library.



Indeed, refreshments are an important part of the culture in some American law libraries. For example, our law library sponsors “Library Happy Hour” every Thursday afternoon, during which students can help themselves to free food and drinks that we provide in the library lobby. I could not imagine this taking place in any of the German libraries that I visited, not only because of the food and drink restrictions, but also because of the disruptive noise levels that inevitably accompany such an event.

THE *BIBLIOTHEKARTAG*: PROFESSIONAL DEVELOPMENT FOR LIBRARIANS

For librarians everywhere, conferences can be an important professional development tool. Not only do they offer informative and educational workshops and programs, but they also provide an opportunity to meet and socialize with fellow librarians, which is extremely helpful for fostering collaborative relationships.

During my visit to Germany, I was fortunate to attend the 100th annual German national library conference, the *Bibliothekartag*, in Berlin.

As mentioned previously, the conference afforded me the opportunity to visit two university law libraries, which was very helpful in increasing my understanding of the practice of academic law librarianship in Germany.

As for the conference itself, I mainly attended events that focused on my unique status: international librarianship and



law librarianship.

International Librarianship Events and Programs

The first program I attended at the conference provided information about how to find and participate in international librarian exchanges for the purposes of professional development. Since this is exactly what I was doing in Germany, I thought it might be helpful to get some perspective about how German librarians viewed these opportunities.



I was so pleased to hear many of the program speakers talk so positively about the volume and quality of opportunities available in the United States. American libraries (and the American Library Association) were praised for being extremely receptive to international exchange participants, even though U.S. government requirements for such a trip can be challenging to meet.

The German librarians who had participated in this type of exchange in the United States rhapsodized about their hosts and the professional benefits they

had gained from the experience. This made me feel proud to be continuing in what is viewed as a fine and valuable tradition.

I also attended a reception for the international participants at the conference. A number of German library students approached me to discuss internship opportunities in the United States. I feel that they really benefitted from these conversations in two ways. Primarily, they all wanted to speak English, and enjoyed the opportunity to “practice” with a native speaker who is also proficient in German and could help with some of the trickier expressions. Secondly, many of the students who approached me confessed to being somewhat reserved and shy, and mentioned that they appreciated the opportunity to try speaking to people they didn’t know in a relatively comfortable environment. This was a delightful side benefit for me of my participation in the conference.

The other “international” program I attended during the conference was actually the most relevant to my daily work as a librarian in the United States. When I saw that the Goethe Institute would be sponsoring a program discussing the future of academic and scientific libraries, I felt I had to attend. I was curious about how librarians from around the world saw this issue. The speakers that had been engaged to discuss this topic were delightful and informative, including the following:

- The speaker from **Nigeria** gave a fascinating talk about the importance of speech in communicating ideas, especially for cultures (like his own) which have more of an oral than written storytelling tradition. He raised some interesting ideas especially about how a “language quilt” like Africa creates a unique role for libraries as cultural preservationists.



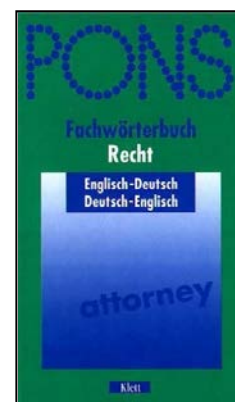
- The presenter from **Peru** discussed developing strategies to deal with problems, and reminded us that the library is most useful when it is physically available, attractive, easily accessible, easy to use, and offers personalized human services.
- I was thoroughly inspired by the speaker from **Indonesia**, who has developed several electronic initiatives to collect, store, and provide wide-ranging access to scholarly and artistic materials created in the university community. He spoke about the importance of positive library outreach—specifically, of librarians approaching professors and academic departments with solutions to their information storage and access problems, rather than asking them for help in establishing and maintaining projects.

All in all, the “international” events and programs I attended at the *Bibliothekartag* reminded me that I am part of a global community of librarianship, which full of energy and good ideas. This helped me to look at the challenges I face in my own library in a new way, and appreciate the worldwide vibrancy of the profession.

Law Librarianship Events and Programs

I also sat in briefly on a large program related to library law (*Bibliotheksrecht*). The program featured a multi-speaker panel addressing the legal challenges facing librarians. Although I am a licensed lawyer in the United States, and also a fairly proficient German speaker, I am not a copyright law specialist or an expert in German law. So I wasn’t sure how much I would get out of this program.

As it turned out, the major area of interest for me was just in keeping up with the conversation, and in practicing my comprehension of German legal terms. I ended up writing down a lot of terms, like *Veröffentlichungsrecht* (publishing law) and *Urheberrechtsgesetz* (copyright law), that I was pretty sure I knew, but wanted to look up later.



I also did get the sense that copyright law is a common problem for libraries around the world, and that we librarians really need to educate ourselves to make sure that we play a fair price for the purchase and/or licensing of materials, while also not providing illegal access to copyrighted works.



I also attended the program sponsored by the *Arbeitsgemeinschaft für juristisches Bibliotheks- und Dokumentationswesen* (AjBD), which is the German equivalent to the American Association of Law Libraries (AALL), an organization I have been a part of for many years. While the AALL has its own multi-day conference every year, the AjBD’s annual meeting takes place during the *Bibliothekartag*.

In my view, there are advantages and disadvantages to each of these types of meetings. The AALL is a much larger organization than the AjBD, and it would likely be impossible for the AALL to try to squeeze the several days’ worth of business meetings, committee gatherings, and educational programs that take place at the AALL’s annual meeting into one afternoon. However, the advantage to the AjBD’s arrangement is that it affords law librarians the opportunity to come together and discuss issues specifically related to law librarianship, while still being able to attend the entire *Bibliothekartag* conference and see what else is going on in the general library world.

The educational program offered by the AjBD was especially interesting. It was entitled *Europa: 27 Länder – 23 Amtssprachen – ein gemeinsames Recht* (*Europe: 27 Countries – 23 Official Languages – One Common Law*). The focus of the program was navigating the many freely-available online resources in order to research European Union law. The speakers discussed the introduction of a new multi-lingual European law online research portal, E-Justice (<https://e-justice.europa.eu>), which is designed to channel users to the best online locations for finding the resources they are seeking. As it can be difficult to find EU legal materials, I found this program to be especially informative and helpful.

In addition to the AjBD's educational program and business meeting, I also attended a delightful dinner with a number of AjBD members. During this dinner, at which I was welcomed especially warmly by everyone in attendance, I had an especially long and interesting conversation with Andreas Knobelsdorf, the *Fachreferent für Recht* at the University of Hamburg, who worked very hard to convince me to consider attending the 2012 Bibliothekartag there.

I must say that I'm strongly considering this. In all the years I have been visiting Germany, I have never been to Hamburg before. But more importantly that that, I feel that I gained so much professionally and personally from the experience of going to Germany, visiting the law libraries there, attending the German library conference, and getting to know the German law librarians.

I'm eager to get another year under my belt here at home, spend some time reading and learning more about law librarianship in Germany, and then going back to further develop those professional relationships I was so lucky to establish over the last few months.

CONCLUSION

All in all, I consider my two months in Germany to be very well spent.

While I was there, I really thought about the differences between our two systems, and found myself considering what American law librarians could learn from our German counterparts. I hope to research this further and do some scholarly writing about my experience and what I learned.

There were also some very positive personal benefits to me from this experience. I knew I would only get the most out of the trip if I really forced myself to talk to as many people as possible, even though this can be difficult for me, especially if all of the conversations are in German. But I did not want to waste a single chance to learn from the people over there about the practice of librarianship, because I was always convinced that I would learn something that I could apply in a positive way once I returned home.

So I kept talking to people, and took advantage of every opportunity I had to discover something new about libraries and librarians. This type of active information seeking was a wonderful change of pace from my daily routine in the United States, and I returned to my regular job refreshed and energized.



This trip would have been very difficult for me without the generous support of BI-International. Bravo to this fine organization for recognizing the value of international exchanges and visits. I hope that many other foreign librarians can benefit from their generosity, and am proud to count myself among their grant recipients.

ACKNOWLEDGEMENTS

I have to thank my wonderful husband Ali, who embraced the idea of my spending two months in Europe with his usual energetic enthusiasm. Everyone should be so fortunate as to have the kind of tireless support that he provides to me on a daily basis. My father, Ed Berger, also very generously supported this undertaking, for which I am very thankful.

I am also extremely grateful to the following people for their assistance, support, and kindness – without it, this wonderful two month adventure would not have been nearly as successful or enjoyable. Thank you!

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