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Librarians need Licensing and Certification -- Bryan M. Carson.pdf

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Friday, March 31, 1995 was known in the law library profession as Black Friday. The law firm of Baker & McKenzie, the largest law firm in the world, outsourced its entire library, laying off the staff with no notice. The justification was that an outside agency would be in a better position to run the library than librarians would be.¹ The reverberations echoed throughout the profession. If the largest law firm in the world thought that librarians were not necessary, could our entire profession become redundant?

Throughout the United States, librarians are under attack. This is true in law firms, businesses, and even in academic and public libraries. What is driving this attack on the profession? There are several factors. The factor that is cited most often is cost, but this is actually a symptom rather than the disease. The real problem is a lack of esteem for what a professional librarian does. How many of us have had to explain to people at parties that we do more than check out books? How many times have we had to explain that we actually have advanced degrees, and are not just working our way through school? If we are not perceived as being professionals, we will not be treated as professionals.

This article will address two problems in the field of librarianship. The first problem is the development of talented support staff members who are both service oriented and research oriented into professional librarians. The second issue is keeping unqualified people out of the profession. Although some librarians think that these issues are contradictory, in fact they really are not. I believe that both problems can be solved through a change in the way that we define professional librarians. The solution lies in a program of certification and licensee for librarians.

Certification involves a professional title that can only be used by those who have passed the minimum requirements in the field. Licensing is somewhat different, in that it "permits only licensed persons to practice under the law."² This article will suggest the use of both certification and licensee.

Because most states have no licensing process, there is no structure in place to prevent untrained workers from being called librarians. The term has lost its meaning (and can not be protected under intellectual property laws). According to the Oxford English Dictionary, the definition of a Librarian is: 1) A scribe, copyist; 2) The keeper or custodian of a library; 3) a dealer in books.³ As one writer pointed out, "If you went to work in a hospital, would you expect to be called a doctor?"⁴ There are two types of non-M.L.S. people working in the field. One group is made up of talented
researchers who have worked in law libraries for many years. I know (and I'm sure that everyone who thinks about it also knows) people who are excellent but don't have the degree. They are the talented researchers. The other group is composed of untrained people who do not understand the smooth functioning or administration of a library. We want to encourage the first group to become more professional without putting them down, while making sure that librarian positions are filled by qualified people.

To put the situation into perspective, let's look at the membership of AALL. One writer states:

According to the 1996 Survey of Members, more than 4 out of 5 AALL members have an M.L.S. degree -- which means that almost 1 in 5 do not. . . . Do we want to write off 15-20% of our colleagues? Open up the AALL Biographical Directory at random. Nearly every two-page spread has at least one person who lacks the M.L.S. Here's someone who has a paralegal degree; he has worked as a law librarian for nearly twenty years, at two New York law firms; he has served on two LLAGNY committees and has written for LLAGNY Law Lines. Here's someone with a B.S. who began her career as an elementary librarian (perhaps her undergraduate education included certification as a school librarian) and has worked at a county law library for 11 years. Here's someone who has an AB and a JD who has been working as a public services librarian at an academic law library for 10 years; she has written a book on legal research in her state (as well as two law review pieces when she was a student). Here's someone who has a BA and a JD; she worked at a county law library for 6 years and has been a law firm librarian for 11 years.5

The same writer went on to state: "It's clear that in librarianship, some people learn on the job -- and through reading and professional development activities -- and become professional librarians without an M.L.S. They exercise professional judgment and have broad and deep expertise: they are much more than the undergraduate at the circ desk or the secretary who files pocket parts."6 As another writer stated: "There should be no "us" and "them" in our ranks. All of us employed as law library professionals, whatever our titles, should work together for recognition of our dedication to our craft."7

Unqualified people who put themselves out as "librarians" working at the reference desk make errors. The patrons thinks that the bad information they got came from a librarian, and the profession has been devalued more. When patrons get bad service from an unqualified person who they think is a librarian, this leads to the conclusion that the "librarians don't know what they are talking about."

Without a process of certification and licensing, non-M.L.S. people are being used to divide the profession. Libraries are being staffed more and more with non-M.L.S. workers. These people are sometimes looked down upon by those of us who have the M.L.S. degree. As a result, there is a limit to how far non-M.L.S. staff members can rise. Meanwhile, libraries that hire non-degreed librarians have started down a slippery slope, since hiring one good person without a library degree can lead to more non-M.L.S. candidates being hired. Some of these people are simply unqualified
for their positions, but it is much less expensive for an administrator to hire a secretary to run the library than it is to pay for a degreed librarian.

The reason that untrained workers can be hired as "librarians" is because with no licensing procedures there is no way for us to legally enjoin people who do not have any qualifications from using the term "librarian." The term "librarian" has become so generic that we can not prevent anyone who works in a library and wants to use the term in their title from using it. Licensing and certification would solve this problem because it would give us a legally protected way to keep unqualified people from misrepresenting themselves to the public.

I believe that we should institute a professional test, similar to a bar examination. Those who pass it would have the right to put the title "Certified Librarian" (C.L.) or "Certified Professional Librarian" (C.P.L.) after their name. Legal action can be taken to enjoin others from using the title. (We can do this by trademarking the term "Certified Librarian," as well as through the licensing process.) Many of the talented researchers who have been in the field for years, but don't have their M.L.S. degrees, would easily pass a certification test, although untrained personnel would have a difficult time.

There are several ways that new M.L.S. graduates can be incorporated into a certification system. One way is to qualify the graduates by virtue of their degree. Another possibility is to take a test right after graduation, like the bar exam. Still another model is to take a page from the accounting and actuarial profession, and require a combination of work experience and tests. One writer has suggested that perhaps the certification tests could count towards the M.L.S. degree, since many library schools have procedures for testing out of classes.8

The same author also suggested that "But one is not an attorney merely because she/he has attained a JD - but only after passing the bar. The same example can be applied to medical school graduates - they may not practice [as Doctors without] passing a board exam. And accountants as well. Nearly every well compensated profession demands more than an educational degree, perhaps because it is well known that a "sheepskin" alone does not reflect competency."9

I am not sure whether we always need to test M.L.S. graduates. (I am of the radical opinion that in some circumstances J.D. graduates should be admitted to the Bar without the Bar Exam. In Wisconsin, graduates of a Wisconsin law school do not have to take the Wisconsin Bar Exam.) My initial thoughts about a certification exam were that that I should not have to take another test after having taken (entirely too many) tests in library school. After some further thought, I came to the conclusion that a combination of educational requirements and work experience is the best solution. My library school education was very helpful, and prepared me for librarianship. However, when I first began to work as a professional librarian, much of what I learned in school had not yet been placed in context. It took professional experience on the job before my library school education really began to pay off.

Certification and licensure are not at all unusual for professionals. In fact, most professions have both some sort of certification process, as well as a licensing procedure and the ability to take legal action against those who do not have legitimate qualifications. Several states have instituted such licensing procedures. An example is Indiana, which has a system of licensing and discipline for
librarians. Indiana's procedures for licensing librarians are similar to that state's procedures for licensing attorneys. In the early part of the Twentieth Century, a person with a two-year college degree or even a high-school graduate could teach. The increase in status and pay for teachers came as the profession became more specific about who was qualified to teach. Other professions that have increased their status after instituting licensing and certification tests include nurses, engineers, accountants, and actuaries. 

With no certification process, what is being done about unqualified people who call themselves "librarians"? Right now, nothing is done. We don't take fake librarians to court or try to prevent them from using the title "librarians." What we do is talk about unqualified people at our professional meetings and put down our colleagues who don't have their M.L.S. degrees. This situation has the result of keeping good people who don't have degrees from advancing, but it does nothing about outsourcing or about keeping the unqualified workers out of the field. In effect, the current situation splits the profession in two.

Because we have no licensing or certification process, librarianship is an undervalued profession. We also have some of the lowest salaries of any profession. Many administrators think of librarians as being nothing more than clerical employees, so we are not treated with the respect that is due to professionals.

What are the reasons why some people do not earn their library degrees? There are many reasons given, including time and family obligations, but the most common reasons are money and lack of proximity to a library school. Many library schools have closed. Other schools are being converted into "Schools of Information" which emphasize computer skills over research skills. Some states do not have any library schools at all. Library schools are not that common any more, and many of the institutions that have programs are expensive private schools. While we are being very strict in insisting on the M.L.S., it is becoming more and more difficult to get a library degree. Yet because of the lack of certification and licensing procedures, there is nothing that prevents anyone who wants to from calling himself or herself a librarian.

We need to take a stand and keep our profession from being eroded--BEFORE we wake up and find that it is too late. In New York State, schools are no longer required to employ librarians. Some schools have no librarians. A few books may be set up in the hallway, but the students are sent to the public library, where they often encounter "information assistants" who do not have a library degree. The result is the promulgation of misinformation. "Someone has to make people aware of what's out there, and make their lives easier. After all, this is the Information Age."

The New York Public Library recently opened a new Science, Business, and Industry Library. The job descriptions for professional librarian positions allow workers with an advanced degree in science or an M.B.A. to work as librarians without having an M.L.S. These non-degree staff members receive the same titles, pay, and promotion opportunities, and are not differentiated in any way from the holders of M.L.S. degrees. Meanwhile, entry-level clerical employees have been trained to work shifts at the reference desk. The same desk is staffed at different times by M.L.S. librarians with 20 years experience, or by 18-year-old high-school graduates. Nothing is done to differentiate the two in the eyes of the public. As a result, the level of service and the quality of
service varies enormously. Whenever patrons receive a wrong answer or are helped by an untrained person, their view of librarianship in general declines.

We need a certification and licensing body for librarians that cuts across the lines of the major organizations, but is associated with all of them. This has been done by accountants, engineers, and many other professions. Under my proposal, no one who currently has the title "librarian" would be excluded. Certification and licensure are not a threat to anyone currently in the profession. Certification and licensure are the way to stop the threat to our profession.

No other professionals have been as passive about letting their duties be done by less expensive and untrained people. Remember that if lawyers were to find themselves in this position, they would take legal action against anyone who usurped the title "attorney." OUR jobs are on the line.

I would like to point out what has happened at Baker & McKenzie:

The value of a law librarian's unique professional service has been reemphasized by the quiet reinstatement of a librarian at Baker & McKenzie. All should remember, and never forget, the decision made in March of 1995 to outsource the entire Chicago library staff. . . . It is now out and on the street that Baker & McKenzie's administrative team has been replaced and one of the primary tasks of the new administrative group is to bring the library back to a functioning resource and research center in the firm. . . . Let us . . . take this as a great "shot in the arm" and hold our collective heads high. We have been vindicated, and should believe even more strongly in our abilities to access information, provide a high level of research and guide the legal community in the most cost-effective and efficient use of resources in an age of continuing change.16

We have been vindicated, but at what price? If we wait too long to be vindicated, our very profession will have been eroded. This is a time of crisis for all librarians. If we institute professional licensing and certification requirements, we can protect the profession from further decline, and show the world that professional librarians are the only ones who can provide a high level of research and guidance in the most cost-effective and efficient use of resources during the twenty-first century. If we choose to bury our heads in the sand, it may be too late by the time we are vindicated. I don't want to be remembered as a member of the last generation of professional librarians.

BIOGRAPHY

Bryan M. Carson is Professor and Coordinator of Research Instruction, Grants, & Assessment at Western Kentucky University Libraries. Bryan came to Western Kentucky University from Hamline University Law Library, where he was the Reference and Computer Services Librarian. Prior to working at Hamline, Bryan worked at the New York Public Library. Bryan received his Bachelor of Arts in Economics from Adrian College, earned a Juris Doctor degree from the University of Toledo, obtained a Master of Information and Library Studies from the University of Michigan, and received his Ed.D. from Vanderbilt University.


3 Frost, Thea, "'Librarian' or no'? on Law-lib discussion list, March 26, 1997.


6 id.

7 Morrison, Anne, "Re: Professional Librarians," on Law-lib discussion list.


13 O'Connor, Gayle, "More on Degree V Non-Degree," on Law-lib discussion list, April 21, 1997. See also, Anonymous posting (maklib@aol.com), on Law-library discussion list, April 21, 1997.

