A panel session during the June 2, 1969 Houston annual meeting (Item 1), the AALL raised the curtain on discussing the need for making an ethics code for the association and law libraries. Actually, the association had begun to think about developing the Code many years before this meeting. As chair of the meeting’s panel on ethics, Roger Jacobs (Item 2) said “We have, for many years, in considering the nature of our profession, wondered if we were an unique professional group..., more recently we have been concerned with the ethical elements of law librarianship. Once again we seem to be faced with the need to determine if we should look to the ethics of librarianship or law, or both, in developing a mode of ethical conduct suitable for our own profession.” (Item 3)

With Arthur Charpentier presiding (Item 4), Walter P. Armstrong from the American Bar Association and Ruth Frame from the American Library Association and Ervin Pollack (Item 5) from AALL delivered remarks concerning the problem of professional ethics based on experience in their respective organizations. At the same meeting, Pollack presented a paper on “A View of a Statement of Professional Ethics for Law Librarians,” (Item 6) which offered a profound and comprehensive view of the necessity for a code for law librarians. As Pollack stated “to implement these ideas, it is recommended that President-elect William Stern (Item 7) and the Executive Board of the American Association of Law Libraries appoint a special committee to study further the need for a code of ethics for law librarians and, consistent with a favorable decision, to formulate such rules for submission at a later date to the Association’s membership for its consideration.” AALL’s Executive Board adopted the suggestion to appoint a special Committee to report on and prepare a code of professional ethics for law libraries (Item 8).

AALL’s Ethics Committee was set up, and as Pollack’s first letter to the Committee members noted, “the tasks assigned to the Committee are threefold: (1) to determine the need for a Code of Professional Ethics for Law Librarians; (2) if this need is determined, to prepare such a Code in draft form for submission to the Executive Board; and (3) to investigate the question of enforcing such a Code and to make such recommendations to the Executive Board as are indicated.” (Item 9) Pollack, as the first Chair of the Ethics Committee, provided key leadership and worked hard towards these goals at a time when all such association work was accomplished laboriously through the mail.

After nearly one year of soliciting ideas from the committee members and committee’s two sessions at AALL’s Washington annual meeting in 1970, the Ethics Committee members agreed to prepare individually drafts of sections of a Code of Ethics, divided by relationships. From Pollack’s July 8, 1970 letter to the committee, the topics and individuals responsible for drafting the sections were: “1. The librarian’s relationship to the patron — Otto G. Gara; 2. The librarian’s relationship to governing authority — Richard G. Hutchins; 3. The librarian’s relationship to dealers and publishers — John S.
The Code of Ethics for Law Librarians

Marsh; 4. The librarian’s relationship to the staff — George S. Grossman; 5. The Librarian’s relationship to other librarians — Caroline Brede; 6. The librarian’s relationship to society — Unassigned” (Item 10). In succession, the members finished their respective projects and sent them to each other for review (Item 11). Unfortunately, Pollack died suddenly in 1972. His successors assumed his leadership and labored from 1969 to 1974 in polling the members of AALL, studying the experiences of similar associations, and drafting a proposed code text to be presented for the approval of the Association. The first draft of the code—“Professional Responsibilities and Ethics”— was finished in June 1974 (Item 12), just five years after the Ethics Committee was formed. The draft code was mailed to all members in preparation for a discussion and vote at the 1975 Annual Meeting in Los Angeles.

Unfortunately, the draft did not receive the majority endorsement of the membership and was withdrawn by the Committee for further reworking. The new Committee, under the lead of a new chair Jerry Dupont, consulted with a wide cross-section of the membership and identified the majority consensus on the necessity for, and desirability of, a code of professional ethics. The new Committee identified at least two major areas which it found defective in the prior draft code.

The first area concerned the wide scope of the earlier draft code. The approach taken in that effort was to describe a wide variety of ethically-charged situations in some detail, with guidelines given on the proper course of action in each case. Many members expressed their dissatisfaction with this approach especially because no code could possibly cover all possible ethical situations and the attempt to do so would result in an arbitrary collection of ethical caveats. Their consensus recommendation was that the Code should be limited to the general and widely accepted ethical principles from which the proper course of action in specific cases could be inferred.

The other widely held complaint related to the perceived unenforceability of the prior code. Members expressed their desires for a code with sanctions or “teeth”. Unfortunately, though this sentiment was widely held, very few members offered substantive suggestions as how to improve the sanctions in the code.

Some members also addressed their concerns of the need to keep the Code current. Some members worried that any written Code would fail to meet the current and future realities of library practices. It was recognized that some methods of amending the Code should be devised.

With all of these concerns, the new Committee began its two-year-long process of proposing, considering, discussing, and redrafting (Item 13). In its first year, the draft code was finished, and in the second year the group concentrated on considering and addressing the complicated problems of the code’s sanctions.

The final approach agreed to by the full committee was that the Code itself should be regarded as an addenda to the Code of the Ethics already adopted by the ALA; in addition, the Code should reflect law librarianship’s special duality, of being part of both the law and library worlds. As for the sanctions in the Code, the committee finally agreed with the approach based upon the moral authority of the Association. The committee proposed a Commission on Ethical Standards, and thought that this would enable the association to develop over time a set of “case law” which would
be useful both for solving individual disputes and as a growing source of authority for the guidance on the actions of all members. Although it was aware that this proposed structure would not satisfy some member’s desire for a more stringent enforcement mechanism, it was believed that this reflected the Association’s power, authority and available funding resources.

After so many considerations and debates on its drafts, the committee took its final step at the 1977 Toronto annual meeting where very minor changes were made on the draft code (Item 14), and its final revision received unanimous assent from the whole Committee. The Executive Board formally accepted the proposed drafts of both the Code and the Charter for the Ethics Commission on July 1, 1977. In the following year, the general discussions and promulgation were conducted within AALL membership and various chapter meetings (Item 15). With the Ethics Committee’s formal presentation on June 26 of 1978, the Ethics Code was accepted in a straw vote, and it was subsequently adopted by a mail vote of the entire AALL membership (Item 16).


Soon after the Ethics Code was adopted, and as the former committee had proposed, the Ethics Commission was established. The AALL Executive Board elected five persons to serve on the new Commission at the San Francisco annual meeting in July, 1979 (Item 17). Jerry Dupont was elected Chairperson.

As indicated by Marian Boner’s letter of February 15, 1982 to the Commission members, the Ethics Commission did not have any business to do in its initial three years (Item 18). At the AALL 1982 Detroit annual convention, the Ethics Commission, led by Miss Boner, considered drafting guidelines to resolve complaints that might come to the Commission, but this proposal was rejected by the Executive Board (Item 19). Simultaneously, the Commission’s intention to insert a reminder of its existence in the NEWSLETTER failed too. In August 1982, soon after the Detroit meeting, the Ethics Commission received one of its two ethical cases in its whole history (Item 20). Without established authorities and adopted guidelines for handling ethical problems, the Commission, as it was expected, had no power to act on this issue (Item 21). The Ethics Commission existed without a Chair for several months after Miss Boner’s death in April of 1983. This provoked other member’s attention to the Ethics Commission’s inactivity, and they proposed the possible abolition of the Commission (Item 22). At about the same time, Price Waterhouse’s study of the AALL’s overall tax status found that while there were no problems with the Association’s basic activities, it noted that the existence of the advisory Commission on Ethics might jeopardize AALL’s tax-exempt status (Item 23). As a result, at the Executive Board meeting in January 5 of 1984, the Ethics Commission was abolished without dissent (Item 24).


The Ethics Code disappeared from the AALL Directory soon after the Ethics Commission’s abolishment. However, this went undetected until Kathleen Price (Item 25), former chairperson of AALL Ethics Committee, prepared a talk to the MidAmerica chapter in 1988. Her discovery caught the attention of the AALL President Margaret Leary, who then appointed William Murphy to
investigate whether the existence of the Code would jeopardize the Association’s tax status (Item 26). Murphy, as Leary suggested, forwarded this case to James Gossett in the Association’s law firm Howe & Hutton, Ltd (Item 27). After a long careful examination, Mr. Gossett reported to Murphy and clarified that the existence of Code would not hurt the Association’s tax status (Item 28). At its March 1989 meeting, the Executive Board meeting directed that the Ethics Code be printed in the AALL 1989–1990 Directory (Item 29).

THE ETHICS CODE IN 1990s

In 1992–1993, a Special Task Force on Ethics re-examined the Ethics Code, reviewed the library literature, and solicited the experience of related Associations to help in revising the Code. The Task Force recommended to the Executive Board that the Association revise its Code, which seemed to be outdated in this rapidly changing information society. A new Task Force on the Ethics Code was established, and it drafted a proposal titled “Proposed Rules for Ethical Conduct”. The Task Force, in response to the Executive Board’s requirement, began to query the memberships for comments. However, the project stopped for a variety of reasons. In the early part of 1997, AALL President Judy Meadows appointed the Special Committee on Ethics, and it was charged with reviewing the current Ethics Code of AALL and reporting to the Executive Board at its 1998 fall meeting. In addition, “the Committee is asked to take into special consideration both the recommendations on Ethical issues of 1996 Report of the AALL Special Committee on the Renaissance of Law Librarianship in the Information Age and the newly revised Code of Ethics of the American Library Association” (Item 30).

The Special Commission was to absorb the experience from the previous Committees’ work and continue to review the progress made by other Associations in revising the Code. To facilitate the communications between the Committee and the membership, the Special Committee has published a series of articles in AALL’s newsletter Spectrum concerning the issues of updating the ethical statement, which must be considered in redrafting the Code (Items 31, 32, 33). The Special Committee hopes to receive more input from the whole membership of the Association and is working towards attaining its ambitious goal.