Early Experiments with Computer Technology

The AALL’s interest in the use of automation in law libraries dates back to the 1950s, when the results of World War II era experiments with computers first began to become available to civilians. The ENIAC (Electronic Numerical Integrator and Calculator), the world’s first large-scale general purpose electronic computer, contained nearly 18,000 vacuum tubes and boasted of performing 5,000 additions per second. It was similar in design and appearance to the University of Illinois’ ILLIAC I Computer (Item 1). ENIAC’s successor, the UNIVAC, had a clock speed of 2½ MHz. Compared with today’s personal computers, which can perform 100 million additions per second and are approaching clock speeds of 1,000 MHz, these numbers seem rather modest. Nevertheless, these early machines sparked the interest of law librarians in using computers to perform information storage and retrieval tasks.

The AALL’s first foray into this new field was its 1955 Special Committee to Study the Application of Mechanical and Scientific Devices to Legal Literature. Chaired by Vincent Fiordalisi, the Committee’s main finding was that the task of determining which applications these early computers were suited for was in itself a monumental task (Item 2). Their final report divided their work among five interest areas, including “Duplicating Equipment,” “Punch Cards,” “Equipment and Supplies,” “Microcards and Microfilm,” and what they termed “Machine Literature Searching.” One of the Committee’s recommendations was that manufacturers be invited to display their equipment at the 1956 AALL Annual Meeting. At that meeting, the first AALL panel on automation, entitled “Implications of Automation for Lawyers,” saw a computer, similar to the IBM 704 (Item 3), demonstrated at IBM’s Philadelphia headquarters.

Myron Jacobstein’s skeptical 1960 view of the applicability of computer technology to law librarianship gives an early statement of a recurring theme in the history of automation: the practical-minded critic cutting through the often overblown rhetoric surrounding new technology (Item 4). One might be tempted to dismiss Jacobstein’s characterization of the computer, as “a gadget—albeit an expensive one,” as a reflection of the limited capacity of 1950s computers. But as ever more expansive promises have been made about the ability of computers to change law librarianship for the better, other AALL members have urged, as Jacobstein did, that it is “our duty to speak up” when the proposals of the “false prophets of bibliographic control” fail to meet lofty expectations.

From LAWSEARCH to LAWNET

Lofty expectations, though, stimulated AALL research into practical uses of these new machines. With a grant from the Council on Library Resources, the AALL’s 1959-1967 Project Lawsearch attempted to find an alternative to expensive mainframe computers for legal research (Item 5). But even intensive research projects like Lawsearch proved inadequate to keep up with rapid changes in computer technology and its applications. AALL President Morris Cohen noted in a 1971 newsletter column (Item 6) that law librarians
were already feeling the budget squeeze from “the basic expenses of their book collections and staff needs.” Conducting the research needed to develop an automation plan, even one which might save money in the long term, Cohen argued, was next to impossible in these budget conditions. When then-President Richard Nixon made a passing reference in a 1971 speech to the potential of computers to aid legal information retrieval, it caught Cohen’s notice. He hoped the federal government might step in to help fund desperately needed research into law library automation.

As more and more libraries converted their card catalogues to machine-readable formats, the potential for a centralized law library network began to tantalize AALL members. Earl Borgeson, Peter Freeman, Marian Gallagher, and Cohen pushed such a project beginning in 1970. However, the hope that such a project might be undertaken by the federal government, through the Department of Justice or the Library of Congress, delayed the development of an alternate plan, an AALL-sponsored network. Eventually AALL decided to take the lead, and under the leadership of AALL Special Committee on Networking Chair Betty Taylor, LAWNET was born. By 1981, LAWNET C.O.M. (Computer Output Microfiche) promised a unified collection of machine-readable records from 53 law libraries, categorized by author, title, and subject, potentially covering 100,000 unique titles (Item 7).

“You’re Still There Maybe”: Automation and Law Librarianship

As automation became more integrated into law library practice, ambivalence toward the potential of such technology was slowly replaced by a variety of concerns and hopes about the future. Professor Albert Brecht’s 1981 address to the annual meeting, “Impact of Automation on Academic Law Libraries or Nothing’s the Same Except You’re Still There Maybe,” noted the uncertain impact of the spread of automation, the increasing demands for printouts from early online services offered by Westlaw and DIALOG, and the decline of free services. Brecht concluded with a humorous account of one of automation’s sacred cows, the “bookless” future (Item 8).

Even as the capabilities of computers for legal research, cataloging, and direct access to statutes and court decisions dramatically increased, law librarians continued to occupy the space between the practical capabilities of their current machines and the potential future offered by technological advancement. Microform publisher and AALL member Jerome Dupont’s 1987 essay “The Future of Laserdisc Technology in Law Libraries,” presented at the 1987 Annual Meeting of the Mid-America Association of Law Libraries, illustrated some of the difficulties inherent in this position (Item 9). In discussing the future of CD-ROMs and DVDs, Dupont noted that while “I don’t relish the role of the troglodyte,” that hype continually surrounds “the introduction of these neonatal and infant technologies.” Even as late as Dupont’s essay, 20 years after the creation of OCLC, only 16 percent of academic law libraries surveyed by the AALL had completely converted their existing catalogs to machine-readable format. A graph from AALL Occasional Paper #6, “Academic Law Libraries’ Status of Conversion to US MARC Format” (Item 10), illustrates one of the often overlooked facets of automation—the amount of time needed to convert the tremendous amount of card catalog records into machine readable format, and the compounding difficulty of multiple formats and facilities for doing so.

As the AALL studied both the present and the future of automation, it also kept its members informed of the rapid changes in automation at Institutes and Workshops, Annual Meeting panels, and Teach-Ins. The 1989 Institute entitled “Managing Emerging Technologies,” featured a wide variety of panels on computing and the law. Carole D. Hafner and Donald H. Berman presented an exploration of Computer Assisted Legal Research called “Artificial Intelligence and the Law,” which featured an elaborate flowchart (Item 11). They termed the chart a “case discrimination network,” which “represents the normative relationships among legal issues and factors” in a hypothetical case involving a water-damaged home
and an angry new homeowner. The authors argued that advances in artificial intelligence research might enable legal cases to be indexed along the lines depicted here, changing the face of legal research.

**The Internet Age: 1990-Present**

The most revolutionary change in law library automation since the development of the computer was the arrival of the Internet in the early 1990s. AALL played a key role in that process, both as proponents of the creation of the Internet and advocates of the public interest. In a 1990 letter (Item 12), AALL President Richard Danner stated a concern that has been a staple issue for the AALL in dealing with automation: the ability of the general public to access legal information. Danner urged that Project Hermes, which would have allowed public access to Supreme Court decisions electronically, provide for free access to the information. Later that same year, AALL Representative to the Network Advisory Committee of the Library of Congress, Bob Oakley, wrote (Item 13) about the widespread support for the creation of the National Research and Education Network (NREN), which would become the backbone of the Internet. The AALL joined with a wide variety of organizations and companies in the Partnership for NREN, as evidenced by a 1991 EDUCOM letter to four Senators, including National Information Infrastructure Act sponsor Senator Al Gore, Jr. (Item 14)

As the ambiguous term “public-private partnerships” was introduced to the public policy lexicon, the historically tricky and divisive issue of private companies holding proprietary rights for distributing government information became yet another long-standing law librarianship issue which was further complicated by the Internet Revolution and the new “Information Age.” The AALL’s official statement on the recommendations adopted at the second White House Conference on Library and Information Services, 1992, reflected these tensions (Item 15). In it, AALL noted that its long-standing primary goal of ensuring “that no public or private entity should enjoy a monopoly with respect to government information” extended into the new “Information Age.”

Automation and the emerging Internet had a wide-ranging impact on law libraries, as illustrated by the dedication brochure for a 1992 expansion of the Washburn University Law School Library (Item 16). The Library highlighted its expanded computer lab, computerized access to local and regional card catalogs, and access to the emerging “INTERNET.”

After the explosion of the World Wide Web beginning in 1993, the AALL, its chapters, SISs, committees, and members kept pace with educational efforts. Beginning in the October 1993 issue of the Newsletter, “The Internet Insert” (Item 17) attempted to bring members with Internet expertise into contact with the many who were still unsure about the new network. It also introduced the AALL to the “new” LAWNET, the AALL’s Internet presence (now AALLNET) (Item 18). The AALL Executive Board established a Task Force on Internet Access in 1993, with the charge of researching barriers to members’ access to the Internet. The task force instituted an “Internet Buddy” Program in which volunteer members across the U.S. agreed to help AALL members in their regions find ways to obtain Internet access (Item 19). After identifying financial constraint as the main barrier, the Task Force proposed the AALL establish “Internet Access Grants” to aid libraries in this area (Item 20). The AALL also took direct steps to acquaint its members with the Internet, for example the “Internet Room” at the 1993 Annual Meeting (Item 21).

The rapid expansion of the use of the Internet also returned law librarians to controversial issues. In a speech delivered to Congress (Item 22), Minnesota Representative James Ramstad criticized a Justice Department plan to develop a new citation system and free public access to federal and state judicial opinions. Noting that West Publishing Co. was located within his district, Ramstad argued that this plan “specifically singled out” and “targeted” West for competition with this potential new, publicly-funded...
service. The AALL itself was hotly divided over the issue, with some members arguing that West’s pre-
eminent market position inhibited access to government information, and some maintaining that the
services West provides are integral to the profession (Item 23).

The AALL, as a member of the Citizens’ Internet Coalition, also engaged the issue of censorship on the
Internet in a 1996 legal brief (Item 24). A variety of professional organizations, information industry
companies, and media-related groups joined in this lawsuit asking for an injunction to prevent
enforcement of the Telecommunications Decency Act of 1996. The suit claimed that attempting to
protect children from indecent speech—by requiring the provider of such information ensure that persons
under 18 could not see it—would have the practical effect of also blocking constitutionally protected
access to such information by adults. The brief argued that information provider-based defenses, “which
were merely lifted from the ‘dial-a-porn’ laws, simply do not work in the quite different medium of
cyberspace,” and that programs based on Internet users’ computers, rather than on content providers’
servers, would both be more effective at blocking potentially objectionable content, and would protect the
rights of adults.

The concerns which Brecht raised in 1981 about the potential librarian-less law library of the future were
brought to a head when the Library Staff at the Chicago office of the firm Baker & McKenzie were all
terminated March 31, 1995. The firm acted in response to a consultant’s study which claimed Baker &
McKenzie had more support staff than other comparably-sized firms. In choosing to “outsource” library
services to independent contractors, the firm explicitly relied on the ability of their lawyers to do legal
research using their personal computers and online services. Law librarians reacted with a mix of shock
and outrage over the firings, and the AALL responded with an unusual step—this white text on black
background cover for the May 1995 Newsletter (Item 25). The events came as the AALL Committee on
the Renaissance of Law Librarianship in the Information Age was attempting to forecast the future of the
profession. An early draft of the Committee’s report notes that since its founding “events have proven the
wisdom of the Board’s action and the need to study the role of the entire profession” (Item 26). Their
final report, available at http://www.aallnet.org/committee/reports_renaissance.asp, emphasized the
importance of initial training and continuing education in enabling librarians to adapt themselves and
their libraries to rapidly changing technologies (Item 27).

This exhibit was prepared by Jonathan Coit under the direction of William Maher at the University of
Illinois Archives at Urbana-Champaign. The photographs and documents are from the AALL Archives
administered by the University of Illinois Archives. The archives welcomes additional AALL-related records and information. Send materials and inquiries to:

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