

## US News Rankings Get it Right on Law Libraries

US News has released the 2023 Best of Law School rankings, and for the second consecutive year altered the methodology for law library data. After the 2022 rankings were released, we expressed our deep concern that the methodology for law library data was overly rigid and incentivized conformity to the detriment of law libraries and law schools. In part, we said “[l]aw libraries should be seen through their contributions within...larger US News measures, rather than perpetuating outdated views that we are separate from our broader institutions.” The new metrics focus on the types of inputs that every school has available: librarians and budget. Law libraries and law schools are now freed to assess their needs and missions and use those resources in the best way for their particular circumstances.

The 2022 US News methodology weighted multiple library metrics at 1.75% of the overall ranking (including library hours, reference hours, databases, titles, number of professional and paraprofessional staff, seats, and presentations). After considerable discussion within the academic law library community, a new task force of librarians submitted recommendations for revised data collection from law libraries to US News.<sup>1</sup> Based on these recommendations, US News altered the methodology for the 2023 rankings, dropping the seven previously used indicators in place of one metric: the ratio of full-time equivalent professional librarians<sup>2</sup> to the full-time equivalent of students, accounting for 1% of the total score. Although this is now the only scoring metric that is solely composed of library data, it is worth noting that total library expenditures also contribute to the law school’s total instructional expenditures calculation, which counts as 9% of the law school’s overall score.

Last year, we wrote “other existing US News measures capture the value that a strong law library provides to a law school and a legal education program. Expenditures per student include library expenditures... [p]rofessional librarians could easily be counted.” Thus, we view US News’ decision to focus on these two measures - library expenditures, and a ratio of professional librarians - as an improvement. In the new scoring, law libraries account for less of the overall score, but what is counted is more meaningful. Previous measures, including those used in 2022, were not representative characteristics of the broad, diverse nature of law libraries’ operations. Prior metrics, while easily and conveniently countable, said very little about whether a law library provided *quality* services or collections. Quality is a difficult attribute to measure for law libraries, but counting professional librarians as a ratio to students is similar to approximating educational quality through faculty to student ratios. The new methodology devotes a full one percent of the ranking to measure whether law schools properly staff their law libraries with professional librarians who can provide services and collections tailored to the law school’s needs and mission. In addition to this library-specific metric, nine percent of the overall score measures expenditures, including law library expenditures, encouraging law schools to properly fund their law libraries in terms of resources, facilities, and salaries.

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<sup>1</sup> Each of the authors participated as sub-committee members of the American Association of Law Libraries portion of the task force.

<sup>2</sup> The new ratio defines professional librarians as “library staff with an MLIS (or equivalent graduate library degree) and/or a JD (or equivalent law degree) and/or an advanced degree that is related to their work in the library.”

Arguably the most transformational change in the library metrics is the removal of title counts, which has been a proxy for measuring the quality of a law library since the late 1800s.<sup>3</sup> In the twenty-first century, the number of titles owned can no longer be used as a proxy for quality. Title counts privilege older libraries which have built up vast collections over time, and prioritized storing those collections whether or not they remain usable, relevant, or current to a law school's mission. This metric has had the effect of encouraging law libraries to view their missions as book storage facilities rather than curators of relevant, impactful collections and services. Modern law libraries have the benefit of technological and publishing advances to provide access to legal information via online databases and electronic resources, and make use of vast interlibrary loan and document delivery capabilities as well as membership in various library consortia to participate in wider, near-instantaneous sharing of materials. The effect of these advances is that many currently used collections have been equalized; it no longer matters whether the particular item needed for research or scholarship is housed in a particular library's collection.

In our post last year, we argued that any law library measurements should focus on metrics that could be fairly compared between schools and could measure the resources provided to law libraries, enabling them to fulfill their ABA requirement to support the law school's mission. Because law schools have different mission statements, libraries should not be forced into creating or maintaining patterns of operations that do not fit the needs of their institutions and prevent them from innovating to meet emerging needs. We think that US News struck the right balance regarding law library measures with the 2023 rankings: weighting only the librarian-to-student ratio and total library expenditures has the effect of measuring whether a law school provides the resources that its library needs to support the current scholarly and educational missions of the law school.

We recognize and appreciate the work done by the American Association of Law Libraries, Association of American Law Schools Section on Law Libraries and Legal Information, NELLCO Law Library Consortium, and the Society of Academic Law Library Directors to provide important and clear definitions for the law library-related questions in the survey. Many hours of work by law librarians went into considering these metrics, and we should all be proud that our work was recognized and implemented by US News.

Although the new indicators are a positive development, we think there is still room for improvement. For faculty, the ratio is law students to faculty (20 students:1 faculty member). Instead of patterning the librarian ratio in the same way as faculty, US News chose to use the ratio of professional librarians to students (.01 librarians:1 student). It would be a more helpful comparison to consumers and the academic community if the indicators used the same ratio format.

The updated metrics strike a balance between prospective student informational needs and law libraries' need to innovate and support their law schools. Law libraries are now free to engage in robust assessment and continuous improvement processes to align their work to the needs of their law schools rather than diverting resources solely to keep up with outdated external measures deemed important only by a powerful outside entity. After we blogged on this topic

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<sup>3</sup> Laura N. Gasaway, *Academic Law Library Statistics, 1876-1992*, 84 *Law Libr. J.* 573, 573-74 (1992).

last year, we took on the work of studying measurement of law library public services, thanks to a grant from the American Association of Law Libraries and LexisNexis. Later this year we will publish an initial look at that research, examining the alignment between law school missions and law library public services. There are many types of law schools, and likewise, many types of law libraries. The new approach to library measurement from US News ensures that law schools are accountable for properly funding and staffing their law libraries and leaves libraries themselves to the work of assessing their efforts to align their services and collections to the law school's mission.