

Librarian Protects and Defends Legal Documents

by Dawn Chase

Editor's note: State Law Librarian Gail Warren regularly assembles and edits articles on information resources for attorneys for publication in Virginia Lawyer. A Virginia lawyer herself, she is committed to making sure attorneys are aware of and know how to access sources on law and other materials they need to prepare cases.

When Gail Warren first went to work at the Virginia State Law Library in 1981, there was no fax machine in the Supreme Court building where the library is housed.

There was a dedicated computer terminal on which law clerks could access Westlaw on disc, but the computer was rarely used. Even young lawyers preferred books for legal research.

At the University of Richmond, where Warren had earned her law degree two months earlier, the law library didn't provide Westlaw at all.

Times have changed. During an interview this spring, the State Law Library was undergoing renovation and Warren, displaced from her office, was temporarily rolling her computer around on a book cart. While contractors abated asbestos, replaced carpet, and painted, she was purging books.

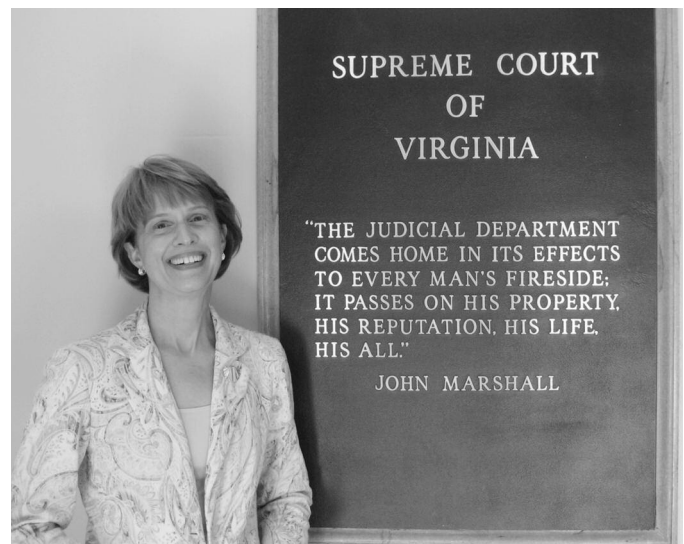
Destined for discard were generations of state reports and other now-unused volumes. "It's painful," she lamented. "This is not the best use of this space, but—all these books!"

On the other hand, the books' content "can be obtained in at least three other places in our library," she said. "This is not my library. This is the Court's library, ... but I am personally invested in this place."

Warren has been on the leading edge of technological change since she became state law librarian in 1982.

Warren promised when she got the job that she would get a master's degree in library science—which she did through a graduate program at The Catholic University of America in Washington, D.C. The program prepared her for a future library with no card catalogues, microfiche, or inky "date due" stamps.

Through the American Association of Law Libraries, she is tied into national efforts to expand digital access to library collections nationally and to preserve them for future generations, among other projects.



Gail Warren at the entrance to the Supreme Court of Virginia

The Virginia Law Library has several responsibilities:

- To preserve primary law—the *Code of Virginia*, Virginia cases, indexes, and treatises or monographs. This includes an archive of hard copy—i.e., books. "There's a very different quality to searching online versus hard copy," Warren said. Some of the collections extend back to the earliest Virginia law in the 1600s.
- To digitize and index Supreme Court of Virginia briefs—an ongoing project.
- To store and protect documents of historic importance. "The Virginia Judicial Branch website points out the Supreme Court of Virginia is one of the oldest continuous judicial bodies in the U.S.," Warren said. With that designation comes an archive of treasures that the library

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is enhancing with judicial biographies and by participating in an oral history project.

The mission and use of the State Law Library is governed by Virginia Code § 42.1-60-64. It is located in the secure building in Richmond that houses the Supreme Court and Virginia Court of Appeals, and it is not open to the general public.

But the library is available to lawyers in good standing from Virginia and elsewhere. To use the library in person, a lawyer needs photo identification to get through security and a bar card for access to library resources. Warren's team also will pull specific documents for lawyers — in person and by phone and e-mail.

The library's primary function, however, is to serve Virginia courts. Its research role for the appellate courts has been established since it was officially recognized in 1902. Recently, though, Warren has been encouraging judges in the trial courts also to call on the library for original research, which on all levels can range from checking citations to specialized detective work.

As an example of the latter, Warren said a law clerk was seeking a section of a county's zoning ordinance. The assignment was trickier than it sounds — the section was buried in the county planning department's website. The librarians, long experienced in the peculiarities of Virginia jurisdictions, were able to ferret it out.

That challenge drives home one of Warren's mantras about information: "If you don't make it accessible, that's a huge obstacle." So on a state and national level, she participates in projects to collect, index, and store legal information for perpetuity.

Those projects include a national effort to preserve court records from all states in an underground archive to protect them from physical destruction; conversion of printed materials and microfiche to electronic versions; digitizing the Supreme Court of Virginia briefs; and collecting and indexing circuit court opinions on an unprecedented scale statewide.

Warren and a staff of four — assistant law librarians Terry Long and Dee Dee Dockendorf, technician Janet Holland, and administrative assistant/bookkeeper Vanessa Tee-Coles — serve the library's clients.

In the years since Warren has been there, the pace has increased. Formerly, the librarians would respond to a request by photocopying mountains of documents and mailing them off. Now e-mail is the preferred means of transmission, and

judges and clerks have come to expect immediate responses to their requests.

Warren meets the challenge with a cheerful, unflappable, and can-do demeanor that belies her dawn-to-dusk race to accomplish many projects.

When she started law school, "I was going to be Perry Mason. I was going to represent poor women and children, save the world," she said. But her need to pay off school loans and her fascination with the UR law librarian's unerring ability to find nuggets of information stored in dark caverns of bookshelves led her to this job.

One of her concerns in the electronic age is the authentication of information.

When dealing with the *Code of Virginia*, circuit court opinions, or any reference used in a court case, what is the authentic version? Where does the burden lie for assuring that the version filed with the court is the true one? And how is the true copy stored and transmitted in a way that prevents modification?

From her librarian's perspective, "It's important that we know what we're keeping is a true copy," Warren said.

As information is more widely disseminated in the digital age, those questions have gained new urgency. "Without the proper safeguards in place, technology permits anyone to edit and disseminate supposedly 'official' legal documents to suit their position or purpose," but her job is to protect the original words of law and the interpretations of it, she said.

So add to Warren's job description — along with archivist, digitizer, researcher, preservationist — a heroic role: Guardian of Truth, Defender of the Record. ■