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Panel Discussion: Should I Go to Law School?

Moderator: Martin Garnar, Dean of the Kraemer Family Library, the University of Colorado Colorado Springs. Panelists: Sara Benson, Copyright Librarian, the University of Illinois Library, Eric Harbeson, Music Special Collections Librarian, the University of Colorado at Boulder, Kevin Smith, Dean of Libraries at the University of Kansas, Tucker Taylor, Head of Circulation and Educational Films, Thomas Cooper Library at the University of South Carolina

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Panel Discussion: Should I go to Law School?

This panel featured four distinguished speakers with varying experiences and pathways to copyright librarianship. Kevin Smith, Dean of Libraries at the University of Kansas, was a professional librarian whose copyright interest led him back to school to obtain a JD. Tucker Taylor, Head of Circulation at the University of South Carolina's Thomas Cooper Library, also holds an MLIS, but has decided not pursue a JD. Eric Harbeson is currently the Music Special Collections Librarian in the University of Colorado Boulder Libraries. Eric holds an MLIS and is planning to take the Law School Admissions Test (LSAT). Sara Benson, Assistant Professor and Copyright Librarian at the University of Illinois, was a law professor who went back to obtain her MLIS.

Kevin explained that lawyers always say "It depends," but what they are really indicating is that they need more information and that the ultimate choice of action depends on the client's values and risk tolerance. Lawyers must develop a relationship to understand the values and business of their clients to help guide their choice, but the decision will ultimately fall to the client. Being a lawyer does have advantages. Copyright bleeds into other areas, such as contract law, and lawyers can bring information on those areas

into the conversation. Lawyers also have detailed knowledge of technical procedures. Law school helps train lawyers to bring out, sort, and frame the facts of a case, determining what is relevant and what needs priority.

Tucker emphasized that while she just wants to be a librarian, copyright law just will not let her go. Her interest is not in law, or even all of copyright law. Instead, she focuses on how it applies to libraries and higher education. She argued that we need to understand copyright law to be good librarians, but many people are scared of it. Fear of copyright impacts our ability to provide good services and full access to information. These are not life or death questions. Copyright questions in the library are complex, but not critical. Copyright librarians can complement university counsel. While counsel is there to protect the university, copyright librarians can take the time to guide and support innovative projects, answering the need, not just the question. Further, not every school can afford a JD librarian, and as hard as it is for librarians to understand copyright, it is even harder for the general public. Copyright librarians can help ensure that laws belong to citizens, not just to lawyers.

Eric shared his personal journey that has taken him through librarianship and now on to law school. Eric has studied law for years, and people have often suggested that he should go to law school. He earned his MLIS but still questioned how law school might fit into his life. Eric recounted how, many years earlier, Kevin Smith helped Eric reframe the question as *Do you need or want to go to law school?* For a while, the answer was no. Over time, work and family concerns intersected in a way that shifted the calculus on this question. Reflecting on a friend's life at her funeral helped Eric embrace his right to be happy and make the decision to attend law school. He is excited about learning new things, exploring boundary areas, and getting into the nitty-gritty details. For Eric, law school is an open opportunity that he wants to—rather than feels compelled to—embrace.

Sara was a lawyer and law professor when she went back to school for her MLIS. While she did take copyright classes in law school while pursuing her MLIS degree, the subject matter did not cover libraries. She did have a library science course in which copyright was discussed, but she hopes to develop a copyright law class specific for library science. Sara emphasized that her journey was about finding her calling, not just a career, and that process in no way requires a JD. She acknowledged that confidence and perception can be a concern for non-lawyer librarians, but specialized knowledge in copyright and libraries will be recognized regardless of paper credentials. Law school can be a great experience . . . or not. Law school is hard and expensive, and it will not focus on libraries and copyright. But if your eyes are open and you want to go, it can be a rewarding experience.

The first question from the audience brought about a discussion of the many alternatives to law school for learning more about copyright and libraries. Copyright workshops began appearing at conferences and professional development meetings 10 to 15 years ago, and even more are available now. Harvard's CopyrightX course (<http://copyx.org/>) provides a free opportunity to learn about American copyright in depth. Several MOOCs that are specific to libraries and copyright exist, including Coursera MOOCs developed by Kevin Smith, Lisa Macklin, and Anne Gilliland on "Copyright for Educators and Librarians" (<https://www.coursera.org/learn/copyright-for-education>) and "Copyright for Multimedia" (<https://www.coursera.org/learn/copyright-for-multimedia>). Sara Benson is working on a YouTube channel (https://www.youtube.com/channel/UCC_GmHipQ1WRKZyus2JF5WQ) with copyright information aimed at patrons, but it would still be relevant to librarians. Executive JD programs are also available with a 1-year curriculum. This plethora of professional development regarding copyright facilitates the deep learning of the topic, which is ultimately what earns the respect of others.

The final question from the audience was about how much libraries actually value a JD or if obtaining a law degree is more of a parachute to do something else. Kevin answered that libraries value it as much as they can, but most simply cannot. Going back to earn a JD is probably moving away from a library career. Kevin noted that he specifically specialized in labor and employment law because he felt it was most relevant to staying in higher education, and he considers himself lucky that he was able to do so. Sara added that law schools are a bit more willing to incentivize top candidates right now, but folks considering law school should think critically and honestly about their finances, life goals, and life beyond the money.

By the end of the panel, the consensus seemed to be that a JD was not a requirement for success as a copyright librarian. Just as many academic librarians specialize in the information of a subject area without formal credentials in that area, copyright librarians can develop specific knowledge of copyright application to libraries and/or higher education without earning a JD. Law school certainly has its benefits, but it is not an obligation as long as copyright librarians are aware of the pitfalls and boundaries related to discussions of the law. The final decision of whether one should go to law school should be about whether he or she wants to be a *lawyer*, not a *librarian*.