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Library Costs as a Percentage of Law School Budgets*

Jane L. Hammond**

For many years, the benchmark for the portion of the law school budget that goes to the law library has been twenty percent. An analysis of law school budgets for 1976-77, 1981-82, and 1986-87, however, shows that this benchmark should be lowered or modified by size of the law school.

In their seminal 1974 study, *The Costs and Resources of Legal Education*, Swords and Walwer suggested that

a broad model of a contemporary law school program might be constructed which would apportion direct costs at somewhat less than 30 percent for supporting services, about 50 percent for the instructional program, and somewhat more than 20 percent for the library. In view of the limited number of schools upon which the model is based and the broad variation among such schools, we are not suggesting that the proportions set forth are necessarily reflective of average relationships or should be construed as a standard.¹

In spite of the authors' caveat, the twenty percent figure became the benchmark for law library support. Moreover, the data reported by Swords and Walwer indicated that the percentage was rising beyond twenty percent. The nine case-study schools in their survey had a slight increase in the percentage of funds allocated to the library during the years of their study: the average rose from 17.9% in 1955-56 to 20.2% in 1970-71; the median rose from 18% to 20% in that period; and the range moved up from 10%-26% to 14%-29%. Swords and Walwer also reported that ten of the schools inspected in 1972-73 had assigned an average of 22.2% of their budgets to the law library. This led to the inference that library costs would take an increasingly large percentage of the law school's resources.

The persistent increase in the cost of library materials has reinforced this inference. However, such an inference is contradicted by the budget

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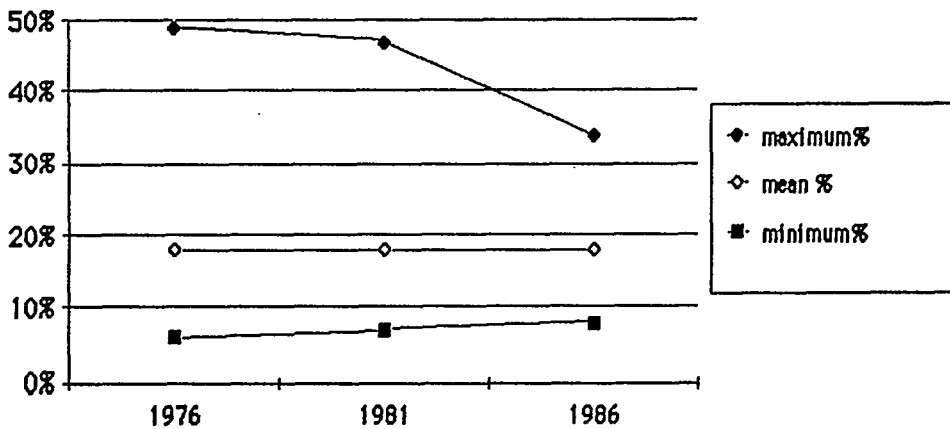
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1. P. SWORDS & F. WALWER, *THE COSTS AND RESOURCES OF LEGAL EDUCATION* 224 (1974).

figures reported to the Consultant on Legal Education for the American Bar Association for 1976-77, 1981-82, and 1986-87.

The average percentage of the total law school budget that went to the law library in 1986 was exactly that of 1955: 18%. Yet, the range in percentages of law school budgets allocated to the library proved to be large. (See Chart I.) This wide range of percentages led me to search for factors leading to such variations in support.

Chart I
Range of Library Support
1976 to 1986



Data Base

Each law school accredited by the American Bar Association is required to complete an annual questionnaire. Because the response rate is virtually 100%, the information compiled from the questionnaire provides a sound data base for studying United States law schools. Much of the information from those questionnaires is published annually by the American Bar Association² and the American Association of Law Libraries.³ Additional information needed for studies such as this one can be obtained directly from the Office of the Consultant on Legal Education. That office supplied me with information on total law school budget and total library budget from each questionnaire submitted in

2. See, e.g., AMERICAN BAR ASSOCIATION, A REVIEW OF LEGAL EDUCATION IN THE UNITED STATES (1987).

3. See, e.g., Thomas, *1986-87 Statistical Survey of Law School Libraries and Librarians*, 80 LAW LIBR. J. 485 (1988). David Thomas, AALL Statistics Coordinator, has also annually compiled a more detailed version of these statistics.

1976, 1981, and 1986. The remaining data were taken from the printed sources mentioned above.

Only schools with a full three-year J.D. program were included in the study; the Judge Advocate General's School, for example, was not included because it offers only a graduate law program; nor was Antioch Law School included for 1986, when it had only second- and third-year classes.

Schools for which the needed information was incomplete or patently inaccurate were eliminated for the year in question. For instance, one school was excluded for the year that it reported a library budget of \$4,000 while also reporting collection growth and a sizable library staff. No checking was done for less obvious errors, however.

Analysis

The following factors were used in this analysis: total law school budget, total law library budget, total enrollment, full-time enrollment, total volumes (including volume equivalents of microforms) held by the library. Note that the analysis is based on budget rather than actual expenditures. I assumed that the school's budget figures show the intended level of support more accurately than actual expenditures, which may vary for such reasons as staff vacancies.

Law library budgets have increased dramatically in the last ten years. In 1976, thirty-three law schools had library budgets below \$200,000, and only two were over \$1,000,000. In 1986 only one library was below \$300,000; thirty-two were below \$600,000; sixty-four were over \$1,000,000; twenty of those were over \$1,400,000. However, total law school budgets have increased at virtually the same pace. Total library budgets increased, on average, slightly less than 200%, while the average of the entire law school budgets increased slightly more than 200% (see tables 1 and 2).

Table 1
Law School Budgets
(Rounded to Thousands)

| | <u>1976-77</u> | <u>1981-82</u> | <u>1986-87</u> | <u>Percent of Increase 1976-86</u> |
|---------|----------------|----------------|----------------|--|
| Lowest | \$ 591,000 | \$ 1,019,000 | \$ 1,340,000 | 127% |
| Highest | 9,350,000 | 19,216,000 | 30,480,000 | 226% |
| Average | 1,926,000 | 3,546,000 | 5,818,000 | 202% |
| Median | 1,602,000 | 3,000,000 | 4,856,000 | 203% |

Table 2
Law Library Budgets
 (Rounded to Thousands)

| | <u>1976-77</u> | <u>1981-82</u> | <u>1986-87</u> | Percent of Increase <u>1976-86</u> |
|---------|----------------|----------------|----------------|--|
| Lowest | \$ 73,000 | \$ 185,000 | \$ 293,000 | 301% |
| Highest | 1,342,000 | 2,068,000 | 4,128,000 | 208% |
| Average | 324,000 | 608,000 | 966,000 | 198% |
| Median | 292,000 | 550,000 | 897,000 | 207% |

The portion of the total law school budget that was designated for the law library in the three years studied (1976-77, 1981-82, and 1986-87), is shown in table 3, along with the available data from Swords and Walwer.⁴ A median of 18% has been maintained during most of the last thirty years. The 20% in 1970-71 seems an aberration, which may be a result of the small sample used by Swords and Walwer.

Table 3
Percentage of Law School Budget Designated for Law Library

| | Fiscal Year | | | | |
|-----------------------|----------------|----------------|----------------|----------------|----------------|
| | <u>1955-56</u> | <u>1970-71</u> | <u>1976-77</u> | <u>1981-82</u> | <u>1986-87</u> |
| Minimum | 10.0% | 14.0% | 5.7% | 6.7% | 7.9% |
| Maximum | 26.0% | 29.0% | 49.5% | 47.1% | 34.1% |
| Average | 17.9% | 20.1% | 18.6% | 19.0% | 18.4% |
| Median | 18.0% | 20.0% | 18.1% | 18.2% | 17.9% |
| Standard deviation | | | 0.059 | 0.059 | 0.048 |

The size of the library may be a determining factor in the percentage of support the library receives from the law school. In 1976, the average budget for the smallest libraries did not take a significantly higher percentage than the average for all schools. The smallest nineteen libraries—those with fewer than 67,000 volumes—had a median budget of \$218,000 and a median percentage of 18.5% of the law school budget, only .4% higher than the average for all schools. The sixty-four libraries that had fewer than 100,000 volumes averaged 18.3% of the law school budget. This had changed by 1986, when the smaller libraries were up to 20% of the law school budget. Only two budgets were below \$400,000 in that year. The twenty smallest libraries had an average budget of

4. Figures for 1955-56 and 1970-71 are based on expenditures, not on the budgets, of the nine case study schools. P. SWORDS & F. WALWER, *supra* note 1, at 224.

\$575,000 and averaged 20.1% of the law school budget. All sixty-eight libraries with fewer than 200,000 volumes had an average budget of \$678,000, which was 20% of the law school budget.

The size of the student body has a measurable impact on the percentage of the school's resources used to support the library. The smaller the student body, the higher the percentage of library support. Comparisons were made between the percentages, using number of full-time students and total student population, including graduate students; the distinctions were more pronounced for full-time students. In 1986-87 the median percentage of resources budgeted for the library in schools with a full-time enrollment of more than 1,000 full-time students was 14.0%; for schools with fewer than 500 full-time students, the median was almost 50% higher—20.9% (see table 4).

Table 4
Full-time Enrollment as a Factor in
Law Library Support, 1986

| Number of <u>Students</u> | Up to <u>500</u> | 500- <u>699</u> | 700- <u>999</u> | <u>1000+</u> | Up to <u>700</u> | Over <u>700</u> |
|------------------------------|---------------------|--------------------|--------------------|--------------|---------------------|--------------------|
| Minimum | 11.3% | 7.9% | 9.3% | 9.3% | 7.9% | 9.3% |
| Maximum | 34.1% | 26.0% | 21.4% | 16.5% | 34.1% | 21.4% |
| Average | 20.8% | 17.7% | 15.5% | 13.9% | 19.6% | 15.1% |
| Median | 20.9% | 17.5% | 15.3% | 14.0% | 19.7% | 15.2% |
| Number of schools | 79 | 49 | 32 | 12 | 128 | 44 |

Chart II
Influence of Full-time Enrollment
on Percentage of Library Support

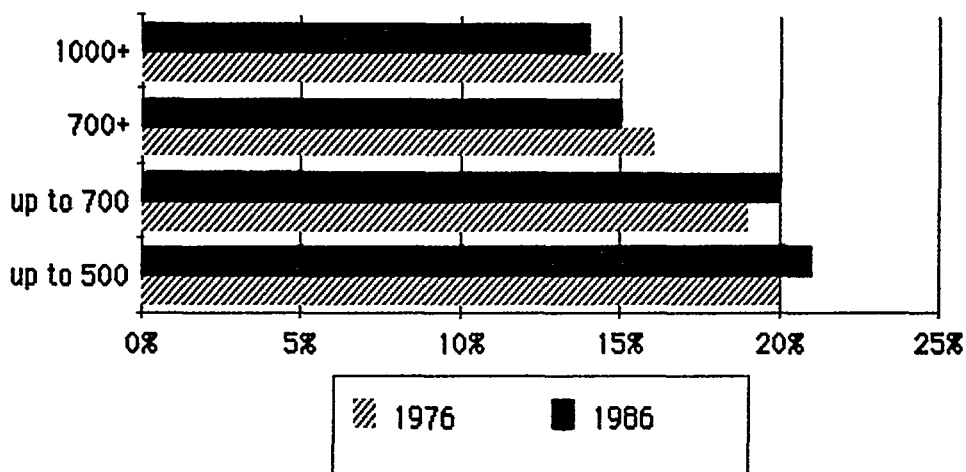


Chart II compares the 1976 and 1986 percentages of library support, based on enrollment. This shows that the disparity by enrollment has grown more pronounced in the last ten years.

As the size of a school's student body determines its faculty size, it is to be expected that an analysis of library support in relation to the size of the faculty would yield the same result as a comparison with the student body. For 1986-87, the result is similar: schools with no more than thirty full-time faculty members assigned 20.5% of their total budget to the law library; those with more than thirty full-time faculty allocated 15.2% to the law library.

This leads to the conclusion that the norm should not be 20% for all schools, as has been assumed since Swords and Walwer's article was published. The norm of 20% is valid only for schools with fewer than 700 full-time students. The norm for schools with more than 700 full-time students is now 15%. If a more precise measure is desired, the finer distinctions shown in the above charts and in Table 4 can be used.

Table 5
Support of Smaller School Libraries
(Rounded to Thousands)

| | <u>1976-77</u> | <u>1981-82</u> | <u>1986-87</u> |
|----------------------------|-----------------------|-----------------------|-------------------------|
| Size of collection | <u>Up to 80,000</u> | <u>Up to 120,000</u> | <u>Up to 170,000</u> |
| Minimum size | 25,000 | 46,000 | 102,000 |
| Average size | 66,000 | 99,000 | 138,000 |
| Median size | 67,000 | 98,000 | 137,000 |
| Number of libraries | 37 | 31 | 32 |
| % of all libraries | 24.0% | 17.0% | 18.0% |
| Average budget | \$206,000 | \$398,000 | \$626,000 |
| Median budget | \$177,000 | \$361,000 | \$554,000 |
| Range of budgets | \$ 73,000- 371,000 | \$206,000- 725,000 | \$102,000- \$168,000 |
| Average % of school budget | 17.7% | 20.9% | 20.9% |
| Median % of school budget | 17.6% | 21.2% | 20.0% |
| Range | 5.7-30.1% | 7.5-31.7% | 7.7-34.1% |

The high percentage for the smaller schools and for the smaller libraries raises the question of whether there is now a basic library budget that a school must meet, a budget that grows only incrementally as the school itself expands. If this were true, the dollars going to the library should increase at a slower pace than the school's total budget grows as students are added. This does not seem to be the case. The dollars spent by the smaller libraries vary by a factor of 3.5 to 5.6 over ten years. Eliminating new schools, which can be presumed to be building their collections, drops the range to 3.5 to 5.0, still a range too wide to support the assumption that there is a minimum budget that accounts for the larger percentage of support for the smaller libraries (see table 5).

Conclusion

Based on the budgets reported to the Consultant on Legal Education of the American Bar Association, both the average and the median percentage of law school budgets designed for the law school library have been about 18% for at least ten, and perhaps as many as thirty, years. The 20-22% reported by Swords and Walwer for the early 1970s appears to be an anomaly. Rather than relying on one benchmark for all law schools, a more reliable guide would be to distinguish by size of the full-time student body or size of the library collection or both. Most law schools with fewer than 700 students and a library of fewer than 170,000 volumes devote 20% of their resources to library support. Law schools with a full-time student body of more than 1,000 provide, on average, less than 15% of their resources to their libraries.