

Assignment 6 - Reference Interview

San Jose State University

School of Library and Information Science

LIBR210

Greg Reeve

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The following represents a possible library reference interview in a public library between a reference librarian and patron. The patron has a legal question about derivative works and copyright law. The librarian uses the RUSA (2013) *Guidelines for Behavioral Performance of Reference and Information Service Providers* as well as the RUSA (2001) *Guidelines for Medical, Legal, and Business Responses* to help answer the patron's reference question.

Patron	Reference Librarian	RUSA Guidelines Followed
A patron approaches the reference desk looking to ask a question.	The librarian notices the patron as he approaches, turns from their computer, stands up, turns to face the patron, and in a friendly tone says, "Hi, is there anything I can help you with?"	RUSA (2013) 1.1.2, 1.1.3, 1.2.2, 1.2.4, 2.2, 3.1.1, 3.1.2, 3.1.3
"I am a local DJ performing throughout the city. Since I paid for my music I feel I should be able to do with it as I please. As a DJ I remix the work of other musicians into my own work. Someone questioned me if that is legal or not and mentioned something about derivative works. Can you help me learn more about this?"	"I would be happy to help. Have you read about copyright law and derivative works before?"	RUSA (2013) 3.1.8, 3.1.9
"Not really. It all sounds gibberish to me. I didn't worry about it until someone challenged me about it. They said something about violating copyright. Do you think its illegal to remix the work of other artists without their permission?"	"Actually, I am not a lawyer or trained legal professional. We can share the legal resources available to you but we cannot give you legal advice as stated in the library's legal disclaimer" (The librarian points the patron to the written disclaimer clarifying what types of service the library can provide in regard to legal matters).	RUSA (2001) 1.0.3, 1.0.4, 1.3.3

Patron	Reference Librarian	RUSA Guidelines Followed
<p>"I see. What information can you share?"</p>	<p>"If you follow me to a computer I can show you some resources that will help answer your questions." (The librarian leads the patron to a library computer and shares some websites that can help answer the patron's questions specifically referring the patron to the <i>Gale Encyclopedia of American Law</i> (2011), <i>Title 17 of the United States Code on the U.S. Copyright Office</i> website, and <i>circular 14</i>, a printable PDF document available from the U.S. Copyright Office website. The librarian also shares the website <i>FindLaw</i> as a resource for the patron to use if needing to directly consult a lawyer in the area.)</p>	<p>RUSA (2001) 2.0.2, 2.0.3, 2.1.1</p>
<p>"Great. Thanks for sharing these. I hope they help me answer my question. I don't think I am doing anything wrong but I want to be sure."</p>	<p>"You are welcome. We are happy to help. Anything else I can help you with today?"</p>	<p>RUSA (2013) 5.1.1</p>
<p>"Not right now. This will keep me busy. Thanks for the help."</p>	<p>"Glad to help. Feel free to come to us if you have any more questions."</p>	<p>RUSA (2013) 5.1.2</p>

Reference Interview Analysis

To successfully navigate a legal reference interview requires that the librarian acknowledge their lack of authority and expertise in legal matters. This is part of the librarian's responsibility to maintain a "careful balance" in following established ethical guidelines and sharing with the patron applicable resources that will help answer their question (Cassell and Hiremath, 2013, 175). This reference transaction was successful in the way the librarian didn't establish themselves as a legal authority on the subject in question but helped guide the patron to current resources that will help answer their question. It was also important for the librarian to maintain objectivity during the interview allowing the patron the freedom to express their viewpoint and beliefs on copyright issues.

The general RUSA guidelines informs how the librarian approaches and interacts with the patron also helps the patron feel at ease in asking their questions without fear of questioning or challenging the importance or value of the patron's question. A successful reference interview for legal issues involves striking an appropriate balance between serving the patron in finding resources to answer their questions while also following the ethic and written library policy that the librarian is not able to provide authoritative legal counsel. In this interview the librarian was careful to share the library's written disclaimer with the patron so they were clear about the proper role of the librarian in helping answer this legal question. Also, the librarian didn't respond directly when the patron expressed their opinion about the legal matter. Following the RUSA guidelines is key to helping librarians support intellectual freedom by staying objective during the interview, allowing the patron the freedom to express their views and beliefs.

Following the RUSA guidelines is also beneficial in that it allows the librarian to focus on what

they do best: helping patrons learn to learn by showing them resources they can use to find the answers they seek.

References

- Cassell, K., & Hiremath, U. (2013) *Reference and information services: An introduction*. (3rd ed.) Chicago, IL: Neal-Schuman.
- American Library Association. (2008). Guidelines for behavioral performance of reference and information service providers. Retrieved from <http://www.ala.org/rusa/resources/guidelines/guidelinesbehavioral>
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