WILLIAM S. RICHARDSON SCHOOL OF LAW
TENURE AND PROMOTION STANDARDS

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I. CRITERIA FOR TENURE IN THE J CLASSIFICATION

A. University Tenure Criteria for Instructional Faculty

Candidates for promotion to tenure in the J Classification must meet the criteria set forth in Criteria and Guidelines for Faculty Tenure/Promotion Application, University of Hawai'i at Mānoa, pp. 5-7 (Sept. 2013), which provide as follows:

Tenure Criteria for Instructional Faculty (including Law and Clinical Medicine)

1. The University must have a present and long-term need for a faculty member with the particular combination of qualifications, expertise, and abilities possessed by the applicant for tenure.

2. The faculty member must have demonstrated a high level of competence as a teacher during the probationary period. In the rank of Assistant Professor, there should be evidence of increasing professional accomplishment as a teacher. For the Associate and full Professor ranks, there should be evidence of a mature level of performance and the versatility to contribute to all levels of the department's instructional program. In all cases, the evidence should include summaries of student evaluations, how your classes contribute to programmatic and institutional learning outcomes, or other objective assessments of a significant sample of the courses taught during the probationary period.

3. The faculty member must have demonstrated a level of scholarly achievement appropriate to the rank at which tenure is sought in comparison with peers active in the same discipline. The comparison peer group consists not only of departmental colleagues but also of the whole of the

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Material supplemental to Campus-wide criteria appears in italics.
appropriate community of scholars active at major research universities. For the Assistant Professor seeking tenure as an Associate Professor, the applicant should be well on the way to becoming an established scholar in his or her discipline. The Associate Professor seeking tenure should be an established scholar whose scholarly contributions and recognition during the probationary period reflect this stature. The full Professor must be among the leaders in the scholarly discipline. In general, publication in a form that involves review by independent referees is of first importance in establishing scholarly achievement. Other means by which scholarly and creative contributions to the discipline are reviewed, utilized and evaluated by peers outside the University are also important. A more detailed listing of the criteria that will be used at each rank may be found in the promotion criteria (Part V) and the Executive Policy – Classification of Faculty, E5.221 (Appendix A).

Collaborative research and joint and shared publications may be the norm in some fields or disciplines. In such cases, departments should include a discussion of authorship conventions — including the significance of authorship order — in their policies and procedures used for tenure and promotion. If not, applicants in such fields or disciplines should provide Department Personnel Committees and Department Chairs with documentation that such is the norm to aid the review process. The significance of such work within the discipline or field should be described to assist the review. Both 1) the proportion of time among given tasks and functions in research and/or writing, and 2) the total proportion of time and effort in the research or publication should be described to aid the review process. Co-author or researcher concurrence or an independent report on such contributions is needed to aid in review.

4. The faculty member should have participated in the academic affairs of the University, such as through service on appropriate faculty committees, and have shown a willingness to use
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professional competence in the service of the profession and the general community.

B. Law School Supplemental Guidelines

The following supplemental Law School guidelines apply to decisions regarding tenure:

1. General Comments Regarding Tenure

To be awarded tenure in the J classification at the University of Hawaii, William S. Richardson School of Law, a tenure candidate must demonstrate the accomplishments and qualities predictive of sustained success as a teacher, a creative and productive scholar, and a professional contributor to the public, the academy, and the legal community. A decision to grant or deny tenure should not be understood as a reward for past achievement. It expresses a prediction by the faculty about the candidate's likely future performance in teaching, scholarly productivity, and service, a prediction for which past performance is evidence. Candidates for tenure should understand, then, that in reaching a tenure decision, their colleagues will be asking not whether the candidate has "jumped through the necessary hoops," in their pre-tenure years, but rather, whether the candidate is likely to be an excellent teacher, scholar, colleague, and servant to the community and the legal profession over the next decades.

The prediction that lies at the base of the tenure decision will be evidence-based, and will center on three categories of criteria—teaching, scholarship, and service. The faculty will assess the quality of a candidate's scholarship only on the basis of his or her written work that is in a state of completion sufficient to satisfy reasonable standards of craftsmanship, and this written work must be sufficiently substantial to permit confident judgment by the faculty in the matter. With respect to teaching, in making a tenure decision, the faculty will consider student evaluations, class visits, assessment materials (e.g., examinations and means of providing performance feedback to students), and reviews of syllabi and other teaching materials (including, e.g., casebooks, compilations of legal and scholarly sources, case studies and problems) created by the candidate. In assessing the candidate's service to the Law School, the University, the legal profession, and the public, the faculty will consider the candidate's contributions to legal education, law reform, the governance of the University, public service and the administration of justice. Tenure standards may be
modified when a candidate's paramount function will be not directly to contribute to the teaching and scholarship missions of the Law School, but rather to perform in another capacity central to the Law School's mission, as in the case of a Law Library Director.

2. Supplemental Criteria Relevant to the Assessment of Scholarship

To be awarded tenure, the candidate must satisfy the following three criteria relating to scholarly productivity:

(a) That he or she is a respected and valued member of a regional, national, or international community of legal scholars, and/or scholars in law-related disciplines, and that he or she has made significant contributions to the intellectual life of that community, as reflected, for example, in his or her invited lectures and conference presentations, and in his or her publications in peer reviewed journals, hard copy and online law reviews, peer-reviewed monographs and similar publications, book chapters, casebooks, and edited or authored books;

(b) That he or she has developed a coherent and realistic plan for continuing, significant scholarly contributions in his or her areas of interest and expertise; and

(c) That he or she has made significant contributions to the scholarly life of the Law School and/or to other units of the University of Hawai'i, through the presentation of his or her own scholarly research to the Law School and University communities, and/or through the organization, hosting, and participation in conferences, symposia, and/or similar events at the Law School and/or at other units of the University.

There is no single path or fixed numerical criterion for the amount of scholarly production required to satisfy criterion (1), above. It would be unusual for a J-series candidate to be awarded tenure at the Law School, however, without having produced:

(A)(i) at least two full-length, high-quality law journal or peer-
reviewed articles on topics relevant to the law, or
(ii) at least one high-quality book of comparable length and scope, and
(B) at least two publications of more limited length or scope.

A topic will be considered "relevant to the law" if its subject matter concerns legal theory, legal doctrine, legal policy, legal history, legal practice, legal institutions, legal education, or other issues of concern to the legal academy and/or the legal profession. Relevance to more than one discipline does not detract from a determination that the scholarship is relevant to the law. Where a candidate submits interdisciplinary work or annotated legal translations in partial satisfaction of criterion (1), above, the faculty will obtain evaluations of the soundness and quality of the work's interdisciplinary or other scholarly elements from scholars in the relevant field(s).

In all cases, the faculty will evaluate, not merely quantify, the candidate's scholarly work. Scholarship, in contrast with teaching or service writing described in Sections below, must put forward an original idea that engages with other scholars working in the candidate's field and moves that field forward in a significant way. It must be based on significant primary and secondary research, and it must include sufficient references to sources so as to demonstrate a breadth and depth of research sufficient to give the candidate credibility with leading scholars in the candidate's field.

Although a "main tenure piece" has historically anchored a candidate's case for tenure, one piece alone will not suffice. Other works, published in peer reviewed and student reviewed journals, or books, along with written works presented in new media formats, will be evaluated to determine whether the candidate is influencing scholarly and professional thinking on matters important to the legal academy and the legal profession and is likely to continue doing so in the future if he or she is awarded tenure. Unless a candidate has made a truly extraordinary scholarly contribution with a smaller number of published works, a candidate should not expect to be awarded tenure if he or she has published less than the equivalent of two full length, high-quality law journal or peer-reviewed articles (or one high-quality book of comparable length and scope) and one high quality work of lesser length or scope.

If co-authored materials are submitted in satisfaction of criterion (1), above, the candidate must identify those elements of the
project that represent his or her work. In relying on co-authored work to satisfy the tenure standard, a candidate must establish overall that he or she played a central role in the conception, development, and crafting of the final work product.

With regard to the medium in which the material is published, while articles in short-format online journals (e.g., The Yale Law Journal's publication, "Pocket Part," or Northwestern's "Colloquy") can help satisfy criterion (1), above, non-reviewed publications like blog posts and op-ed pieces cannot.

To be counted toward satisfaction of the scholarly productivity criterion (1), above, an article or book chapter must, as of the date of the tenure case is submitted by the candidate to the Department Personnel Committee Chair, take the form of a completed manuscript, and it must, as of this date, have been accepted for publication. A book must be in manuscript form and must be under contract with a publishing company. Self-published books and articles cannot be used to satisfy criterion (1), above.

Materials written for non-academic audiences (e.g., CLE-type materials for practicing lawyers, practice guides, amicus briefs, handbooks for the community-at-large) cannot substitute for books, book chapters, or articles published in law or peer-reviewed journals or monographs. Materials of this kind may be used in the candidate's case under criteria relevant to the assessment of instruction and service.

To satisfy criterion (2), above, the candidate should produce a five-to ten-year post-tenure scholarship plan that demonstrates the likelihood of sustained scholarly engagement and productivity in his or her post-tenure years. Work in progress will also be considered in relation to the candidate's satisfaction of criterion (2), above.

3. Supplemental Criteria Relevant to the Assessment of Instruction

General Comments: The Richardson professor must be a master teacher. We recognize that teaching improves with practice, self-reflection, evaluation, and an investment in the craft of teaching. Law teachers are generally expected to be innovative teachers who accommodate different learning styles. Moreover, across the curriculum, law teaching involves teaching doctrine, skills, and values; therefore, law teachers must vary teaching methods
depending on the learning objectives. We generally prefer teaching that actively engages students in learning, reflection, and skills development, as opposed to passive teaching such as lecturing.

Teaching should reflect mastery of the subject, depth of research, high standards of accuracy and creativity, precision in analysis, clarity in language and organization, and a spirit of healthy inquiry into the values and assumptions that underpin law and society.

Evidence of effective teaching comes from various sources. These include, but are not limited to, peer evaluations; standard student teaching evaluations, including student comments; review of course materials, including syllabi, examinations, class exercises and assignments; and the teacher's narrative regarding his or her teaching methods, teaching philosophy, and their own articulation of student learning objectives. Circumstances such as teaching load, number of contact hours, class size, subject matter, methodologies, preparation of teaching materials, and years of experience will be considered in assessing the teacher.

Different individuals are effective teachers for different reasons; it is not possible to define each of the essential components of teaching effectiveness. The following factors, however, shall be considered when we evaluate a candidate's teaching:

(a) effectively communicating and showing enthusiasm for teaching and for interaction with students;

(b) displaying breadth and depth of relevant knowledge in the course content;

(c) thoughtfully and creatively organizing both individual class sessions and overall course content;

(d) displaying a high degree of preparation for each class session;

(e) stimulating students to learn and to seek further knowledge independently;

(f) willing and able to direct student work inside and outside the classroom,
(g) devising methods of determining a student’s progress and achievement appropriate to the courses taught;

(h) stimulating students to engage in creative work, accessibility to students, and demonstrated interest and involvement in students’ welfare;

(i) demonstrating respect for students;

(j) modeling and holding students to high professional standards;

(k) employing fair and accurate methods of assessment of student performance;

(l) showing growth as a teacher by responding and adapting teaching based upon self, peer, and student evaluations; and

(m) mentoring new teachers, participating and leading in curriculum development within the school and in the law teaching profession

4. Supplemental Criteria Relevant to the Assessment of Service

General Comments: We recognize that an ethic of service underlies all that a Richardson professor does. As part of the triad of criteria for tenure and promotion, service refers to activities outside one’s regular teaching and scholarly responsibilities as described herein. The spectrum of service activities should be sufficiently broad to account for the diverse talents, interests, expertise, experiences, knowledge, skills, and values represented on our faculty. However, within this diversity are unifying qualities that make service particularly valuable not only to the beneficiary of the service but also to the faculty member. These qualities include (1) contributing a specialized lens formed by one’s professional discipline, expertise, perspectives, and experiences, including but not limited to one’s affiliation with the university and law school, (2) a desire to reach beyond the law school and create or sustain beneficial connections with the persons, groups, or institutions served, (3) requiring a significant expenditure of time and professional effort, without additional compensation, that reflects the seriousness of the faculty member’s commitment, and (4) a selflessness that elevates the needs of
the person, group, or institution served without unduly diminishing the faculty member's other professional responsibilities.

Evidence of effective service comes from various sources. These include letters and other testimonials from partners, clients, colleagues, supervisors, and others who participated with the faculty member or benefited from the faculty member’s activities, evidence of work product directly resulting from the faculty member’s service, and publications describing the faculty member’s work or the result of his or her work. Although external criteria are required, the faculty member’s accounts and reflections of his or her service contributions will also be considered.

Examples of faculty service include but are not limited to the following:

University Service

(a) Serving as a member or chair of a department, campus-wide, or system-wide committee;

(b) Working on faculty governance bodies or their committees;

(c) Serving as an assigned mentor to colleagues, staff, or students;

(d) Serving as a member of a review or evaluation committee;

(e) Performing a leadership role for university-related projects;

(f) Organizing or presenting at conference or workshops for faculty development; and

(g) Providing expertise, consultation, or both in developing and/or teaching workshops at the university.

Professional Service

(a) Reviewing research, professional organization proposals, manuscripts;

(b) Serving as an editor of conference proceedings, a journal editor, a member of an editorial board or other professional publication in one’s area of expertise or interest;
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(c) Serving as an officer or other leadership position in a state, national, or international professional society in the area of one's expertise or interest;

(d) Organizing, chairing, or otherwise significantly contributing to a conference or conference session;

(e) Conducting workshops, seminars, and presentations in one's area of expertise;

(f) Commenting on published materials at the request of a professional colleague;

(g) Developing options and opportunities for faculty development;

(h) Cultivating and maintaining relationships with professional peers and institutions from other countries; and

(i) Working with a bar association to improve the legal profession.

Community or Public Service

(a) Providing uncompensated consultation to the community-at-large or to international organizations or government agencies in one's area of professional expertise;

(b) Making presentations to public groups on topics related to one's professional expertise or interest;

(c) Providing uncompensated legal services to individuals and groups that would not otherwise have had access to services or assistance to groups that provide such services;

(d) Serving on advisory or governing boards or on board committees in areas of one's professional expertise or interest;

(e) Providing expertise in the legislative setting; this can take the form of drafting legislation, writing reports, providing testimony at hearings, speaking with or advising legislators, and serving as a special investigator or a member of a committee tasked with studying an issue or implementing a legislative initiative;
(f) Providing assistance to international organizations or federal, state, or county agencies in one's area of professional expertise; and

(g) Providing assistance to volunteer organizations in one's area of professional expertise or interest.

II. CRITERIA FOR PROMOTION IN THE J CLASSIFICATION

A. Promotion Generally

Promotion standards for promotion from Assistant Professor (J-3) to Associate Professor (J-4) and for Associate Professor to Professor (J-5) do not involve different criteria than those required for tenure. Instead, promotion standards account for the stage of one's career as a law professor, manifest promise of continued growth and scholarly engagement, and an increasing level of contribution to one's field. For promotion purposes, these standards recognize that maturity and mastery as a teacher, scholar, and community servant require continued growth through experience, professional development, and an investment of effort as a scholar teacher, and professional.

B. Promotion to Associate Professor (J-4)

Candidates for promotion to Association Professor (J-4) must meet the criteria set forth in Criteria and Guidelines for Faculty Tenure/Promotion Application, University of Hawai‘i at Mānoa, pp 10-11 (Sept. 2013), which provide as follows:

**Promotion to Associate Professor.** [Re: Instruction] The faculty member must provide evidence of a mature level of performance as a teacher and the versatility to contribute to all levels of the department's instructional program. This evidence should include summaries of student evaluations, how your classes contribute to programmatic and institutional learning outcomes, or other objective assessments of a significant sample of the courses taught while in the rank of Assistant Professor. [Re: Scholarship] The Assistant Professor seeking promotion to Associate Professor should be well on the way to becoming an

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Promotion and Tenure standards for the Director of the Law Library (J Classification) appear at the end of this section.
established scholar in his or her discipline. The comparison peer group consists not only of departmental colleagues, but the whole of the community of scholars active at major research universities. In general, publications and other creative activities of a type that permit review by independent referees are of first importance in establishing scholarly achievement. Other means by which scholarly and creative contribution to the discipline are reviewed, utilized and evaluated by peers outside the University are also important. [Re: Service] The faculty member should have participated in the academic affairs of the University, such as through service on appropriate faculty committees and should have shown a willingness to use professional competence in the service of the profession and the general community.

The following supplemental Law School guidelines apply to decisions regarding promotion to Associate Professor (J-4):

1. **Instruction**

_for promotion to Associate Professor (J-4), the candidate must provide evidence of mature performance as a teacher and the versatility to contribute to all levels of the department's instructional program. In evaluating the candidate's maturation as a teacher, the following factors should be considered:_

(a) Peer evaluations of the candidate's teaching based on classroom visits, reviews of syllabi, candidate-created course materials, assessment tools, and methods of incorporating student performance into future pedagogical approaches;

(b) Participation in continuing professional development activities focused on the improvement of the candidate's teaching and knowledge in the candidate's fields of study;

(c) Evidence that the candidate is regularly and reliably incorporating new substantive developments in the field of instruction as those developments emerge;
(d) Participation in the collective efforts among faculty members to improve the Law School’s program of legal education; and

(e) Standard student teaching evaluations.

2. Scholarship

For promotion to Associate Professor, the candidate must demonstrate the ability to conduct independent research and scholarship, to make meaningful contributions in his or her scholarly field, and to participate nationally and/or internationally in the community of scholars in his or her field of research.

While there is no fixed numerical criterion for the amount of scholarly production required to justify promotion from Assistant to Associate Professor, in the run of cases a successful candidate for promotion to Associate Professor (J-4) will have produced:

(A)(i) at least two full-length, high-quality law journal or peer-reviewed articles on topics relevant to the law, or

(ii) at least one high-quality book of comparable length and scope, and

(B) at least two publications of more limited length or scope.

A topic will be considered “relevant to the law” if its subject matter concerns legal theory, legal doctrine, legal policy, legal history, legal practice, legal institutions, legal education, or other issues of concern to the legal academy and/or the legal profession. Relevance to more than one discipline does not detract from the scholarship’s relevance to the law. Self-published materials, continuing education materials that are not peer reviewed and published, and blog entries cannot substitute for law journal or peer-reviewed articles.

3. Service

A successful candidate for promotion to Associate Professor (J-4) will demonstrate significant service to the Law School, the University, the legal profession, and the community. Community service should be related to a candidate’s field of study, should benefit individuals and communities, and should influence public policy.
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C. Promotion to Professor of Law (J-5)

Candidates for promotion to full Professor (J-5) must meet the criteria set forth in Criteria and Guidelines for Faculty Tenure/Promotion Application, University of Hawai‘i at Mānoa, p. 11 (Sept. 2013), which provide as follows:

Promotion to Professor. [Re: Instruction] The faculty member must provide evidence of a mature level of performance and achievement as a teacher and the versatility to contribute to all levels of the department’s instructional program. This evidence should include summaries of student evaluations, how your classes contribute to programmatic and institutional learning outcomes, or other objective assessments of a significant sample of the courses taught while in the rank of Associate Professor. [Re: Scholarship] The significance and distinction of the scholarly achievement should clearly place the faculty member at the forefront of the discipline or field. In general, publication in the major journals and presses in the field is of first importance in establishing this level of scholarly achievement. Funded research grants and other means by which scholarly and creative contribution to the discipline are reviewed, utilized and evaluated by peers outside the University are also important. [Re: Service] The faculty member should be a leader in the academic affairs of the University, should have shown a willingness to use professional competence in the service of the profession and the general community, and should have shown significant accomplishment in the profession and the appropriate discipline.

The following supplemental Law School guidelines apply to decisions regarding promotion to full Professor (J-5):

1. Instruction

For promotion to full Professor (J-5), the candidate must have achieved a high level of mastery in teaching, and must have demonstrated the ability to mentor more junior faculty in their efforts to improve their teaching. In determining whether a candidate for promotion to full Professor (J-5) has achieved this
level of mastery, the following questions, among others, should be considered:

(a) Do peer evaluations of the candidate’s teaching, based on classroom visits, reviews of syllabi, candidate-created course materials, assessment tools, and methods of incorporating student performance into future pedagogical approaches, demonstrate that the candidate’s teaching has continued to evolve and improve since the candidate’s promotion to J-4?

(b) Has the candidate become a producer, not merely a consumer, of continuing professional development programs relating to the subject matter areas in which the candidate teaches and to legal pedagogical methods?

(c) Do junior faculty members report that the candidate has demonstrated concern with their development and has helped them improve their skills?

(d) Has the candidate developed innovative courses, pedagogical methods, or teaching materials that incorporate best practices in legal education or that otherwise demonstrably improve student learning outcomes?

(e) Is the candidate a leader in collective faculty efforts to improve the Law School’s program of legal education?

(f) Do standard student teaching evaluations reflect a high level of candidate performance as a teacher?

2. Research

Full professors play a critical role in shaping the intellectual life of the Law School. Thus the rank of Professor of Law (J-5) should be reserved for those who have clearly met the criteria for tenure and have demonstrated continuous intellectual development and leadership since their last promotion. Promotion to full Professor should be reserved for those who can document high-quality performance in scholarship since their last promotion and who can
instill in their colleagues strong confidence that the candidate's scholarly productivity will continue into the future.

To be promoted to Professor of Law (J-5), a candidate must demonstrate that he or she continues to be held in high national and/or international regard as a leader in his or her field or fields of study, and that his or her scholarly contributions produced since their last promotion have had a significant national and/or international impact on law, legal policy, and/or the study of law. Scholarly output since being promoted to Associate Professor of Law (J-4) would normally comprise at least two, full-length, high-quality law journal or peer-reviewed articles, or a book of comparable scope, length, and quality.

Additionally, a candidate must show that his or her scholarship has had a demonstrable impact. He or she may do this in at least two different ways. First, the candidate may show that his or her scholarly output has made him or her a leading scholarly figure in the legal academy and/or profession, or in other academic and/or professional fields that are related to law or affected by legal developments. Second, the candidate may demonstrate that his or her scholarly output has had a significant on the substantive law itself, on legal policy, or on legal practices or institutions.

3. Service

A successful candidate for promotion to Professor (J-5) will demonstrate outstanding service to in at least three of the following five categories: the Law School, the University, the legal profession, legal academia, and the community. Community service should be related to candidate's field of study, should benefit individuals and communities, and should influence public policy.

D. Tenure and Promotion standards for the Director of the Law Library (J Classification)

A person appointed to a J-Faculty position as Director of the Law Library shall be considered for tenure and promotion in accordance with the process provided for other members of the J faculty, except that the following special conditions shall also apply:

The Law Library plays a central role in the educational and scholarly mission of the law school. Effective administration of the Library is essential to the successful performance of that mission.
Consequently, the Director of the Law Library is necessarily involved, either directly or indirectly, in teaching and scholarship, as well as in the administration of the law library. However, the nature of the Director's participation in teaching and scholarship will be different from that of the teaching faculty. Therefore, the Director shall be evaluated for tenure and promotion under five criteria: (1) effectiveness as Director of the Law Library; (2) contribution to the educational function of the law school; (3) other service to the law school; (4) service to the broader community; and (5) continued professional growth.

1. **Effectiveness of Performance as Director of the Law Library.**

The primary responsibility of the Director of the Law Library is the administration and management of the law library. The Dean, as supervisor of the library Director, evaluates the effective administrative performance of the Director. The faculty's role, as part of the tenure and promotion process, is to determine whether the Director is administering the library in a manner that serves the Law School's educational and scholarly mission. In evaluating compliance with these criteria, the faculty shall consider the Director's responsibility to:

- (a) develop and maintain a library collection and information research services adequate to the needs of a law school, consistent with the library budget;

- (b) ensure that library operations effectively support instruction and research at the law school;

- (c) develop services for different library patron groups (including faculty, students, and the broader legal community); and

- (d) direct the planning process for the library and define library goals to support the mission of the law school in coordination with faculty and administration.

2. **Contribution to the Educational Function of the Law School.**

The Director of the Law Library is not expected to teach substantive law courses and the teaching of such courses is not a condition of tenure for the Director. Nevertheless, the Director is expected to contribute to the law school's educational functions. Activities which could satisfy this criterion include, but are not limited to:
(a) contribution to the research and writing program and advanced research courses, including teaching, providing feedback, and advising;

(b) other participation in classroom instruction;

(c) library orientation programs for students and faculty;

(d) organization of or participation in seminars, lectures, talks, or workshops for library patron groups;

(e) continuing education for the library staff;

(f) teaching students and faculty, formally and informally; and

(g) support to faculty teaching and research.

3. Service to the Law School

As is true for all tenured faculty, the Director is expected to participate in activities that will contribute to the improvement of the law school. Many of the activities relevant to the criterion concerning effectiveness of performance as Director will be relevant to this criterion as well. Additional activities that will be considered to determine satisfaction of this criterion include, but are not limited to:

(a) service on regular and special committees;

(b) participation in the recruitment of faculty, students, and staff;

(c) participation in the governance of the law school;

(d) fund-raising and other activities to support the law school and law library;

(e) support of the educational and scholarly activities of the Law School faculty and students;

(f) attendance at and participation in faculty colloquia, lectures on campus, and other school functions.
4. **Service to the Broader Community**

Every faculty member, including the Director, is expected to provide professional service to communities beyond the Law School. As with service to the law school, many of the activities relevant to the criterion concerning effectiveness of performance as Director will be relevant to this criterion. Other activities that will be considered to determine satisfaction of this criterion include, but are not limited to:

(a) participation in library and professional organizations;

(b) service as a member of a team of experts, task force, or review committee to evaluate law school or other libraries;

(c) organization of and participation in professional workshops, seminars, and meetings;

(d) representing the law school in the professional library community;

(e) service as an officer or board member of a non-profit organization; and

(f) other participation in the library and legal professions.

5. **Scholarship and Continued Professional Growth.**

Prior to receiving tenure, the Director shall have earned a law degree from an ABA accredited law school and a Master’s degree in library or information science from a program accredited by the American Library Association. In addition, the Director is expected to demonstrate continued professional growth as a condition of tenure. That demonstration may include published work, whether scholarship of the type required for general tenure of the teaching faculty; publications concerning library science, information science, legal and law-related research and related areas; or publication of professional works of librarianship such as bibliographies and bibliographic essays, annotated research guides, surveys of legal/library literature, and indices. Other activities that demonstrate continued professional growth include, but are not limited to:

(a) presentation of professional papers;
(b) continuing education in developments in library science and new technologies through course work at appropriately accredited institutions;

(c) leadership of, committee work for, and participation in scholarly and professional organizations; and

(d) attendance at professional workshops, seminars, and meetings.

III. TENURE STANDARDS FOR SPECIALIST AND LIBRARIAN FACULTY

1. The University must have a present and long-term need for a faculty member with the particular combination of qualifications, expertise, and abilities possessed by the applicant for tenure.

2. The faculty member must have demonstrated a level of professional achievement and productivity in the field of specialization appropriate to the rank at which tenure is sought in comparison with peers active in the same field. The comparison peer group consists not only of local colleagues but also of the whole of the appropriate professional community active at major institutions of higher education. At the ranks of Junior and Assistant Specialist and Librarian II and III, the applicant should demonstrate clear evidence of professional growth in the specialty. The Associate Specialist and Librarian IV seeking tenure should be an established contributor to the standards, techniques, and methodology of the profession. The full Specialist and Librarian V must show evidence of interaction with the broader professional community beyond the University of Hawai‘i and have made significant contributions to the standards, techniques, and methodology of the profession. For the senior ranks, there should be evidence of a high level of professional maturity and the capacity to assume responsibilities calling for the extensive exercise of independent judgment. A more detailed listing of the criteria that will be used at each rank may be found in the promotion criteria (Part V) and the statement of minimum qualifications (Appendix A).

The faculty member should have participated in the academic affairs of the University, such as through service on appropriate faculty committees, have shown a willingness to use professional competence in the service of the profession and the general
community, and have demonstrated the ability to work effectively with faculty, staff, and administrators as necessary.

IV. PROMOTION CRITERIA FOR SPECIALIST FACULTY

A. Promotion to Assistant Specialist

Education. Training represented by a Juris Doctor (JD) degree or a Master's degree and 30 credits of graduate study beyond the Master's from a college or university of recognized standing with major work in a field closely related to the position involved is required.

Experience. At least three years previous experience at the next lower rank or equivalent.

Professional Activities. The faculty member must provide evidence of competence, productivity and increasing professional achievement and maturity in the performance of assigned duties. There should be evidence of ability to perform duties calling for independent professional judgment in the field of specialization, evidence of productivity and an indication of the capacity to supervise clerical help.

Professional Development. The faculty member shall demonstrate knowledge of current developments in the field of specialization. There must be evidence of familiarity with the broader professional community beyond the University of Hawai'i.

Service. The faculty member should have shown a willingness to use professional competence in the service of the Law School, the profession, and the community.

B. Promotion to Associate Specialist

Education. Training represented by a JD degree or a doctorate from a college or university of recognized standing with major course work and dissertation in a relevant field is required.

Experience. At least four years of experience in the appropriate specialty in the next lower rank or equivalent are required.

Professional Activities. The faculty member must provide evidence of increasing professional maturity in the professional
specialization and in the performance of duties in the rank of Assistant Specialist, including evidence of the ability to exercise independent professional judgment competently in the field of specialization. The faculty member must demonstrate the ability to plan and organize assigned activities and to supervise the work of assistants, if appropriate.

**Professional Development.** The faculty member must demonstrate a level of professional achievement which reflects his or her stature as a contributor to the standards, techniques, and methodology of the profession in comparison with peers active in the same field. The comparison peer group consists not only of local colleagues but the whole of the professional community active at major institutions of higher education. In general, contributions of such a nature as to permit critical review and facilitate use by other professionals are of first importance in establishing professional achievement. There must also be evidence of significant interaction and leadership with the broader professional community beyond the University. The faculty member may demonstrate professional achievement through research and evaluation to ensure that programs and services are relevant and that they are meeting student, institutional, and client needs. In addition, the faculty member shall demonstrate knowledge of current developments in the field of specialization.

**Service.** The faculty member has used professional competence in the service of the Law School, the profession, and the community. Service activities may comprise a significant portion of the faculty member's role and may include those that have to do with the internal organization of the university itself; those activities having to do with the professional bodies which provide the faculty member with professional identity and status; and activities which normally occur outside the institution itself and are related to the faculty member's professional expertise and/or responsibilities.

C. **Promotion to Specialist**

**Education.** Training represented by a JD degree or a doctorate from a college or university of recognized standing with major course work and dissertation in a relevant field is required.

**Experience.** At least four years of experience in the appropriate specialty in the next lower rank or equivalent are required.

**Professional Activities.** The faculty member must provide evidence of increasing productivity and professional maturity in
the performance of duties in the rank of Associate Specialist, including evidence of the competent exercise of independent professional judgment in the field of specialization. The faculty member must provide evidence of successful planning and organization of assigned activities, including the supervision of assistants.

**Professional Development.** The faculty member must demonstrate a level of professional achievement which establishes his or her stature as a substantial contributor to the standards, techniques and methodology of the profession. This stature is not only with respect to local colleagues, but the whole of the professional community active at major institutions of higher education. In general, contributions of such a nature as to permit critical review and facilitate use by other professionals are of first importance in establishing professional achievement. There must also be evidence of significant interaction and leadership with the broader professional community beyond the University.

**Service.** The faculty member has used professional competence to provide significant service of the Law School, the profession, and the community. Service activities may comprise a significant portion of the faculty member’s role and may include those that have to do with the internal organization of the university itself; those activities having to do with the professional bodies which provide the faculty member with professional identity and status; and activities which normally occur outside the institution itself and are related to the faculty member’s professional expertise and/or responsibilities.

**D. Supplemental Guidelines for Specialist Faculty**

*In general, promotion may be recommended on the basis of professional growth as evidenced by the quality, effectiveness, and continuity of the faculty member’s total contribution to the Law School. These are illustrations of how faculty specialists may make a case for tenure or promotion. These illustrations are merely advisory, and the list of illustrations is not exhaustive. The specific duties and responsibilities of faculty specialists in the Law School include a range of activities. An individual faculty member’s duties and responsibilities as they are described in their job description should provide the framework for his or her dossier.*

As members of the academic community, specialist faculty engage in activities designed to provide support to students, to researchers,
to other faculty, and to other client groups both within the Law School and in the community. Specialist faculty have the common goal of providing a support system that is prerequisite to academic, research, and/or community stability and success, as well as effectiveness and efficiency of operation of the Law School.

Specialists' activities and duties do not easily lend themselves to categorization into a tripartite model such as that suggested by the traditional role of instructional faculty. Specialist faculty activities are not consistent across settings due to the complexity, the number, and the variety of locations and assignments. The responsibilities of specialist faculty generally involve three distinct categories of activities which can be perceived as parallel to the tripartite model characterizing instructional faculty workload. The categories are: 1) professional activities; 2) professional development; and 3) service activities.

1. Professional Activities

   (a) Administration

   (1) Participating in the development, interpretation, revision, and implementation of policies and procedures governing a program/activity;

   (2) Planning, ordering, and securing resources for use in support of programs/services;

   (3) Administering, supervising, and/or coordinating programs or services; and

   (4) Performing general administration (writing correspondence, keeping records, preparing budgets, etc.).

   (b) Program Development

   (1) Identify and assess client group need in a systematic manner and respond appropriately in program planning and management;
(2) Program planning, development, decision-making, and implementation, including securing extramural funds as necessary and appropriate;

(3) Program monitoring and evaluation for ensuring that the original stated need is met and that needs have not changed;

(4) Making arrangements for, coordinating, and/or supervising participation in activities, programs;

(5) Developing and improving techniques, procedures, and materials; and

(6) Participating in the development and/or revision of program literature.

c) Direct Client Service

(1) Providing individual or group counseling/advising/consultation/support;

(2) Conducting informational or developmental workshops and seminars;

(3) Supervising internships, practica, research, work experiences;

(4) Providing feedback/evaluation/assessment of participant performance in research endeavors, programs, seminars, field work, counseling, advising, etc.;

(5) Designing developing and teaching academic courses;

(6) Designing and implementing teaching/instruction/research strategies based on selected goals, learning theory, and characteristics of learner/participant;
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(7) Developing effective research tools, learning aids, teaching materials, simulations, etc. to be used in teaching/presentations/workshops/research;

(8) Providing specialized services (e.g., employment information, career guidance, developing and managing equipment/facilities, etc.);

(9) Serving as advisor to student organizations/groups and/or other client groups;

(10) Providing verbal and written support in related endeavors, including assigned academic and research projects; and

(11) Providing guest presentations in academic classes.

(d) Teaching (Incorporated from the J Fac T&P)

(1) Evidence of mature performance as a teacher and the versatility to contribute to all levels of the department's instructional program;

(2) Peer evaluations of the candidate's teaching based on classroom visits, reviews of syllabi, candidate-created course materials, assessment tools, and methods of incorporating student performance into future pedagogical approaches;

(3) Participation in continuing professional development activities focused on the improvement of the candidate's teaching and knowledge in the candidate's fields of study;
(4) Evidence that the candidate is regularly and reliably incorporating new substantive developments in the field of instruction as those developments emerge;

(5) Participation in the collective efforts among faculty members to improve the Law School’s program of legal education; and

(6) Student teaching evaluations.

2. Professional Development

(a) Research/Evaluation

(1) Determining needs and interests of targeted service groups through formal assessment methods;

(2) Evaluating success, effectiveness, user satisfaction, utilization of program or service through formal evaluation methods;

(3) Conducting formal inquiry into a topic through accepted means (reviewing literature, generating hypotheses, collecting, analyzing, and interpreting data);

(4) Planning, presenting, and/or editing written/oral reports of results of research/evaluation;

(5) Presenting materials for publication in relevant journals, books, monographs, etc.;

(6) Applying for and receiving fellowships, grants, and/or awards for research/evaluation purposes;

(7) Presenting papers or poster sessions at a professional conference, colloquium, seminar;
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(8) Conducting research or other studies in field of specialization;

(9) Creating documents/tools, maintaining facilities/equipment that assist in research being conducted by others; \textit{and}

(10) \textit{Engaging} in professional activities that enhance research visibility and prominence of the unit/institution.

(b) Professional Development

(1) Being selected and making presentations, participating in a panel or discussion group at a professional conference/seminar

(2) Engaging in formal study, workshops, meetings, seminars and conferences in order to improve professional competence;

(3) Studying for/completing requirements for advanced degree, license, diploma, certification, etc., in a field relevant to the position involved; \textit{and}

(4) Remaining current with literature and professional associations relevant to area of expertise (e.g., professional society membership, contributions to professional activities).

3. \textit{Service}

(a) University Service

(1) Serving as a member or chair of a \textit{Law School}, campus-wide, or system-wide committee;

(2) Working on faculty governance bodies, committees (e.g., Mānoa Faculty Senate, College Faculty Senate);
(3) Serving as a mentor to colleagues, staff, students;

(4) Responding to both formal and informal requests for documentation of relevant data, proposals, reviews, reports;

(5) Serving as a member of review/evaluation panel/committee;

(6) Acting as special project leader or coordinator;

(7) Organizing/presenting conferences/workshops for faculty development; and

(8) Providing expertise/consultation in developing and/or teaching courses/workshops in collaboration with other university professionals.

(b) Professional Service

(1) Reviewing research, professional organization proposals, manuscripts;

(2) Serving as an editor of conference proceedings, as a journal editor, as a member of an editorial board or other professional publication in area of expertise;

(3) Serving as an officer and/or board member in a state, national, or international professional society in the area of one’s expertise;

(4) Organizing, chairing, or co-chairing a conference or conference session;

(5) Responding to requests to conduct workshops, seminars, and presentations in area of expertise;
(6) Consulting and advising with professional colleagues;

(7) Responding to requests for comments on published materials; and

(8) Working to provide options/opportunities for faculty development which also enhance the mission of the University.

c) Community Service

(1) Providing uncompensated consultation to the community and to government agencies in area of expertise;

(2) Speaking, making presentations to public groups, bodies;

(3) Serving on advisory boards, committees as related to area of expertise;

(4) Conducting conferences and workshops on campus for the benefit of the community;

(5) Providing expert testimony at legislative and public hearings, and/or meetings while serving as a representative of the university in area of expertise;

(6) Providing assistance to federal, state, or county agencies in area of expertise; and

(7) Providing service to volunteer organizations in area of expertise

V. Promotion Standards for Librarian Faculty

A. Promotion to Librarian III

Education. Training represented by a Master’s degree in Library or Information Science from a program accredited by the American Library Association or from a college or university of
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recognized standing, (E5.221, p. 20) and in addition to the
Master’s degree, 24 post-baccalaureate credits of academic study.

Experience. At least three years of appropriate legal or library (B Fac.) experience is required.

Professional Activities. The Librarian must provide evidence of
competence, productivity and increasing professional achievement
and maturity in the performance of assigned duties. There should
be evidence of ability to perform duties calling for independent
judgment as well as evidence of initiative, analytical and problem-solving ability.

Professional Development. The Librarian should demonstrate
awareness of current professional literature and development. The
Librarian should demonstrate familiarity with departmental
functions, library-wide goals and University programs.

Service. Demonstrates the Core Competencies of Law
Librarianship 1.1-1.16. (AALL Executive Board, Competencies of
Law Librarianship (approved by the Executive Board, March 2001,
Tab 34A, revised by the Executive Board April 2010, Tab 17)
available at http://aallnet.org/main-menu/Leadership-
Governance/policies/PublicPolicies/competencies.html.

B. Promotion to Librarian IV

Education. Training represented by two Master’s degrees is
required: one in Library or Information Science from a program
accredited by the American Library Association or from a college
or university of recognized standing, (E5.221, p. 20), and a juris
doctor (JD) degree from an ABA Accredited Law School or foreign
equivalent with sound knowledge of the US legal system, or (B
Fac.) one in a specialized subject area.
Experience. Seven years of appropriate legal or library (B Fac.)
experience or four years in the rank of Librarian III are also
required.

Professional Activities. The Librarian must provide evidence of
increasing professional maturity in the professional specialization
and in the performance of duties in the rank of Librarian III,
including evidence of the ability to exercise independent
professional judgment. The Librarian should demonstrate
participation in academic or professional activities within the
University and beyond.
Professional Development. The Librarian should show ability to anticipate and recommend changes in accordance with the changing needs of the Library and University as a whole and should also exhibit independence and creativity in the provision of service and/or program development or evaluation. If managerial or supervisory responsibilities are an aspect of the Librarian’s assigned position or function, there should be demonstration of maturing competence in this area. The Librarian should demonstrate familiarity with departmental functions, library-wide goals and University programs.


C. Promotion to Librarian V

Education. Training represented by two Master’s degrees is required: one in Library or Information Science from a program accredited by the American Library Association or from a college or university of recognized standing. (E5.221, p. 20), and a juris doctor (JD) degree from an ABA Accredited Law School or foreign equivalent with sound knowledge of the U.S. legal system, or (B Fac.) one in a specialized subject area.

Experience. The Librarian also must have 12 years of appropriate legal or library (B Fac.) experience or four years in the rank of Librarian IV.

Professional Activities. The Librarian must provide evidence of increasing productivity and professional maturity in the performance of duties in the rank of Librarian IV including evidence of the competent exercise of independent professional judgment. Leadership can be at the state or national level and may be demonstrated by contributions to the field through activities such as publication, committee work, presentation of papers, etc. In general, contributions should be of such a nature as to permit critical assessment and to facilitate use by the population the Library serves.
**Professional Development.** The Librarian must demonstrate academic and professional leadership, functioning in responsible positions in academic and professional affairs. The comparison group consists not only of local colleagues, but the whole of the professional community active at major institutions of higher education. If supervisory or managerial responsibilities are an aspect of the Librarian's assigned position or function, there should be demonstration of mature competence and effectiveness in this area. The Librarian should demonstrate familiarity with departmental functions, library-wide goals and University programs.

**Service.** The Librarian should demonstrate leadership at the state or national level. *Demonstrates the Core Competencies of Law Librarianship 1.1.1.16.* (AALL Executive Board, *Competencies of Law Librarianship* (approved by the Executive Board, March 2001, Tab 34A, revised by the Executive Board April 2010, Tab 17) available at http://aallnet.org/main-menu/Leadership-Governance/policies/PublicPolicies/competencies.html

VI. Tenure/Promotion Review Process for Librarian Faculty

**A. Five-Year Review**

The Board of Regents Bylaws and Policies, Evaluation of Board of Regents’ Appointees establishes guidelines for periodic evaluation of faculty. These guidelines state that procedures for review of faculty must: 1) provide safeguards for academic freedom, 2) provide for participation of faculty peers in the review process, 3) provide for the evaluation of every faculty member at least once every five years, and that they may 4) provide for exempting faculty who have undergone a review for reappointment, tenure, or promotion, or who have received a merit salary increase during the five-year period. The policy further calls for the developing of procedures for such review that incorporate these principles.

For Law Library faculty, the Library Director initiates the assessment of the faculty member's performance in accordance with the current collective bargaining agreement. The DPC will resolve any conflict between the Library Director and the library faculty member in a way that is fair to all parties.
B. Supplemental Guidelines

1. Collection Development

Resources in various media must be developed to enhance and foster the instruction, research, publication, and service needs of, and to maintain the effectiveness of the Law Library as a resource at the Law School. Library faculty, whose responsibilities are concentrated in this area, must take the initiative to explore and identify scholarly publications in a wide range of disciplines that relate to the content and objectives of programs at the Law School. Areas of expertise related to collection development include, but are not limited to, the following:

(a) Knowledge of library resources, procedures, and techniques relevant to collection development activities;

(b) Knowledge of the Law Library collections and Law School programs which they support;

(c) Knowledge of legal resources, legal publishing, and its distribution channels;

(d) Effectiveness in obtaining needed library materials as expeditiously as possible, through purchase, exchange agreements, interlibrary loan, or other methods;

(e) Ability to recognize research and publication trends, and to anticipate collection needs that develop from such trends;

(f) Ability to develop and maintain the collection in appropriate subject fields through on-going and critical review of relevant literature; and

(g) Knowledge of the legal system and the legal profession.

2. Bibliographic Control

All library resources must be analyzed and organized in such a way that they can be effectively used by present and future legal scholars and law students. The law library's catalogs, files, and
locally created bibliographic tools provide access to a wide range of materials. **Improves the power and scope of library services through resource sharing.** The Law Library's resources, when included in local, national, and international databases, make its collections available to scholars and students worldwide. Areas of expertise related to bibliographic control include, but are not limited to, the following:

(a) Knowledge of technical resources and methodologies available for achieving bibliographic control in the most accurate, efficient, and effective manner;

(b) Knowledge of the legal system and the legal profession;

(c) Selects and implements an appropriate level of descriptive cataloging, classification, and subject analysis to meet the needs of the institution and the nature of its legal materials;

(d) Creates, selects, and manages catalog records according to national standards and accepted practices; and

(e) Ensures the optimal arrangement of and access to the library's resources to meet the needs of users.

3. Public and Reference Services

Public and reference services must insure the effective sharing and utilization of library resources in all media. An understanding of and commitment to the educational and research programs at the Law School will influence the scope, variety, and quality of sources offered. Areas of expertise related to public and reference services include, but are not limited to, the following:

(a) A juris doctor (JD) degree from an ABA Accredited Law School or foreign equivalent with sound knowledge of the US legal system;

(b) Working effectively with people to provide thorough, efficient, courteous, and ethical assistance to library users;
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(c) Possessing skill in interpreting questions, locating relevant information, or conducting reference interviews to avoid crossing over from providing reference assistance to engaging in the unauthorized practice of law;

(d) Facilitating the ethical use of the library collections by patrons through knowledge of the collections available at the Law Library and the University of Hawai‘i at Mānoa Libraries;

(e) Provides skilled and customized reference services, including specialized subject services on legal and non-legal topics;

(f) Effectively designing legal research strategies in print or digital formats; and

(g) Effectively conveying information regarding library policies, procedures, or services to users.

4. Instructional Services

Instruction, whether in formal classroom settings or in less formal group and individual sessions, is an ongoing activity of law librarians. It consists of helping to define questions, assisting in the conduct of legal research, or effectively assisting in the use of law library resources and bibliographic services. Areas of expertise related to instructional services include, but are not limited to, the following:

(a) A juris doctor (JD) degree from an ABA Accredited Law School or foreign equivalent with sound knowledge of the U.S. legal system;

(b) Proficiency in planning, developing, and conducting legal research classes and implementing other instructional programs for various Law School courses and programs;

(c) Teaching ability, whether in conducting formal classes in legal research, or in instructing individual patrons in particular aspects of law library use, or in the development of learning aids, audio visual presentations and guides to the collections; and
(d) Effectiveness in developing and using a variety of materials and methods in formal library instruction about legal research, use of reference materials in specialized areas, and instruction in the use of the library's catalogs in all formats.

5. Administration and Management

The effective organization of activities in all sections of the Law Library is essential to the Law Library's operation. Librarians with administrative/managerial responsibilities must work effectively to create an optimum environment for the accomplishment of departmental activities and library objectives. Areas of expertise related to administration and management include, but are not limited to, the following:

(a) Effectiveness in planning, organizing and controlling work flow;

(b) Knowledge of current trends in library technologies and implementing applications;

(c) Demonstrating effective leadership and innovation to improve the law library's organization, procedures, services, communication, and staff relationships;

(d) Establishing and maintaining productive, collegial working relationships with faculty, students, the general public, publishers, and distributors to facilitate resource development and effective service;

(e) Ability to identify and resolve problems;

(f) Contributing to the professional development of colleagues and in-service training of paraprofessional staff, student interns, and assistants;

(g) Ability to manage fiscal and budgetary responsibilities as assigned;
(h) Serving effectively on Law School and related administrative bodies;

(i) Obtaining awards and grants to support library programs, where available and

(j) Where applicable, supervising students or interns who work in the law library in the fulfillment of the mission of the Law School.

6. Information Technology

Digital systems and services have become an integral way libraries function. Integrating appropriate information technology into the mission of the law library is one of the responsibilities of library faculty active in this aspect of librarianship, and often requires a high degree of understanding of the operation of all units of the library. Additionally, law library faculty must keep current with new developments in the application of information technology in support of programs at the Law School. Areas of expertise related to information technology include, but are not limited to, the following:

(a) Knowledge of library procedures and services and their integrated library system (ILS), i.e. circulation, serials, acquisitions, cataloging, online retrieval systems, and related systems:

(b) Effectiveness in communicating, analyzing, interpreting and testing technical requirements of licensed digital material and equipment as they affect the processing, access and delivery, use and dissemination of information;

(c) Knowledge of computer hardware; software, online information resources or automated systems;

(d) Works effectively with staff, vendors, and patrons to provide access to online resources;

(e) Knowledge of operation and maintenance of the online public access catalog (OPAC);
(f) Developing expertise or an advanced specialization in one or more applications of information technology or computerized systems;

(g) Effectiveness in translating technical jargon and conveying information about online resources and services and documents information technology procedures for use in training;

(h) Knowledge of copyright law as it relates to online and electronic resources and knowledge of licensing and provisioning access to online resources; and

(i) Responsible for development, design, and maintenance of the law library website and social media accounts.

Adopted by the Law School DPC on December 12, 2014

Confirmation by the Law School DPC Chair: ______________________________ 12/16/14

Approved by the Law School Dean: ______________________________ 1/3/15

Approved by the UH OVCAA: ______________________________ 2/7/15

Approved by UHPA: ______________________________