



SWALL
BULLETIN
Southwestern Association of Law Libraries

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From the Bench: President's Letter



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Time flies! The SWALL annual meeting in Phoenix is around the corner. The annual meeting is our organization's premier event for education and networking among our members. Because of the hard work of the Program and Local Arrangements Committees, the Phoenix gathering promises to be an experience that will be educational, inspiring, and fun. I look forward to meeting many of you at the conference as we celebrate the 55th birthday of our association.

Looking back over the past year, I believe that we as an organization have made much progress in promoting and strengthening the SWALL brand. A few examples come to mind in this regard. The Bylaws Committee updated the Bylaws by incorporating recent changes approved at our last annual meeting. The Grants Committee worked hard to review and award grants. The Special Handbook Committee has been updating the SWALL operation handbook. The Special Website Committee has actively engaged in revamping our website. The Publications Committee turned out several quality issues of the newsletter. In addition, the Annual Meeting Selection Committee chose Austin, Texas for the 2014 SWALL meeting and Boulder, Colorado for the 2015 joint SWALL-CALL conference. It is through the selfless efforts of our committees and volunteers that the association is moving forward and becoming even stronger. It has been a great honor for me to serve as the President, and I have enjoyed my time a great deal.

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I want to take this opportunity to thank all committee members, volunteers, and my colleagues on the Executive Board for your contributions, support, and friendship. Working together, we can make the SWALL an even stronger institution.



Headnotes: SWALL Annual Meeting, Local Arrangements Committee

Elizabeth Schneider, Chair, Local Arrangements Committee
Retired

The 2013 SWALL Annual Meeting will be held April 4th through April 6th in Phoenix at the Hyatt Regency Phoenix. The most economical means of transportation to downtown Phoenix from Sky Harbor Airport is by Light Rail. The fare is \$2.00 for a one way ticket. To access Light Rail, catch the free silver shuttle to the Light Rail station. The stop at 3rd Street and Washington is a short, three block walk to the hotel.

The Program Committee has put together a diverse educational program. Highlights of the 2013 meeting include: the opening luncheon which will be a celebration of SWALL's 55th anniversary and AzALL's 30th; Robert McWhirter's keynote address Friday morning on the First Amendment; and John Dalton, author of the 2004 Discover Award winning novel *Heaven Lake*, the Friday luncheon speaker. To relax and explore downtown Phoenix after a day of programs, participate in the dine-around on Thursday evening. Friday night's activity will be "make your own special event." Possibilities include visiting the Phoenix Art Museum where special exhibits will include: Visions of Humanity, 20th Century Chinese Art; Shiprock and Mont St. Michael, photographs by William Cliff; and Order Chaos and the Space Between, contemporary Latin American Art. The fifth annual arts and flowers exhibit where local florists submit arrangements interpreting works in the museum's collection also will be on display. If more contemporary art is your thing, take part in First Friday, an art walk where art galleries and studios throughout downtown Phoenix open their doors to the public. A number of restaurants are also located in the area. The Phoenix Suns will be playing the Golden State Warriors in one of their last home games of the season. U.S. Airways Center is a short walk from the Hyatt.

In an effort to be green, attendees are asked to bring a tote bag from a previous AALL or SWALL meeting.

The registration form is available on the SWALL web site, as is reservation information for the Hyatt. Phoenix weather in early April is usually very pleasant. We look forward to seeing you.

Headnotes: Preview of Presentations at SWALL Annual Meeting

Tara Mospan
Library Specialist, Reference
Ross-Blakley Law Library
Arizona State University

Law Student Outreach: Changing the Culture of Research Assistance
Speakers: Beth DiFelice and Tara Mospan (Arizona State University School of Law)

Over the past several years, Ross-Blakley Law Library Reference statistics have indicated that law students are asking librarians reference questions less and less. In addition, a spring 2012 survey of the law students revealed they are more likely to ask a professor, classmate, or browse the shelves rather than seek the assistance of reference staff. Using the survey as a guide and through hosting a series of student focus groups, the reference staff made several adjustments to services and resources in an effort to change the culture of law student reference assistance.

During this presentation we will discuss the outreach steps our reference staff took to change the culture of law student reference assistance. The presentation will focus on specific actions undertaken including making a series of online tutorials, implementing roving reference, creating a “make an appointment with a librarian” online form, and easing our students’ fear of the reference office.

John Dalton
Director of MFA Program and Associate Professor
University of Missouri - St. Louis

Meaning, Sense, and Clarity: the Relationship Between the Writer and the Reader
Speaker: John Dalton (Arizona State University School of Law)

Meaning, Sense, and Clarity: the Relationship Between the Writer and the Reader is an hour-long seminar that will emphasize the essential elements of written communication: Meaning, Sense, and Clarity. The presenter will define and give examples of each of the three elements and then demonstrate how they are the foundation for all types of successful writing--fiction writing, essay writing, legal writing.

John Dalton is the author of the novel, *Heaven Lake*, winner of the Barnes and Noble 2004 Discover Award in fiction and the Sue Kaufman Prize from the American Academy of Arts and Letters. His second novel, *The Inverted Forest*, was published in 2011 and selected as a best book of the year by The St. Louis Post-Dispatch and the Wall Street Journal - Book Lover. John is a graduate of the Iowa Writers’ Workshop. He has held fellowships at The Fine Arts Work Center

in Provincetown and The MacDowell Colony. John currently directs the MFA Program in Creative Writing at the University of Missouri - St. Louis.

<http://www.umsl.edu/~mfa/>

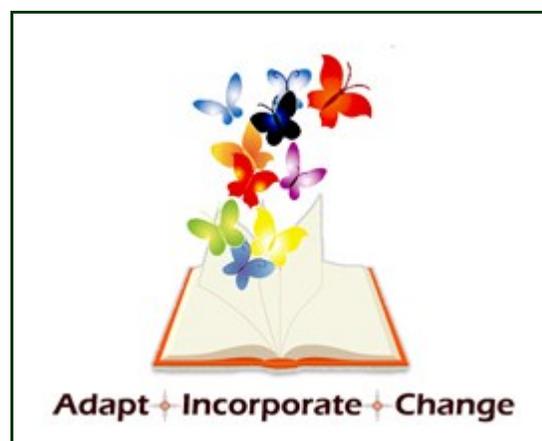
<http://daltonnovel.com/>

Phillip Gragg
Associate Professor and Director
George R. White Law Library
Concordia University School of Law

Realizing the Vision: Year One in a Start-Up Law School
Speakers: Phillip Gragg, Kerry Lohmeier, and Ning Han

The presenters will share with the audience how Concordia University George R. White Law Library was built from scratch, including physical space planning, collection development, subscription negotiation, system configuration, reference and instructional services. Most librarians are familiar with the day to day functioning of a law library, but not many have been involved with establishing the initial infrastructure required to run a law library. The library's professional staff will share their experiences and visions as they move toward full ABA accreditation. Challenges will be discussed alongside opportunities. The behind the scenes stories of building a new law library will resonate with library directors as well as public and technical services librarians of all experience levels.

2013 SWALL Annual Meeting



Outside Counsel



rethink YOUR VALUE

AALL 2013 · Seattle · July 13-16 · 106th Annual Meeting & Conference

The AALL Annual Meeting and Conference is the premier educational and networking event for legal information professionals. Dive into three days of member-requested programming, including the Monday Morning Recharge, designed to give you a mid-conference boost and ways to rethink your professional development. Stay tuned for more details about these expert-led sessions.

<http://www.aallnet.org/conference>

Calls for Hot Topics, Poster Sessions and Coffee Talks

Have ideas about emerging issues that might make a great Hot Topic program for Seattle? Now is your chance to speak up. The Annual Meeting Program Committee (AMPC) seeks programs on late-breaking or otherwise timely topics, with selection made a few weeks before the Annual Meeting. Members with ideas should complete a proposal form and send it to Julie Pabarja, AMPC Chair, by **April 1**.

Have you implemented an innovative program in your library? Perhaps you've created a set of best practices to apply in the workplace. Or maybe you'd like to share new classroom techniques, findings from a research project, or a practical problem-solving effort. Poster sessions have been a popular recent addition to our Annual Meeting offerings; this year's selections will again be on display in the Exhibit Hall – and your good idea could really benefit your Annual Meeting colleagues! Find more information and submit your proposal online by **April 15**.

Everybody knows that the Annual Meeting provides countless opportunities to network and learn from other colleagues – and here's one more. To keep the conversation flowing in Seattle, informal "Coffee Talk" discussions will again be held on Tuesday morning. Send your ideas to annualmeeting@aall.org by **May 1** and stay tuned for more details closer to the Annual Meeting.

For more information, see <http://www.aallnet.org/conference/education/call-for-ideas>

Briefing the Case: Document Delivery Policies Survey

Elizabeth Caulfield
Head of Reference and Instruction Librarian
Texas Tech University School of Law Library

Document Delivery Policies Survey

The Texas Tech Law Library created a survey to collect information regarding how law libraries in Texas respond to letters from prisoners, as well as those libraries' policies for providing document delivery services to non-incarcerated patrons. If your library has experience receiving letters from prisoners or provides document delivery service to other patrons, the Texas Tech Law Library is interested in learning about your library's policies in this area. The survey is available at [this link](#). A summary of the results will appear in a future issue of the SWALL Bulletin.

Briefing the Case: Law and Film Resources Update

Alan Pannell
Head of Reference and Instructor
William A. Wise Law Library
University of Colorado Law School

Law and Film Resources Update

In the last issue, I presented a list of the major reference books on law and film/television. In addition to these resources, a great deal of law and film scholarship is being done regularly in a variety of media. This bibliography presents new reference works, along with scholarly works in specific areas of law and politics, that may be of interest to faculty using film in their scholarship or teaching.

Films

THE CENTRAL PARK FIVE (Sundance Selects 2012).

Co-directed by Sarah Burns (based on her book), her husband David McMahon, and her father, acclaimed documentary filmmaker Ken Burns, this film looks at the Central Park Jogger case of 1989, in which five black and Latino teenagers were convicted of attacking and raping a white female jogger. Focusing on themes of race and injustice, *The Central Park Five* examines how the intense media frenzy surrounding the case helped lead to the defendants serving years in prison for a crime they did not commit, and recounts the events leading to the convictions being vacated. (DVD Release Date: April 2013)

WEST OF MEMPHIS (Sony Pictures Classics 2012).

Following in the footsteps of the 1996 documentary *Paradise Lost: The Child Murders at Robin Hood Hills* and its two sequels, this film revisits the case of three West Memphis teenagers (dubbed by supporters as the West Memphis 3) who were convicted in 1993 for the murders of three 8-year old boys, and spent over 18 years in prison until their release in 2011. Directed by Amy Berg, and co-produced by one of the defendants, *West of Memphis* explores the teens' incarceration and ongoing efforts to have their convictions officially overturned. The film lays out the case for their innocence and details how high-profile figures, including Johnny Depp, Eddie Vedder, and Natalie Maines, helped raise funds and awareness for the trio's cause. (DVD Release Date: Not Announced)

Books

LAW AND JUSTICE ON THE SMALL SCREEN (Peter Robson & Jessica Silbey, eds., 2012).

This collection of essays looks at issues regarding the analysis of law and popular culture on television. It focuses on genre studies, including a subsection on reality TV, and offers content analysis of individual television shows with attention to jurisprudential questions of the law's efficacy and the promise of justice. It includes discussions of television shows from the US, Canada, France, the UK, Germany, and Spain. It is appropriate for a wide range of undergraduate and graduate areas, including media studies, law and culture, socio-legal studies, comparative law, jurisprudence, the law of lawyering, alternative dispute resolution, and criminal law.

PAUL A. CANTOR, *THE INVISIBLE HAND IN POPULAR CULTURE: LIBERTY VS. AUTHORITY IN AMERICAN FILM AND TV* (2012).

This book explores how television shows such as *Star Trek*, *The X-Files*, *South Park*, and *Deadwood* (and films such as *The Aviator* and *Mars Attacks!*) have portrayed top-down and bottom-up models of order. Author Paul Cantor draws on the works of John Locke, Adam Smith, and Alexis de Tocqueville to examine the classical liberal vision of America, with a particular emphasis on the virtues of spontaneous order. The book concludes with a discussion of the impact of 9/11 on film and television, and the new anxieties emerging in contemporary alien-invasion narratives, including fears of a global technocracy. Cantor is the author of *GILLIGAN UNBOUND: POP CULTURE IN THE AGE OF GLOBALIZATION*.

PETER L. BEILENSON AND PATRICK A. MCGUIRE, *TAPPING INTO THE WIRE: THE REAL URBAN CRISIS* (2012).

This book uses the HBO television series *The Wire* to explore the connections between inner-city poverty and drug-related violence, and to examine urban policy and public health

issues affecting American cities. Detailed summaries of scenes and characters help readers who have not seen the TV series to understand the characters' challenges in the broader context of public policy.

TERROR AND THE CINEMATIC SUBLIME: ESSAYS ON VIOLENCE AND THE UNPRESENTABLE IN POST-9/11 FILMS (Todd A. Comer & Lloyd Isaac Vayo, eds., 2013).

This collection of essays considers film in the aftermath of September 11, 2001. Essayists discuss independent films, post-cinematic media, and Hollywood movies (including theatrically-released films by Steven Spielberg, Darren Aronofsky, Quentin Tarantino, and Spike Lee). The book focuses on the concept of the sublime—that which can be thought but not represented—and analyzes ideas of trauma, horror, catastrophe, apocalypse, the military-industrial complex, and the limits of freedom as a way of gauging the pulse of our cultural moment.

JENNIFER LYNDE BARKER, ROUTLEDGE ADVANCES IN FILM STUDIES #19: THE AESTHETICS OF ANTIFASCIST FILM: RADICAL PROJECTION (2012).

This book uses a series of detailed film case histories—including *The Great Dictator*, *Hiroshima Mon Amour*, and *The Lives of Others*—to explore the genesis and recurrence of antifascist aesthetics during the WWII, Cold War, and Post-Soviet periods. Drawing on insights from film and cultural studies, aesthetic and ethical philosophy, and socio-political theory, Barker shows how filmmakers have juxtaposed documentary and modernist techniques of surrealism and expressionism to manifest non-totalitarian works that projected a radical beauty of distortion, heterogeneity, fragmentation, and loss.

BARRY FORSHAW, BRITISH CRIME FILM: SUBVERTING THE SOCIAL ORDER (2012).

This comprehensive social history of British crime film details how crime films have portrayed changing attitudes towards class, politics, sex, delinquency, violence, and censorship. Focusing on these key issues, Forshaw examines the strategies used by filmmakers to address radical notions of society's decline. The book identifies and contextualizes both important and neglected post-war crime cinema, including *The Ladykillers*, *Get Carter*, *The Long Good Friday*, *Layer Cake*, and *Lock, Stock and Two Smoking Barrels*.

Scholarly Articles

Laura Ray, *From the Bench to the Screen: The Woman Judge in Film*, 60 CLEVELAND STATE LAW REVIEW 681 (2012). Available at SSRN: <http://ssrn.com/abstract=2209190>

This article addresses the relationship between social reality and its representation on screen by exposing a lingering resistance to the idea of women exercising judicial power. It first

examines the sparse history of women judges as central characters in films of the 1930s, focusing on the tension between judicial authority and domestic happiness. Next, it turns to Hollywood romantic comedies of the 1940s, which resolved that tension through the courtship of women judges by charming and tolerant suitors. The article contrasts those films with recent, darker films which present aspiring and active women judges struggling unsuccessfully to reconcile their professional and personal identities.

Erin Flynn, *Aesthetic Justice in High Plains Drifter*, 4 PROCEEDINGS OF THE EUROPEAN SOCIETY FOR AESTHETICS 215 (2012).

This paper presents the idea that Clint Eastwood's *High Plains Drifter* is a depiction of the evolution of an aesthetic representation of justice. Flynn argues that such representation depicts justice as determined by a moral or natural law that prefigures and grounds the authority and legitimacy of the civil order. The author sees the representation of justice in *High Plains Drifter*, in which the law is aesthetically represented as divine law, as being the product of certain conceptual features common to many Westerns.

Sue Matheson, *John Ford on the Cold War: Stetsons and Cast Shadows in The Man Who Shot Liberty Valance (1962)*, 45 JOURNAL OF POPULAR CULTURE 357 (2012).

This article presents *The Man Who Shot Liberty Valance* as a valuable Cold War artifact that rests upon traditional paradoxes of Western films that are created by the tension between the opposition of East and West, civilization and savagery, order and disorder, law and outlaw, and legend and history. Matheson explores the notion that the film displays director John Ford's concern with "the disparity between historical fact and tradition."

Thomas Heise, *The Crimes of Punishment: The Tortured Logic of Mickey Spillane's Kiss Me, Deadly*. 45 JOURNAL OF POPULAR CULTURE 56 (2012).

This article examines how *Kiss Me, Deadly* records the postwar social anxieties of the American public—including rising urban crime—and how the film redirected such anxieties onto an immigrant criminal underworld that was both part of the nation and alien to it. Heise argues that the film is both an assault on law and order and an attempt at reversion to an earlier level of primal and sadistic violence that preceded the rise of modern bureaucracy.

Jeremy Withers, *The Social Construction of Nature and Oliver Stone's Natural Born Killers*, 45 JOURNAL OF POPULAR CULTURE 649 (2012).

This article looks at one of the themes of *Natural Born Killers* that has not been previously fully analyzed by film scholars: the ideological role of nature—in particular, of animals—in

cinematic explorations of human violence. Author Jeremy Withers finds Stone's film to be a serious interrogation of humanity's complicated relationship with the natural world and its animal inhabitants. Withers sees the film as a critical text that tackles contentious and important issues in contemporary animal studies and environmental ethics.

Kent Anderson, *Reflections on I Just Didn't Do It, the Lay Judge System, and Legal Education in and out of Japan*, 7 *ASIAN JOURNAL OF COMPARATIVE LAW* 1 (2012).

This article looks at the 2007 film *I Just Didn't Do It*, from the Academy Award winning director of *Shall We Dance*. Anderson uses the film, itself a critique of the Japanese criminal justice system in the context of wrongful convictions, as a means of reflecting on criminal justice reforms in Japan. He goes on to ask whether the use of film as a legal text assists or distracts from pedagogical objectives in teaching comparative law.

Guy Osborn, *Borders and Boundaries: Locating the Law in Film*, 28 *JOURNAL OF LAW AND SOCIETY* 164 (2001).

This essay examines the emergence of law and film in the curricula of British law schools. Osborn outlines the development of legal education in England and Wales, along with the relationship between legal education and training. Osborn notes the broadening out of the syllabus to encompass politicized courses taught within their socio-economic context, particularly family law and labor law. The article also discusses the precise nature of law and film studies and its boundaries.

Web Resources

Matthew Belinkie, *The Law and Order Database: All 20 Seasons*, *OVERTHINKING IT* (Nov. 13, 2012), <http://www.overthinkingit.com/2012/11/13/the-law-and-order-database-all-20-seasons>.

This website features a crowdsourced list of legal outcomes for all 456 episodes of the television show *Law & Order*. An Excel spreadsheet of information from all 20 seasons of the show features information about guilty or not guilty verdicts and plea bargains, along with the frequency of each outcome.

ZOMBIELAW, <http://zombielaw.wordpress.com> (last visited Feb. 25, 2012).

The ZombieLaw blog focuses on zombies in law and politics, with an emphasis on the mention of zombies in federal court cases. The blog is particularly interested in zombies as a form of political consciousness and cultural metaphor. Among the featured articles are "*Walking Dead*" in the Federal Courts and *Zombie Gwyneth Paltrow: Postpartum Feeling Zombie-Like*" (documenting the 52 federal court opinions that include variations on the phrase "zombie-like"). Blog author Joshua Warren is currently working on a zombie law casebook, as recently mentioned in the *ABA Journal*.

Ryan Davidson, *The Dark Knight: Legal Ethics*, LAW AND THE MULTIVERSE (July 13, 2012), <http://lawandthemultiverse.com/2012/07/13/the-dark-knight-legal-ethics>.

This post from the Law and the Multiverse blog looks at whether characters in *The Dark Knight* comics and film adaptations violate the rules of professional ethics. The blog considers the hypothetical legal ramifications of comic book tropes, characters, and powers (e.g., Are mutants a protected class? What are the legal ramifications of a character coming back from the dead? Who foots the bill when a hero damages property while fighting a villain?).

Mauricio R. Hernandez, *Ethics at the movies: "Lincoln Lawyer" and "Win Win" Teach Valuable Lessons*, THE IRREVERENT LAWYER (April 27, 2011), <http://lawmrh.wordpress.com/2011/04/27/ethics-at-the-movies-lincoln-lawyer-and-win-win-teach-valuable-lessons>.

This article looks at two recent films that deal with lawyers in solo practice who skirt the boundaries of proper legal ethics. In the legal thriller *The Lincoln Lawyer*, Matthew McConaughey plays a criminal defense lawyer working out of his Lincoln Town Car while facing a slew of ethical issues, including attorney-client privilege, diligence, competence, and conflict of interest. In the comedy drama *Win Win*, Paul Giamatti plays a struggling small town solo lawyer who unethically volunteers for a guardianship appointment of an aging client under a false pretext to get the monthly guardianship fee. Though not technically a legal film, this subplot would serve as a good example in the context of teaching legal ethics.



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