



SWALL
BULLETIN
 Southwestern Association of Law Libraries

Summer 2012

Volume 36, Issue 1

From the Bench: President's Letter



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 Library Director/Professor of Law
 Sarita Kenedy East Law Library
 St. Mary's University School of Law

Greetings to all! I am delighted to write to you as President of our organization. I feel very honored to serve the SWALL in this capacity, and I promise to do my best to advance the interests of our members and our organization.

We are living in a time of exciting changes and challenges. While technology creates nearly limitless possibilities for our customers, clients and institutions, we are constantly faced with rising customer expectations in information delivery and service in an environment of diminishing resources and shrinking budgets. Although each institution ultimately has to figure out its own way of meeting its responsibilities, working together we can do better in dealing with the challenges. One question that I've been thinking about is how a professional organization like the SWALL could remain relevant and vital to its members' needs and interests in this kind of environment, complicated by the fact that there exist similar groups, such as the American Association of Law Libraries (AALL) and the American Library Association (ALA). Upon some pondering, I've come to the conclusion that we can and should do a few things that will help our organization remain important and vital to our members. In this regard I'll work on three goals that I consider critical during my term -- Engage, Enhance, and Empower. I'll briefly explain what these 3 Es mean.

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First, Engage. The membership is the soul and purpose of our organization. If the SWALL is to survive and succeed, the members must stay engaged and involved. To achieve this goal, we need to plan for activities and functions that interest or excite the members and get active participation. Attending the annual meeting, serving on a committee or actively working on a project important to our group are two primary examples of active engagement, and we should seek other ways to engage the members as well.

Second, Enhance. We need to work on enhancing the benefits for our members and improving communications. I believe that members will likely remain active and loyal to an organization when they see tangible and intangible benefits in their association. We already offer some tangible membership benefits, for example, discounts in conference registration and eligibility to receive a grant. We could do more in this area. The SWALL already enjoys a good working relationship with other groups, such as the Mid-America Association of Law Libraries (MAALL), the Dallas Association of Law Librarians (DALL), and the Houston Association of Law Librarians (HALL). We should continue these relationships with the goal of increasing opportunities and benefits for our members. For example, we might explore joining forces in acquiring certain databases in order to get the best deal. As far as communications go, I'd like to see us enhance our website with more content and better organization and visual appeal.

Last, Empower. We need to work to empower our membership, through education, networking, cooperation, and collaboration. Through education and collective efforts, we can learn from each other and support each other, both individually and on the institutional level. Cooperation and collaboration will empower all of us, especially in times of crises.

To summarize, I intend to work on the three Es during my term – Engage, Enhance, and Empower. I welcome your comments and suggestions on how we can successfully implement and achieve these goals.

Transcript: SWALL Business Meeting Minutes

SWALL Business Meeting Minutes (to be approved at the next business meeting)

March 30, 2012

San Antonio, Texas, SWALL Annual Meeting

1. SWALL President Mon Yin Lung called the meeting to order.
2. Approval of minutes

Mon Yin Lung stated that according to the SWALL Bylaws and our current membership count, we need 46 members to form a quorum. Because there were 21 members attending the Lawrence, KS meeting, we were not able to vote on the Philadelphia meeting minutes.

Judging from the head count of SWALL members registered for the San Antonio meeting (71) and the room full of members, Mon Yin Lung announced that we had more than enough members to vote to accept the minutes of the past two meetings, which were on the tables. After a brief moment of review, a motion to approve the last two meeting minutes was made and properly seconded. The motion was carried by an unanimous voice vote.

3. Acknowledgement to the Vendors

Special thanks were made to vendors who sponsored the meals and breaks: Thompson Reuters for the opening luncheon, Bloomberg Law/BNA for the Thursday break; Jones McClure for the Friday morning break; LexisNexis for the Business Meeting Lunch; and William S. Hein & Co. for the Friday afternoon break.

4. Committee Reports

Archives Committee: Heather Kushnerick reported that the Committee has been organizing the files. If anyone has documents for the archives, please send them to Heather at South Texas College of Law.

Constitution and Bylaws Committee: The Constitution and Bylaws Committee report was postponed to be discussed as the next item on the agenda because of the numerous proposed amendments.

Finance Committee: With the finance report for April 2011-March 2012 on the table, Treasurer Jennifer Laws stated that it is a little misleading because it looks like SWALL is super wealthy. But there are still some outstanding expenses for this meeting, and there are other forthcoming expenses for planning next year's meeting. Overall SWALL is doing well. There was a net gain of almost \$3,000 from the SWALL/MAALL Joint Meeting. The Statement also shows the details of the grants issued over the 2011-2012 year. SWALL should be able to make grants in the future. Jennifer then thanked the vendors for helping SWALL continue its mission for law librarianship and commented on the good work accomplished by the Grants Committee during the last year.

Grants Committee: Mon Yin Lung thanked the Committee and especially the Committee Chair, David Gay for the hard work this past year, as the Committee conducted three rounds of awarding grants, including the Fall 2011 joint SWALL/MAALL grants for Lawrence, KS; the Spring 2012 SWALL Annual Meeting grants for San Antonio; and the Summer 2012 AALL Annual Meeting grant for Boston. Chris Dykes, being the only committee member present, recognized three grant recipients: Stacy Nykorchuk from the University of Arizona; Amy Hale-Janeke, Head of Reference at the Fifth Circuit Court of Appeals; and the Honorary State, Court, County Law Libraries grant recipient, Virginia Eldridge, Law Librarian at Grayson County Law Library.

Mon Yin then acknowledged Joan Stringfellow for her dedication and hard work chairing the Grants Committee in the past four years.

Legal Information Services to the Public Committee: Peggy Martindale reported that the committee had a wonderful pre-conference session, Basic Legal Research for Non-Law Librarians. Twelve people attended and gave the committee a good response. Peggy, Amy Hale-Janeke, and Mike Martinez presented the program. Elizabeth Caulfield assisted with brochures, which the committee mailed to librarians working in Bexar and surrounding counties. Committee members really had a good time presenting the program. Mon Yin Lung then commented that this service provided by SWALL LISP is the reason for SWALL to claim the non-profit status and members responded with a loud round of applause.

Life Membership and Memorials Committee: Sharon Wayland submitted four names for Life Memberships: Sharon Blackburn, former Head of Reference and Instruction, Texas Tech University School of Law Library; John Eichstadt, former Director, Harris County Law Library; Sally Langston, former Reference and Acquisitions Librarian, South Texas College of Law Library; and Judy McCullough, former Director, Collin County Law Library. Two In Memorial Members were acknowledged: Lori Bull Dodds, former Director, Collin County Law Library; and Violanda Fabugais, former Assistant Director of Library Services, Fulbright & Jaworski, L.L.P. A motion to approve their names was made and properly seconded. The motion was carried by a unanimous voice vote.

Local Arrangements Committee: Mon Yin Lung acknowledged co-chairs Bob Hu and Katy Stein. Co-chair Katy Stein then thanked all the contributors and participants who worked so hard to make the SWALL Annual Meeting successful. She also introduced the committee members Charles Finger, Mary Formen, Jennifer Laws, and Mike Martinez, and made miscellaneous announcements about the following trip to the St. Mary's University Sarita Kenedy East Law Library.

Locations of Future Meetings Committee: Elizabeth Schneider reported that the 2013 meeting will be April 4 - 6, 2013 in Phoenix, AZ. She invited all SWALL members to attend. The weather should be beautiful during that weekend after Easter.

Membership Committee: Committee chair Laura Fargo McKinnon gave a detailed, analytical report on the membership:

Total members: 182

Academic members: 122

Private firm members: 30

State, court, and county members: 20

Student members: 6 (all from UNT)

Lifetime members: 4

Nominations Committee: Nomination Committee report was postponed to be presented as the item following the Bylaws Committee report.

Private Law Libraries Committee: No report.

Program Committee: Bob Hu introduced the committee members Stephanie Bassinger, Kathleen Bransford, Chris Dykes, and Katy Stein, who received a round of applause.

Public Relations Committee: No report.

Publications Committee: Elizabeth Caulfield reported that the Spring 2012 edition of the SWALL Bulletin was posted to the SWALL website in March. She thanked committee members, Emily Lawson and Richard Guajardo for their service to the committee and asked SWALL members to contact her if they would like to submit an article for the Bulletin.

Recruitment Committee: No Report.

Special Government Relations Committee: No report.

Special Handbook Committee: No report.

Special State, Court, County Law Libraries Committee: This Committee was created to study the need of a standing committee for State, Court, County Law Libraries. The Bylaws Committee will present the result in their report.

After the committee reports, Mon Yin Lung acknowledged the contribution of Emily Lawson, the SWALL's current web master.

5. Bylaws and Handbook amendments

Constitution and Bylaws Committee Chair Barbara Bintliff presented the proposed amendments, which were included in the registration packet and are appended to these meeting minutes. Barbara read each of four proposed Bylaws amendments and two Handbook amendments individually. All proposed amendments were approved by the members with unanimous voice vote. (Please see p. 6.)

6. Nominations of Officers

As the chair of the Nominations committee, Amy Hale-Janeke presented the slate of candidates for the SWALL offices. She reported that Caren Luckie agreed to be the candidate for the position of Vice President/President-Elect, and that DeCarlous Spearman and Jennifer Laws had agreed to serve another term as Secretary and Treasurer, respectively.

7. Election of 2012-2013 Officers

Mon Yin Lung opened the floor for nominations. There being no other nominations, a verbal vote was taken to pass the slate of candidates presented by the Nominations Committee. The candidates were accepted unanimously.

8. New business

There being no other new business, Bob Hu presented a plaque to thank Mon Yin Lung for her contribution and hard work. Mon Yin Lung then passed the gravel to Bob.

9. Bob Hu adjourned the meeting.

Minutes originally drafted by DeCarlous Spearman and supplemented by Mon Yin Lung and Elizabeth Caulfield. A sign-up sheet was not circulated. There were 69 lunch orders and eight ten-seat tables. Thus, there was a maximum of 69 to a minimum of 56 (based on each table having seven occupants) people attending the business meeting.

SWALL Constitution and Bylaws Committee Recommendations To Be Presented to 2012 SWALL Annual Meeting

Changes indicated by **underlined boldface** font.

BYLAWS AMENDMENTS

I. Committee Recommendation re: Commencement of Term of Office *Section 5.1 Number and Term of Office*

...

The term of office for Secretary and for Treasurer shall be one year. Terms of office commence **at the adjournment of the annual business meeting** and continue until successors have been elected and assume those duties. The term and status of the Vice President/President-Elect shall be: in the first year, Vice President/President-Elect; in the second year, President; and in the third year, Past President. Thus, a person elected to the position of Vice President/President-Elect serves on the board three years.

II. Committee Recommendation re: Filling Vacancy in Office of Past President

Bylaws Section 5.2 Vacancies

(new 3rd paragraph)

A replacement for the office of Past President shall be chosen by the remaining members of the Board from among the past presidents of the corporation. The replacement shall be

the past president with the most recent experience as a member of the Board, to the extent possible. The replacement shall serve until a new President takes office.

III. Committee Recommendation re: Timing of Nominations and Elections

Bylaws Section 5.3 General Elections

b) The President shall appoint a Nominations Committee consisting of members in good standing. No member of the Nominations Committee shall be an officer of the Southwestern Association of Law Libraries or a candidate for office. The Nominations Committee shall present a list of candidates to the President **at least 60 days in advance of the annual meeting.** The President shall provide notice of the candidates to all members **no later than 45 days in advance of the annual meeting.** Additional nominations may be made by any member entitled to vote and in good standing by submission in writing to the President no later than **31 days in advance of the annual meeting. Voting begins 30 days in advance of the annual meeting, and concludes no later than 15 days in advance of the annual meeting.** In the event of a tie, the successful candidate shall be determined by lot conducted by the Nominations Committee.

...

d) The Directors so elected shall assume their positions on the Board of Directors **at the adjournment of the annual business meeting** and shall hold such office until their successors are elected and qualify.

IV. Committee Recommendation re: Spelling and Format (no substantive change in language)

Bylaws Section 5.6 Supervising Board Meetings

The President, and in his/her absence the Vice President/President-Elect, shall call meetings of the Board to order, and shall act as chair of such meetings. The **Secretary** of the corporation shall act as Secretary of all such meetings, but **in** the absence of the Secretary the chair may appoint any person present to act as Secretary of the meeting.

HANDBOOK AMENDMENTS

V. Committee Recommendation re: Change in Charge to Publications Committee

15. Publications Committee

The Chair of the Committee serves as the Editor of the *SWALL Bulletin* and the SWALL website. The *Bulletin's* Advertising Manager **and the corporation's webmaster are ex officio members** of the Committee.

VI. Committee Recommendation re: Creation of New State, Court and County Law Libraries Committee

(to become section B. number 17 in the Handbook)

PROPOSED CHARGE:

STATE, COURT AND COUNTY LAW LIBRARIES (SCCLL) COMMITTEE

The SCCLL Committee encourages and promotes SWALL membership to state, court and county Law Librarians in order to provide a forum for collaboration, and continuing education and advocacy opportunities for members and their libraries.

The Committee will consist of the Chair and three members, ideally with one member each from a state library, a court library, and a county library.

The Committee proposes programs promoting the roles and benefits of state, court and county law libraries to the Program Committee for the annual SWALL meeting. The Committee submits articles of interest from state, court and county law librarians to the Editor of the SWALL Bulletin for communication to the membership.

The Committee submits files to the Archives, according to the Archives guidelines.

The Committee works with the AALL State, Court, and County Law Libraries Special Interest Section to develop program proposals for the AALL Annual Meeting and to further communications on matters of interest.

VI. Committee Recommendation re: Creation of New Standing Committee on Handbook Revisions

As requested, the Committee deliberated whether to create a new committee charged with the responsibility to update the Handbook on a regular basis. The Committee recommends that no new committee be formed for this purpose. The reasons for the recommendation are that (1) it is not an onerous responsibility for the Constitution and Bylaws Committee to perform this function, as currently assigned, and (2) the Committee's belief that SWALL already has more committees than can be reasonably populated from among the membership.

The Constitution and Bylaws Committee would support a review of the entire SWALL committee structure.

Pro Forma: Treasurer's Annual Report

Jennifer L. Laws, SWALL Treasurer
 U.S. Courts Librarian, San Antonio
 Fifth Circuit Court of Appeals Library System

Report at March 2012 San Antonio, TX SWALL Annual Meeting

Statement of Cash Flows

SOUTHWEST ASSOCIATION OF LAW LIBRARIES Checking Account Only FOR APRIL 2011 - MARCH 2012

Cash received

Cash received from member dues	2,955.00	
Cash received in donation	30.00	
Cash received from HALL/SWALL joint meeting	1,500.95	
Cash received from LISP 2011	205.00	
Cash received from MAALL/SWALL Joint Annual Meeting	2947.44	
Cash received thus far for SWALL 2012 Annual Meeting	<u>17,760.00</u>	
Other		
Net cash received		25,398.39

Expenditures

Cash paid for supplies	(173.19)	
Cash paid for other operating expenses	0.00	
Cash paid to AALL for services	(35.20)	
Cash paid for AALL grants	(1,190.00)	
Cash paid for SWALL reception at AALL	(1,983.44)	
Cash paid for LISP 2011 expenses	(1,040.91)	
Cash paid for MAALL/SWALL joint meeting grants	(1,904.51)	
Cash paid SWALL 2012 Annual Meeting Expenses (thus far)	<u>(4,459.48)</u>	
Net expenditures		(10,786.73)
Increase (decrease) in cash during the period		14,611.66
Cash balance at the beginning of the period		<u>12,778.08</u>
Cash balance at the end of the period		<u>27,389.74</u>

Outside Counsel



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

UNT/HALL/DALL/SWALL Joint Reception

BY INVITATION ONLY

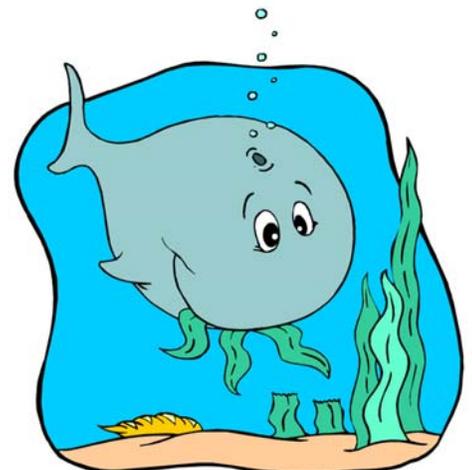
Sunday, July 22, 2012, 5:30 p.m.- 7:30 p.m.

Legal Sea Foods

(Back Bay Room)

Copley Place in Boston

100 Huntington Avenue, Boston, MA 02116



Headnotes: SWALL Annual Meeting, Local Arrangements Committee

Elizabeth Schneider, Chair, Local Arrangements Committee
Retired

Save the Date!

The 2013 SWALL Annual Meeting, **Anticipate, Incorporate, Change** will be held at the Hyatt in downtown Phoenix, April 4th—6th, 2013. The program committee is planning a program that will appeal to members from all types of libraries. Watch for more information.

Local Arrangements is trying to make attendance as economical as possible. For those arriving by air, you can take the Light Rail from the airport to the hotel in approximately 20 minutes start to finish for \$1.75. The Light Rail stop is approximately two blocks from the Hyatt. Because in April Arizona is on Pacific time, most attendees should be able to arrive in time for the opening luncheon if they take the first flight to Phoenix Thursday morning. Downtown Phoenix has changed. In the last three years, three new hotels and numerous restaurants have opened. Light Rail provides access to restaurants in uptown Phoenix as well as in Tempe. The Hyatt is within walking distance of the Diamond Backs' stadium and the Phoenix Suns' arena.

Headnotes: Report of the 2011/2012 SWALL Grants Committee

W. David Gay, Chair, Grants Committee
Reference Librarian
Ross-Blakley Law Library
Arizona State University

Congratulations to Diane L. Roberts, Law Librarian, Collin County, as recipient of this year's AALL Chapter Registration Grant.

Thanks to the other members of the SWALL Grants Committee for their assistance:

Chris Dykes, O'Quinn Law Library, University of Houston Law Center

Kasia Solon, Tarlton Law Library, University of Texas at Austin

Headnotes: SWALL San Antonio Travel Grant Reports

Stacy Nykorchuk
MLIS candidate
University of Arizona

SWALL Grant Recipient: 2012 SWALL Annual Meeting Report

2012 Conference in San Antonio – What a great first conference to attend!

Being a part of the 2012 SWALL conference was exciting and inspiring, and I want to thank the SWALL community for providing the grant funding allowing me to attend. As a student presently in a library sciences program, I am repetitively clarifying to my peers that I am not interested in youth librarianship, health librarianship, or any of the other specialties that they are interested in. In my cohort, I am the only one interested in law librarianship, and it gets a bit lonely.

So you can imagine how exhilarating it was for me to meet so many other people who share my interests. During the first day I found that I was unnecessarily putting a heavy accent on the word *law* in front of librarianship – a trait that I must have picked up at some point in the last year while talking to people about what I want to do as a career and what I am interested in as a student. In San Antonio, it wasn't necessary – there were whole rooms full of people working in the same area that I want to be a part of!

This was my first conference, and I think it was a great one to start off with. The number of attendees was not overwhelming, but enough that I could meet new people every day. The attendance in the sessions was not too small, nor too large – usually there was just the right amount of people to have a lively discussion and exchange of ideas in the time frame allotted. At the end of each day, I felt like I had a lot of great ideas to bring back to my academics (which I'll be doing for a while longer – as I still have to go get that law degree after the MLIS!) and that I learned new things about my profession of choice from people already doing the work.

I cannot wait to get into the field, and hope to find an opportunity soon. In the meantime, I'll look forward to the 2013 SWALL conference, which will be in Phoenix! Rather than my having to travel to Texas, you can visit my home city; and I do hope to see the same great people that I met in San Antonio. During one of the presentations, a comment was made that as librarians, we cannot be “forces unto ourselves” without rapid burnout. Rather, we need team effort to accomplish goals and tasks in the workplace. The same holds true for professional development and identity. That is where SWALL comes in – the conference that this organization held truly demonstrated to me that law librarianship does have a venue for professional development and identity that I had been seeking outside of my school work. Thank you to all of the amazing people that I spoke with and listened to in San Antonio for helping me find it.

Headnotes: SWALL San Antonio Travel Grant Reports (cont'd.)

Amy Hale-Janeke
Head of Reference Services
U.S. Court of Appeals 5th Circuit Library

SWALL Grant Recipient: 2012 SWALL Annual Meeting Report

The weather was warm in San Antonio when my intern Karen and I arrived at the Menger Hotel for the 2012 SWALL Annual meeting. Karen was finishing her MLS and had interned at the 5th Circuit for about 6 months and I wanted her to experience the wonderful programs that are standard at a SWALL conference. We were not disappointed!

“Did you know this hotel is haunted?” she asked me as we checked in. She had done her research! “Yes,” I said. “And as long as they don’t hog the covers I’m not worried.” After we settled in, we met the other attendees for lunch and a short lecture from Dean Charles E. Cantu from St. Mary’s School of Law. Dean Cantu discussed his interest in China and how it will be the next new horizon for the law and law librarians.

The next program we attended featured one of the most beautiful and colorful PowerPoint presentations I’ve ever seen. “Five Flags: San Antonio’s Multinational History” was presented by Juli McLoone (Rare Books Librarian, University of Texas at San Antonio Libraries), Rita L. Wilson (Government Documents Coordinator, University of Texas at San Antonio Libraries), Stacy Fowler (Technical Services Librarian, St. Mary’s University Law Library), and Kathleen L. Amen (Government Information Librarian, St. Mary’s University Blume Library). Luckily SWALL has archived it on the 2012 SWALL Annual Meeting Program Materials [page](#) so you can see it too!

Later in the day I attended the first State, Court, and County Law Librarian discussion group. A meeting of this type was the fulfillment of the wish of Lori Bull Dodds, a deceased but not forgotten member of SWALL. We discussed how we would reach out to county law librarians in Texas who were not affiliated with SWALL or AALL and what we could offer them. The minutes of that meeting are covered in a separate article.

That evening, Karen and I attended the reception at the Institute of Texan Cultures. Within walking distance of the hotel, the Institute showcases art and artifacts from the more than 20 ethnic groups that have settled in Texas. After the reception, we slipped down the block to my favorite local watering hole and I introduced her to the prickly pear mojito. It quickly became her new favorite drink too!

The next morning we started off with breakfast and a speech from Professor Michael Ariens from St. Mary’s School of Law. He has authored a book called “Lone Star Law: A Legal History of

Texas” and he regaled us with anecdotes from the book as we ate. Many of us took the opportunity to purchase an autographed copy of the book before we headed out to our next session.

Barbara Bintliff, Professor and Director of the Tarlton Law Library, gave an excellent overview of the Uniform Electronic Legal Material Act and her participation in its creation. Her presentation style is humorous but the topic is very serious. She captured the audience’s attention right off the bat by ripping the pages out of a book. She noted that it is easy to tell when someone has ripped pages out of a physical book, but it is much harder to tell when someone has tampered with an electronic document. She discussed how we as law librarians can raise awareness of the need for more and better authentication of electronic materials. Her presentation materials are also available on the program materials link previously mentioned.

After Prof. Bintliff’s program, I hustled to the ballroom to get my presentation ready. I co-presented a program with my wonderful colleague and friend, Peggy Martindale. Our program was entitled, “Customer Service and ‘Alternate Reality Based Inquiries’ at the Reference Desk” and it was very audience-friendly! One of my favorite parts was having audience members tell us their favorite stories of bizarre or clueless interactions at the reference desk and how they handled it. One librarian said a minor came in looking for a document of emancipation and when the librarian went to point out a book that would explain how to prepare it, the minor shrugged and said, “Don’t worry about it. My mom will do it for me.”

I finished my SWALL experience by attending an excellent class by 10th Circuit Librarian Madeline Cohen, “Pacing Yourself with PACER.” I use PACER quite a bit in my everyday research and Madeline was able to show me some tips and tricks that I didn’t know while providing an excellent introduction to PACER for those who didn’t even know it existed. Luckily her materials are also on the program materials link so you can check them out!

Kudos to current (and now past) president Mon Yin Lung, incoming (and now current) president Robert Hu, and the Programs and Local Arrangements Committees. You all certainly did a great job! See you in 2013!

Headnotes: Lori Bull Dodds Memorial San Antonio Travel Grant Report

Virginia Eldridge
Law Librarian
Grayson County Law Library

Lori Bull Dodds Memorial Grant Recipient: 2012 SWALL Annual Meeting Report

I was honored to receive the first Lori Bull Dodds Memorial Grant to attend the 2012 SWALL conference.

It was a fast 48 hours in San Antonio, but I learned so much and really enjoyed meeting my colleagues and eating Mexican food. I enjoyed every meeting I attended – from the first luncheon with Dean Cantu till the last session with Sarah Glassmeyer. I never was bored and couldn't fall asleep – the meeting rooms were too cold!

The Monday morning after the conference I was able to immediately put what I learned into practice when at 8:05 a.m. a gentleman came in needing an order for the Judge to sign at his 8:30 hearing. It took some time to figure out exactly what he needed as he didn't have his original petition with him and didn't know what he was asking the Judge for.

Favorite sessions:

Access to Justice in Your Library – Lisa Rush, Hannah Silk Kapasi, and Jonathan W. Vickery were probably preaching to the choir as they explained the need for access to justice. The public law library is the last resort for so many low income people that can't get help from Legal Aid because there are not enough attorneys volunteering.

State, County and Court Law Librarians Discussion Group – It was good to see Judy McCullough again. She inspired the group not to give up in the quest to have uniform forms across Texas that all judges would have to accept. Thanks to Lisa Rush and the group at Travis County for helping with the TexasLawHelp.org website.

Jail Mail Blues – Amy Hale-Janeke explained what I had already suspected. There is no consistency across jails or prisons in Texas or the US regarding what constitutes access to legal information. My county says no law books in the jail library, only fiction. If the prisoner does not have an attorney, private or appointed, they can request books/printouts from me at the county law library. While right next door Collin County has a law library in the jail. Go figure.

Customer Service and Alternate Reality Based Inquiries at the Reference Desk – Who could forget the Amy and Peggy show! Such energy, great hat, and much information about how to handle those crazy – I mean challenging – patrons that all public law librarians face. What I learned: Listen respectfully, remove large items from the desk, and have your finger on the panic button.

SCCLL Committee meeting. The long awaited dream of Lori's has come true. The group wasted no time assigning tasks and coming up with ways to increase membership. Thanks, Peggy Martindale for getting us organized.

SOLO – Oh No! – I had the pleasure of presenting on this panel with Jennifer Laws and Mimi Greenwood about the life of the solo law librarian. I learned so much preparing for the presentation. Thanks to Jennifer and Mimi for making it look easy.

I attended some sessions that were new to me, but wanted to educate myself: Digital Preservation, Pacing Yourself with PACER, and Library in Their Hand. All very informative.

Only disappointment: Did not see or hear any ghosts!

Thanks again to the Grants Committee for their generosity. Thanks to all the presenters and the program and local arrangements committees.

Briefing the Case: Transcending the Definition

Linda Will
Manager of Library Resources
Thompson & Knight LLP

Transcending the Definition

And what does that mean: “transcending the definition?” Well transcend means to rise above the limits of, to triumph over the negative or restrictive aspects: overcome. It comes from the Latin, ***transcendere***, to climb across. It was first used in the 14th century.

Also from the 14th century is the definition, from the middle English *diffinicion*, Anglo-French from Latin *definito* or define.

So this article then, is for transcending from the decades old definition or “idea/image,” of what Librarians have been seen as, to what we should be seen as...what we can be defined by. I would not even attempt to create a definition, for I feel as though we are a work in progress...I mean what a glorious, exciting time to be a curator of information (Ok, so I slipped a definition in there!). And that is not just Linda Will's idea of who we are, or what we can become, but hopefully

thoughts shared by others. I feel strongly, that we can transcend “curatorism,” and be definers of our destiny and, leave footprints. What a great time to leave footprints.

Yes. Yes. Yes. It is such an easy word. “**Yes,**” is such an easy word, yet how many times a day do you use it? It is so easy to use. One syllable...one word; it could so change our profession... the profession of “shush!”

We are all challenged these days. Our time, our resources...whine, whine, whine. It is not the age of information, it is the age of challenge for Information Curators...Us!

So scenario...“Do we have this book? Do we have this resource online?” “**Yes,** we do...” “I can’t find it.” “Yes cause, it is in the cloud.”

Now what do you think that means? Number one it means that you are positive and that yes, your almighty law library has it. Who knows what the cloud means? Does it matter? We have everything. **Yes,** rather than answering, “let me see,” or worse, “I do not think so.” Why not say **yes?** And that is not to say that you will not come back with, “that will cost you X for ILL cost, or whatever.” But mean while, we have left a positive impression, that we are the department of “**Yes.**” This is the day of information challenge...information possibilities.

And maybe it is not in the cloud...maybe it is on an administrator’s desk waiting for a signature, or in a vendor’s head. “Information need” means “information legitimacy,” which of course for the providers means “information profit”. And for us it means “information challenge.” So **yes,** you have what your clients need. It may be in the “cloud,” or it may be in the administrative process, or it may yet to be discovered as a profit possibility by a vendor, but the answer nonetheless, is yes, you have it.

What a possibility to shine, in the answer “**yes.**” I like it.

Sometimes, answering “**yes,**” means that we have to sail uncharted waters, but is that what this is all about? And it means that we will have to reach out to our vendors for those products that they will most likely have in their lab.

Balance is necessary in today’s information challenge. And we need balance. Balance gets you down the road. Staying in the lines is not something that I usually promote; however, balance is what is called for with today’s product proliferations. Balance between users, providers, products, services and finance. So let’s talk about information visions. I am amazed that the legal industry (and that means our clients and us) has permitted the information vendors, the providers, to steer us in between their lines. What? The educated attorney/professor population has permitted itself to be lead to the proverbial trough of products? What were they thinking? Well they were not, and

they are not the curators, we are...enter the sheriff into Black Rock (for you younger ones, a Wylie Coyote/Road Runner cartoon based on an MGM movie Bad Day at Black Rock.) Why do we not set the parameters for what we need, what we will pay? And on the other side, why do we not listen to our vendors as business consultants? How many legal departments have you been in, on a first hand basis, watched their processes intimately? Well, where do you think your rep is? He/she sees first hand "best practices." What works and what does not work is a concept that they understand, especially your library relations representative, for isn't that why they are here... to guide us? No one said the Information frontier would be easy. Hello! Information challenge.

I never fail to be surprised that a profession...the law firm industry...has permitted the present state of affairs to exist. How can a profession that prides itself on strength and is downright adversarial, have been so lax on its watch? I am talking about permitting the sellers to rule the customers. This is not a we own, you serve profession, rather a we-we. I truly believe a transactional partnership approach is so much more positive and satisfying. After all, our goals are esoterically the same: service to clients. This has been the goal for decades. The only difference now is the mode, but the goal is ultimately the same. As Greg Castanias has said time and again when discussing the relationship between vendors and librarians: "after all, you all have the same overall goal, and that is to serve clients in the best and most cost effective manner possible. Not to mention the fact, that you're all part of the same institution."

SO why is sales foreign to our profession?

The new quest in law firms, really in the entire legal profession, is single enterprise. So as our vendors struggle with back office integrations, the result of multiple acquisitions, so do many of our law firms. We, as a profession, have our own challenge, striving to have a united front. So this is my last statement for **Yes**.

Let us talk about sales. The entire world with the exception of the arts, which in my mind includes law and medicine, is about sales. The world was started on the barter system, long before money, and that system was reborn in the making of the West, which was a start of the expansions as a "do over." Aren't Directors or CIOs, heads of Sales? Do they not sell information? And in large law firms, with large legal research staff, is there not a full time reference manager? Then we are in sales.

Why in a world of contract negotiations, invoice payments, budget goals, are we like "deer in the headlights," when it comes to sales? What is so different about a Hoover vacuum cleaner and an online database demonstration? I could say that they both throw down dirt to make a point, but that would be unfair. The salespeople of information are my equals. It is not a trial that we are in, rather it is a negotiation and should be treated as such. At the end of the day, it is about Best Practices, theirs and mine...**yes**.

Briefing the Case: Legal Research Skills of New Attorneys: A Recent Bibliography

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Legal Research Skills of New Attorneys: A Recent Bibliography

Discussion and worry among law librarians about the inadequate legal research skills of new attorneys is not new. However, there seems to be growing concern about the issue and several articles have been written in the last few years documenting the most common legal research tasks with which these new attorneys struggle. As you might expect, a number of refrains have emerged from this research. For instance, many authors suggest that new attorneys do not know how to perform cost-effective legal research, they do not use secondary sources and subject-specific materials enough, and they rely too heavily on electronic research over print. If you are interested in learning more about the skills that new attorneys need to acquire most as well as gain insight into how your colleagues are collaborating to learn more about the problem, then the following articles, all published since 2007, may be a good place to start.

David L. Armond & Shawn G. Nevers, *The Practitioners' Council: Connecting Legal Research Instruction and Current Legal Practice*, 103 LAW LIBRARY JOURNAL 575 (2011).

The authors, academic law librarians, discuss the creation of a Practitioner's Council at their law school in order to improve their legal research instruction. The Council aimed to learn more about legal research in practice from attorneys. They discuss how to form and run such a Council as well as some of the lessons they learned for their classrooms. Specifically, they found that new attorneys need more instruction about court rules. More generally, they also learned that new attorneys rely too heavily on keyword searching and often do not understand the wider context of the area of law they are researching. They mention that more instruction on secondary sources can help to mitigate this problem.

Jill K. Brooks, *Great Expectations: New Associates' Research Skills from Law School to Law Firm*, 28 LEGAL REFERENCE SERVICES QUARTERLY 291 (2009).

This article was written by a law firm librarian who polled attorneys at her firm and several other law firm librarians about the legal research skills of new associates. The respondents pointed out that new associates need better skills using secondary sources and industry-specific resources as well as better knowledge of cost-effective and efficient research

techniques. In addition, the transition from law school to law firm research could also be aided by teaching students when it is appropriate to conduct online research and when to use print materials cost-effectively. Finally, respondents indicated that students need more knowledge about how statutes and regulations are created and how to update print research.

Isa Lang, *New Attorneys' Research Skills: An Enlightening Conversation*, 37 SOUTHERN CALIFORNIA ASSOCIATION OF LAW LIBRARIES NEWSLETTER 19 (May/June 2010).

The author, an academic law librarian, reports on a meeting between law firm and law school librarians to talk about the legal research skills of new attorneys and summer associates. Participants discussed the need for law students to learn how to solve practical legal problems, which should allow them to more easily identify relevant resources for a particular issue. They also discussed the importance of law students learning not to give up quickly on research, but instead to see a librarian if they are having trouble. They also indicated that new attorneys have problems with choosing appropriate databases and constructing searches and need more familiarity with print digests and secondary sources. Finally, they pointed out that law students need more knowledge about cost-effective searching and participants suggested that information about billing should be provided in legal research courses.

Patrick Meyer, *Law Firm Legal Research Requirements for New Attorneys*, 101 LAW LIBRARY JOURNAL 297 (2009).

The author, an academic law librarian, conducted a survey of law firm librarians to identify the most important research tasks in the law firm setting and the proper format or formats in which those tasks should be performed. Respondents indicated that the most important research task that new attorneys should know is how to perform cost-effective research. They also indicated a strong need for these attorneys to know about case/digest research and secondary source research. Secondary source research and statutory research were indicated as the types that should usually be conducted in print and Shepard's/Keycite, document retrieval by citation, and case law/digest research should usually be conducted online.

Michelle I. Mitchell, *Setting the Bar: Legal Research Benchmarks Create More Effective Training in Law Firms*, 13 AALL SPECTRUM 12 (Dec. 2008).

This article, written by a law firm librarian, addresses the need for law firms to create a training curriculum to help bridge the gap between law school research classes and a law firm's research needs. Gathering suggestions from other law librarians, the author lists the bench marks she believes are necessary for a new associate to learn in order to function in a law firm. She found that new associates need a better understanding of the

progression of cases through the courts, the legislative process, the agency rulemaking process, and the interaction between the legislative and executive branches. They also need to learn more about secondary sources and when to use print resources vs. electronic resources. Lastly, she indicates that new associates need more knowledge about how to use tables of contents, indexes, and tables of authorities.

Leslie A. Street & Amanda M. Runyon, *Finding the Middle Ground in Collection Development: How Academic Law Libraries Can Shape Their Collections in Response to the Call For More Practice-Oriented Legal Education*, 102 LAW LIBRARY JOURNAL 399 (2010).

The authors, academic law librarians, surveyed law firm librarians about collection management decisions regarding secondary sources. One survey question asked the respondents to indicate the importance of training on particular resources during law school. The firm librarians indicated that the most important resources for new associates to gain training on during law school are online databases, procedure manuals, looseleafs, treatises, and digests. The authors recommended for academic law libraries to base collections of print secondary and practitioner sources on law school clinical and experiential learning curricula and to keep a core collection of print secondary and practitioner sources for their local jurisdiction. The authors also suggested that academic law librarians could consult with law firm librarians, or other individuals at law firms, in order to better understand the needs of specific legal practices before making large-scale cancellation decisions.

Mike VanderHeijden, *Bridging the Abyss: Law Librarians Come Together to Prepare New Attorneys*, 12 AALL SPECTRUM 40 (Sept/Oct 2007).

This article, written by a law firm librarian, discusses an AALL annual meeting program about preparing new lawyers for practice. It reports that the research skills most lacking among new attorneys are defining and narrowing issues with secondary sources and finding relevant sources efficiently. The top skill recommendation was for students to receive more training on print resources. Suggestions for better preparing students for practice include: adding a legal research component to the bar exam, offering students a for-credit certification in legal research skills separate from continuing legal education, and collaboration between law schools and law firms to identify and remedy legal research skills deficiencies.

Jennifer Wertkin, *Closing the Legal Research Gap: Roles for Law Librarians in the Current Economy* (2009) (unpublished manuscript), <https://lib.law.washington.edu/lawlibrarianship/CILLPapers/Wertkin2009.pdf>.

The author, an MLIS candidate at the University of Washington, interviewed 26 private law

firm librarians in order to learn more about the research deficiencies of summer associates and new attorneys. The specific deficiency mentioned most often was the lack of knowledge regarding practice-specific resources such as the BNA subject libraries. However, the author reports that the biggest deficiencies seemed to be much more about the research process. First, new attorneys do not know where to begin their research, often turning to Google rather than secondary sources. Next, they cannot put their legal issue into the broader context. To help with this, firm librarians suggest that law students need less emphasis on keyword searching and more exposure to print versions of primary law as well as tables of contents and indexes. Finally, the librarians indicate that new attorneys cannot replicate their research process when assigned new problems.

Michael Whiteman, *Law Library-Palooza: Academics Connect With Their Colleagues in the High Rise World to Improve Legal Research Courses*, 12 AALL SPECTRUM 6 (April 2008).

This article, written by an academic law librarian, discusses how the librarians at his law school learned more about how users conduct legal research in the real world. The academic librarians toured seven firm and county law libraries to see what resources (print and electronic) were available to their patrons and discussed how attorneys do research with the other librarians. They did so because they had often heard that students are unprepared for research once they begin practice and they wanted to be able to show students that what they learn in their legal research classes will have application once they start to practice. The visits highlighted the need for attorneys to learn how to use print statutes and secondary sources, use looseleaf services, and conduct online searches. The author used the information to alter the content of the first year legal research classes at the law school.

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