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FCIL *Newsletter*

Volume 14

February 2000

Number 2

From the Chair

Katherine Topulos

Duke University School of Law Library

AALL held a Leadership Retreat for the Special Interest Sections on October 15 and 16, 1999. Participants included the Chairs of the SISs, Margie Axtmann (President), Roger Parent (Executive Director), Martha Brown (Director of Programs) and the current and former SIS Council Chairs. The primary purpose of the retreat was to maximize input from the participants, and to help develop a common focus for AALL. By the end of the weekend we had written an SIS Impact Statement and Purpose Statement, created a Leadership Profile for SIS leaders and discussed strategies for implementing what we developed. A fuller report on this event will be available in the SIS annual report next spring.

Christine Corcos has updated the web page of the Interest Group on Teaching Foreign, Comparative and International Legal Research (click on "Collection of FCIL-related Course Descriptions, Syllabi, Bibliographies and Similar Materials" from the FCIL-SIS homepage <<http://www.lawsch.uga.edu/fcil/fcil.html>>). The new page includes a directory of members, syllabi and other teaching materials, and research guides. If you have a syllabus or other material you'd like to add to the page, or if you'd like to be linked from the page, contact Christine at ccorcos@unix1.sncc.lsu.edu.

I'm delighted to report that six programs (three of which are co-sponsored with other groups) and an all-day workshop have been accepted by AALL's Annual Meeting Program Selection Committee (AMPSC) for next summer's annual meeting. The workshop is called *Gateway to Treaty Research in the Digital Age*. There are two programs on civil law jurisdictions, *Passeport pour la France: Key Legal Sources and Research Strategies* and

Passeport Intellectuel pour la Louisiane et le Québec: Legal Structure, Research Strategies and Key Sources. The other programs cover a variety of foreign and international law topics: *Building New Gateways: Research Instruction for Foreign-Trained Lawyers and Law Students*; *Passport to China: Searching and Finding in Chinese* (co-sponsors: Computing Services SIS, Asian American Law Librarians Caucus); *The Intersection of Public and Private International Law in a Global Economy* (co-sponsor: Heike Fenton, President, Transnational Publishers, Inc.); and a program on electronic sources for English legal research (co-sponsor: Research Instruction and Patron Services SIS). The Education Committee's "Update on Accepted Programs" elsewhere in this issue discusses the programs and the selection process in greater detail.

You'll notice when you look at the annual meeting program to see what FCIL-SIS events are sched-

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uled in Philadelphia that the name “working group” (as in “Latin American Law Working Group”) has been changed to “interest group.” The Executive Committee decided on this change because it was brought to our attention that folks in other SISs thought that the working groups were “by invitation” groups, open only to those who were working on specific projects. Since we want to encourage people to come to these meetings (especially since several of the groups are planning to invite speakers this summer), we thought that “interest group” would more clearly reflect the groups’ purpose, and would not limit the groups to any particular format for their meeting.

Finally, don’t forget to vote for a new Vice-Chair/Chair-Elect. You’ll find a ballot in this newsletter.

FCIL Newsletter is published in October, February and May by the **Foreign, Comparative, and International Special Interest Section of the American Association of Law Libraries**. The main goal of this Section is “to serve as a forum for the exchange of ideas and information on foreign, comparative, and international law, and to represent its members’ interests and concerns within AALL.”

FCIL Newsletter is sent free to members of the FCIL SIS. It is available for that “exchange of ideas and information.”

The newsletter can be read on the Word Wide Web at: <http://www.aallnet.org/sis/fcilsis/fcilsis.html>.

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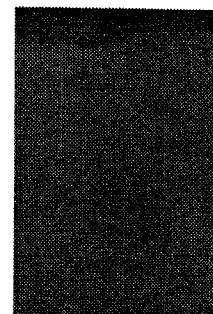
Copy Editor: Carmen Valero at Luce, Forward, Hamilton & Scripps in San Diego

Deadline for next issue: April 15, 2000

Report from Budapest

Mirela Roznovschi

New York University Law Library



The Constitutional and Legal Policy Institute in Budapest, in cooperation with the **Open Society Institute**, organized the “Training for Law Librarians,” an intensive course for law librarians in developing countries, from September 29-October 3, 1999. The training took place at the Central European University Residence and Conference Center. The Central European University (CEU), with teaching sites in Budapest and Warsaw, is an international institution for post-graduate study and research, gathering students from more than 40 countries. The computer lab provided continuous access to the Internet as well as permanent assistance during the sessions. The network functioned perfectly; professor and students alike enjoyed unimpeded access to all legal databases throughout the institute.

The class: 22 professors of law, law librarians, directors of law libraries or legal centers from 16 countries (Albania, Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Moldova, Mongolia, Russia, Tajikistan, Ukraine, Uzbekistan, Yugoslavia). The participants were brought to Budapest for a course related to building law collections and conducting legal modern research. I was invited to design and teach the training. My partner was Anne P. Pries Heijke of the Library of the Institute of East European Law and Russian Studies, Leiden, the Netherlands. She is a specialist in the field of collecting legal materials from the countries of the former Soviet Union and Central and Eastern Europe. I covered Lexis/Nexis,

Westlaw, Celex, as well as legal databases on international, comparative, and foreign law. I presented also a short introduction on designing libraries' home pages.

My background: I want to stress the importance of knowing French, Italian, Russian, Albanian and Moldavian in such a multinational environment. The fact that I can read and understand Russian was vital for building a bridge with the Russian group. My knowledge of Italian and Albanian (I studied Albanian one year in College) helped the librarian from Albania who addressed me at the beginning in Italian and Albanian and then switched to English. The librarian from Belgrade was fluent in both French and English. Similarly, I was able to communicate with librarians from Ukraine and Belarus, etc. My knowledge of Moldavian, which is actually Romanian, gave more confidence to the librarians from Moldova to speak English.

Another factor is that I was born in a Communist country, so I knew a lot about the Communist bureaucracy, post-Communist era and political issues. This factor added credibility to my suggestions for improving the libraries in the students' home countries.

Languages: The training was conducted in English. I expended much energy explaining that they should view English as the language of computers, international legal databases, international organizations (as well as the language of Westlaw, Lexis, Celex, EU and EC legal databases), not as an imperialist language. At the beginning, many participants preferred Russian to English, even though they had a passive knowledge of English. For them, Russian was the universal language. The first day I told the organizers that I did not want translators in the class. I matched better speaking English librarians with the other students. The next day I was forced to go back to translators but 12 participants did not use their services. In the last teaching day only 4 or 5 out of 22 were using the English-Russian translators. I had a problem with the two Mongolians speaking only Mongolian. They did not even speak Russian, so they were lost during the training.

While teaching foreign law, my students saw me using legal dictionaries to find equivalents for legal concepts in different languages and jurisdictions. This was the case with searching in Dutch, French, and German legal databases. These exercises, as well as the exercises on European Union and European Council databases, gave the students a real feel for the real world of foreign and international legal research.

Legal systems: Civil law countries with an interest in common law jurisdictions. Civil law in an Islamic country (Tajikistan).

Religions: Catholic, Eastern Orthodox, Islamic, Buddhist. I tried to be very careful with my human rights examples in order to avoid delicate issues related to religious beliefs. Anyway, life is very unpredictable so I was not able to keep up with the commitment to this end. On September 30, while I was teaching about the European Court of Human Rights, CNN announced that the court from Strasbourg had decided the *Case of Moore and Gordon v. the United Kingdom* and the *Case of Smith and Ford v. the United Kingdom* (related to homosexuality in the U.K. army). In my class, filled with people from very conservative countries (where homosexuality is punished by religion) this provoked a big uproar. I explained that we should view these developments as an opportunity to demonstrate how research must be up to the minute and how fast cases are uploaded by international courts' databases. The class was then able to look at the entire issue in a more detached light.

Political sensitivities: There were unspoken tensions between representatives from Azerbaijan and Armenia; the Baltic group and the Russian group; Yugoslavia and Albania. The librarian from Yugoslavia saw me as an imperialist representative of the USA and NATO when the Kosovo Tribunal popped up on the screen, etc. To avoid damaging political sensitivities, my examples in the class room were related to far away regions such as Rwanda, South Africa, Chile and Pinochet, etc.

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Regions: The concept of regional cooperative groups obtaining grants (to develop home pages, online catalogs, etc) became more prominent especially for the Russian Group, in the last teaching day. They were curious about our Northeastern Cooperative Group. In the class, the following regional groups were detectable: The Baltic group; the Russian and former Soviet Union countries (Belarus, Ukraine, Armenia, Uzbekistan, Moldova, Azerbaijan); the Far Asian group (Mongolia); and the Central European group (Yugoslavia and Albania).

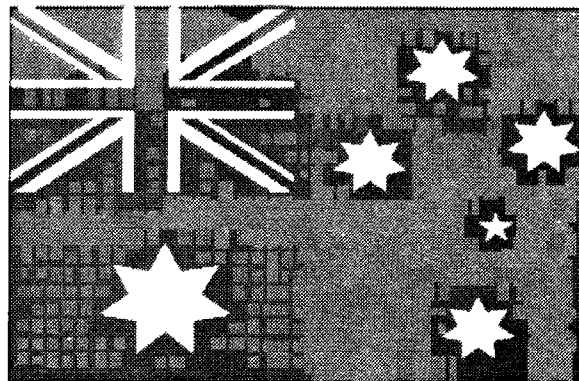
Training schedule: I taught an average of four hours a day plus an additional two hours spent helping my class with the homework in the computer lab.

Homework: The homework was designed to practice skills and to reinforce everything taught in class. I prepared assignments very carefully in accordance with the Syllabus (distributed in advance). Students ran searches in parallel databases and compared results. This enabled them to critically evaluate and compare databases. The homework was prepared in English. This provided another incentive for students to switch from Russian, Italian, and French to English. The result was positive. The students were able to complete their homework. Many of them worked in groups. I encouraged team work because students had the opportunity to learn not only from me but to share their experiences with each other.

Analysis of discrepancies: There were big differences in the participants' levels of understanding. The Baltic Group was the most advanced. The Russian Group was very well represented by Russia (Moscow), while the other countries were far behind Russian libraries. Those from the Far East possessed less knowledge of technical support in a modern library. The Armenian librarians were well trained because they had benefitted from intensive training at New York University and USAID training programs.

Conclusion: I felt like a probe heading for the far reaches of the solar system, but I also felt that it was the time to share my expertise with others. There are a large number of good law libraries, albeit in different stages of development in Eastern and Central Europe, Russia and Far Asia. In the coming years, many of these law libraries or legal centers will develop tremendously. They want to be our partners and colleagues. Time is on our side. I have great expectations for the future.

**Australian Law &
Librarianship**
**18th IALL Course, Melbourne,
Australia, September 1999**
Margareta Horiba
Tulane University Law Library



If there was ever a doubt in my mind whether to attend the IALL session in Melbourne, a remote and unfamiliar place, it was quickly dispelled during the IALL sponsored program at the annual meeting in Washington, when Ruth Bird, director of the law library at University of Melbourne, gave a lively and informative introduction to law, life and politics in Australia. And during the social hour following there was much enthusiastic testimony to all good things down under.

My flight to the southern hemisphere lasted one long night but I arrived in the beautiful city of Melbourne at the same time spring was breaking out and people were filling the parks and outdoor cafes.

Disconcertingly at first the sun warmed from the north at midday and the shadows pointed south. I gradually got my bearings. Melbourne is an elegant and modern metropolis with an efficient public transportation system. Meals and services are provided with style and at very reasonable prices. The architecture is serene with a blend of two worlds, the old and the new, Europe and United States. I strangely felt as if I had been there before.

The days of expertly planned meetings and excursions resonated with superb presentations, hospitality and fine meals. The neatly finished papers were handed out at registration for anyone to read ahead. There were 45 participants altogether, one from Europe and one from East Asia, the rest divided between North America and Australia. The small size of the group allowed for an unhurried and intimate atmosphere with ample opportunity to establish new contacts which is sometimes the most valuable thing to bring back. IALL members may never have had such good value.

Most of the meetings were held at the charming Old Treasury Building, close to the Parliament of Victoria and other governmental buildings, bordering beautiful gardens where officials, as well as IALL members, were sprawling on the grass during lunchtime. University of Melbourne hosted the meetings one day and during our excursion we visited Monash University for a presentation and a tour of the law library. The Parliament and Supreme Court of Victoria libraries hosted gracious evening receptions in their old world architectural splendor. Wildlife and wine were, as might be expected, also included in the program on a delightful tour to Healsville Sanctuary and Yarra Valley.

These altogether pleasant contours never diminished the seriousness and substantive contents of the meetings. Justice Peter Gray of the Federal Court of Australia, the first key note speaker on the day dedicated to issues related to indigenous people worldwide, acknowledged at the outset of his presentation that we were meeting on land that traditionally belonged to the Aborigines. This was a

gesture that is part of the reconciliation process now going on in Australia with the delicate issues of apologies and restitution of land rights. Justice Gray gave an insightful and fascinating presentation of the difficulty in reaching legal settlements with members of a culture that acknowledge first and foremost their own laws and dreamings handed down to them by ancestors and of the efforts of the bar to gain access and understanding of these laws. This presentation set the tone for the meetings as well as for my brief experience in Australia, later enhanced by Bruce Chatwin's book *Songlines*, a travel book with a personal insight into the life and customs of the Aborigines. It was a great surprise to me with my rudimentary and outdated notions of Australia that this country with an indigenous population of only 1.5% has made the reconciliation process a cultural policy with commitments on all levels of society.

AustLII, The Australian Legal Information Institute with its seven gigabytes of Australian and regional legal and free access databases, has taken a leading role, stepping in where the government has been afraid to tread, by creating the Reconciliation and Social Justice Library, a project providing public information on indigenous issues. It began in 1995 with the publication of Royal Commission into Aboriginal Deaths in Custody, making countless volumes of out of print reports available electronically and free of charge. The goals are to continue to search for relevant material, to develop techniques for easy access to all documents, and to increase access to legal information in remote areas and train indigenous people in internet e-mail use and evaluate its usefulness at that level.

There were other topics of great interest and curiosity from my perspective. In a lighter vein but highly educational, the former Chief Justice of the High Court of Australia and a friend of libraries, Sir Anthony Mason, reflected on his experience as an itinerant judge in the Asia-Pacific region and the role of libraries in Australia and the small struggling jurisdictions of Fiji and Solomon Islands. A constitutional scholar from University of Melbourne

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gave a fascinating account of the constitutional intricacies of Australia and the then upcoming referendum. We now know that the Australians rejected the proposal of giving up the monarchy for a republic.

A panel of librarians rounded out the meetings by presenting their views. A law firm librarian was concerned with the trend in mergers, the academic librarians with the proliferation of law schools (in Australia an undergraduate degree), a court librarian was indulging his judges and a government librarian's problem was facing budget cuts, "downsized, capsized". Those are a few things I recall and the overall impression was that they are fighting the same battles as librarians in most places. What impressed me was their unqualified professionalism and confidence that, no matter what, librarians are needed to get the job done.

With this IALL course the Australian law librarians have raised the standards for what a meeting of this kind can be like – a true learning experience in a most delightful setting. It was a privilege to attend.

Interested in visiting foreign law libraries or exchanging places with law librarians from other countries? See testimonials of law librarians who've already done it at: <http://www.lawsch.uga.edu/fcil/testimonial.html>. There will soon be a listing of law libraries willing to participate in exchanges and visits; keep an eye for the list at: <http://www.lawsch.uga.edu/fcil/clearintro.html>. To be added to the list of participating libraries around the world complete the questionnaire at: <http://www.lawsch.uga.edu/fcil/survey.html>.

If you've visited a foreign law library or participated in an exchange, please contact David McFadden, chair of the FCIL Clearinghouse for Internships & International Personnel Exchanges Committee, to be included on the Internet testimonials page.

For further information about the Clearinghouse, go to: <http://www.lawsch.uga.edu/fcil/clearintro.html> or contact David McFadden Southwestern University School of Law Library dmcfadden@swlaw.edu.

Education Committee Update on Accepted Programs

Jean Davis

Brooklyn Law School Library

&

Dennis Sears

BYU Law Library

Below are the AALL 2000 Annual Meeting proposals accepted by AALL's Annual Meeting Program Selection Committee (AMPSC). Although AMPSC did not select *Gateway to Scotland's Devolution: New Institutions and Sources*, Katherine Topulos, Jean Davis and Dennis Sears have contacted the program proposer/speaker and hope to offer this presentation during an FCIL-SIS designated meeting time slot, as our group did with the excellent Australian legal research program in Washington.

This year, AALL allowed members to submit program proposals as e-mail attachments and the FCIL-SIS Education Committee used this submission option for a two-part series on the WTO and international economic development. The Education Committee tried to ensure that AALL would receive the e-mailed proposals; however, AMPSC did not receive one of the two proposals. The Education Committee will resubmit these two programs in 2001. Jean is now a member of AMPSC. In the summer of 2000, she will work with the Education Committee to monitor FCIL-SIS program submissions for the AALL 2001 Annual Meeting (AALL officers are aware that Jean will be the FCIL-SIS Chair during part of her AMPSC tenure and this is not a problem). With Marci Hoffman serving on the Professional Development Committee and Jean serving on AMPSC, we will be able to express our group's 2001 programming interests to many AALL leaders! Katherine, Jean and Dennis thank all who currently are preparing our upcoming workshop and programs.

FCIL SIS Workshop (one day):

Gateway to Treaty Research in the Digital Age

(Workshop would cover key print and electronic sources and research strategies. Morning session: basic; afternoon session: advanced.) Name of one contact: Stefanie Weigmann

FCIL SIS Programs:

Passeport pour la France: Key Legal Sources and Research Strategies (Program I of II in a Civil Law Series) Name of one contact: Charlotte Bynum

Passeport Intellectuel pour la Louisiane et le Québec: Legal Structure, Research Strategies and Key Sources (Program II of II in a Civil Law Series) Name of one contact: Christine Corcos

Building New Gateways: Research Instruction for Foreign-Trained Lawyers and Law Students
Name of one contact: Jean Wenger

Other Groups' Programs Co-Sponsored by FCIL SIS:

Passport to China: Searching and Finding in Chinese
(Program would cover search engines, software applications and fonts needed to conduct research in Chinese, key web sites to obtain Chinese legal information, and translation software to assist "English only" researchers.)
(Co-sponsors: Computing Services SIS, Asian American Law Librarians Caucus) Name of one contact: Victoria Szymczak

The Intersection of Public and Private International Law in a Global Economy
(Co-sponsor: Heike Fenton, President, Transnational Publishers, Inc.) Name of one contact: Heike Fenton

A program on electronic sources for English legal research that would be a follow up to the popular 1997 AALL Annual Meeting program *English Legal Research from an American Perspective*. (Co-sponsor: Research Instruction and Patron Services SIS Name) Name of one contact: Stephen Young

Attention FCIL SIS members

It is time to select our new Vice Chair/Chair-elect. Please fill out the ballot found on page 9 of this issue and return according to the included instructions.

Many thanks to the members of the Nominating Committee: Bill McCloy (chair), Randall Snyder and Xinh Luu.

Electronic Issues Working Group

Meeting held July 18, 1999

Marylin J. Raisch

University of Toronto Law Library

Convener: Marylin J. Raisch, Diamond Law Library, Columbia

(This is a more detailed written version of an oral report made to the FCIL-SIS at its business meeting held July 19, 1999).

The meeting opened with the convener suggesting four possible topics for discussion:

Archiving electronic formats: CD Rom lacks archival standards. Future computers may have bigger and better memory, but among this and other unknowns- who will actually ensure archiving of electronic material?

Impact on budgets: is it safe to cancel some subscriptions, and are the savings lost when some of the best databases are not free?

Internet knowledge management has been overwhelming; is it getting better?

How does being a web page editor or manager fit in with other tasks in the professional librarian's daily round of tasks and with the library's mission?

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The discussion began with the first topic, archiving electronic legal materials, and the group seemed to stay with this topic and so by consensus, this was the subject which was explored in depth.

Kathie Price indicated that at a recent RLG meeting, librarians discussed individual library policies on refreshment of electronic information and archiving standards. There is a proposal being prepared which would advocate legislation to put responsibility for the archiving of U.S. government material under the Superintendent of Documents instead of the National Archives. Many kinds of electronic documents are going public with no archival standards in place.

Maria Smolka-Day suggested that the group make a list of important areas for attention. Among Inter-governmental Organizations (IGOs), many are making information available on a very timely basis and in a useful way, but, taking the International Labour Organization (ILO) as an example, treaties and legislation at the site incorporate amendments, but what about the previous versions of the text?

The group considered the underlying issue, not unknown in print since the rise of loose-leaf services, of the tension between capturing the law in time versus capturing the law in force. One goal would be to “raise the consciousness” of the library and information community about this issue. It was suggested that we might pick IGO and NGO (non-governmental organization) sites which have started with good practices for archiving and to get a kind of model practice or model archiving code underway.

Related to this topic of archiving would be areas of information which are not being preserved and may just be neglected or too readily considered ephemeral. Virginia Wise mentioned drafting a position paper with an “endangered species” list of such materials and solicited suggestions from the group. Barbara Rainwater called the attention of the group to the various levels of documentation, beginning

with primary legal materials such as statutes and cases on down to newsletters and that these levels in print are now the same in the electronic world but all are equally tenuous on the web.

It was suggested that the group, on behalf of the FCIL-SIS, might draft a master form letter as a questionnaire to be put to the managers of important web sites, particularly good IGO or NGO sites asking, “what is your current archiving practice, if any?” and perhaps a model code and even a kind of template form for the management and location of archived material on a site could be arrived at and promulgated as a standard.

Kathie Price asked if anyone in the group might want to persuade his or her institution to consider “partnering” with an institution or organization to help with archiving that organization’s materials.

Finally, it was suggested that these efforts be coordinated with efforts which might be underway in other organizations, such as the ALA International Documents Task Force (IDTF) and the Government Documents SIS of AALL. The group agreed to bring back these issues to their libraries and to keep the topic alive in the building and maintaining of electronic legal information.

Those recorded as attending the meeting are as follows: Kathie Price, NYU; Virginia Wise, Harvard; Maria Smolka-Day, UPEND; Tracy Thompson, Yale; Vicki Szymczak, Brooklyn; Barbara Rainwater, Covington & Burling; Ken Rudolf, Yale; Stefanie Weigmann, Boston U.; Daniel Boyer, McGill; Mila Rush, UMinn; Jonathan Franklin, MICH; and Stephen Wiles, Harvard.

AMERICAN ASSOCIATION OF LAW LIBRARIES
Foreign, Comparative, and International Law Special Interest Section

TO: Members of the FCIL-SIS
FROM: Tracy Thompson, Secretary/Treasurer
DATE: January 21, 2000
RE: Annual Election of Officers

Below is the official ballot for the election of FCIL-SIS officers. In even-numbered years, only the Vice-Chair/Chair-Elect is up for election. Please feel free to vote for a write-in candidate of your choice—after verifying that individual's willingness to serve.

Mark your ballot and place it in a plain envelope, seal it and mail it to me in a cover envelope. **Your name must appear on the outer envelope for the ballot to be valid. Do not write anything on the outside of the inner envelope.**

Please return your ballot by March 15, 2000.

Foreign, Comparative, and International Law Special Interest Section
Official Ballot
2000

The Nominations Committee, consisting of William McCloy (chair), Randall J. Snyder, and Xinh T. Luu, has nominated the following candidate:

Vice-Chair/Chair-Elect:

[] Christine Corcos
Director of the Law Library and Associate Professor of Law
Paul M. Hebert Law Center Library
Louisiana State University

[]

Please return ballots to:

Tracy Thompson
Assistant Librarian for International Law
Yale Law School
Lillian Goldman Library
127 Wall St., Rm 405A
New Haven CT 06520-8215

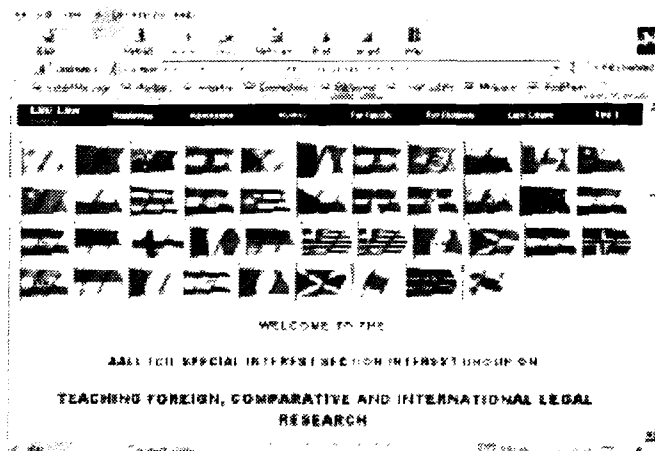
Attention FCIL SIS Members!

**Please clip, complete & mail the ballot
on the other side. Follow the instruc-
tions for mailing carefully.**

New Interest Group Web Site

The Interest Group on Teaching Foreign, Comparative and International Legal Research now has its own Web site.

The site updates the useful collection of Syllabi & Teaching Materials and Member Legal Research & Bibliographic Guides while adding a Directory of Members, Useful Listservs & Web Links, and Food for Thought. Kudos to Christine Corcos for creating the site.



<http://www.law.lsu.edu/library/aall/workinggroupindexpage.htm>

Publish with AALL!

* Do you have an idea for a new electronic or print publication of interest to law librarians?

* Would you like to grow professionally and personally by creating a new publication that would be of use to your colleagues?

Then the AALL Publications Committee would like to hear from you! The AALL Publications Committee encourages people to publish with AALL, and reviews proposals for new AALL publications.

From the AALL Publications Committee website at: <http://www.aallnet.org/committee/publications/>, you can contact members of the Publications Committee, or download a proposal form.

AALL publishes or sponsors a wide variety of materials of interest to law librarians, in print, electronic, and micro-formats. They include:

- * Periodicals, such as AALL Spectrum and Law Library Journal;
- * Indexes, such as Index to Foreign Legal Periodicals;
- * Professional Development Materials;
- * Bibliographies and Research Guides;
- * Management and Public Relations Resources;
- * Occasional Papers on Various Topics;
- * Educational Program Materials.
- * Results of Research;
- * Instructional and Training Resources.

AALL is eager to publish new materials. If you have an idea for a new publication, we look forward to hearing from you!

Rob Richards, Chair, AALL Publications Committee, rriichard@stripe.colorado.edu

FCIL SIS
c/o Anne Burnett
University of Georgia Law Library
Athens GA 30602