

SCCLL News

A Newsletter of the State, Court and County Special Interest Section of the American Association of Law Libraries

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View from the Chair

Sara Galligan, SCCLL Chair



Authentication of online legal resources - we've been hearing about it all year. So how would you answer the question "How trustworthy are your state's primary legal resources on the Web?" If you can't quickly come up with a reply, you might want to again review the materials at the AALL website (www.aallnet.org/summit). The final report (State-by-State Report on Authentication of Online Legal Resources) includes a statement that "State online primary legal resources are therefore not sufficiently trustworthy." Because these free resources are usually the only resources available to self-represented litigants, I find this particularly alarming for those of us in state, court, and county law libraries.

Here in the real world of Dakota County, I recently encountered an elderly patron with a question about car insurance. Apparently he'd been in an accident and believed his insurance policy covered the needed repair. Due to a contrary opinion of his insurance representative, he felt compelled to visit the law library to check on a state statute that the insurance company supposedly sent him.

While he didn't have the text, he did have the citation, so we searched the online Minnesota Statutes to investigate. From what I could gather, the patron's summary of the text sent him by the company was not consistent with the online statute text. Obviously, there could be several things wrong with this picture. But left to his limited resources, how would this gentleman know if the insurance company sent him inaccurate information, either willfully or unintentionally?

On the other end of the spectrum, here in Dakota County our law library implemented a project last summer to upload the county ordinances onto the web using a photocopier with scanning capability and Adobe Acrobat software with OCR and book marking functions. While the ordinances clearly display on our official county website, I failed to even think about providing any of the authentication methods described in the Authentication Report to convey the validity of our content. Am I off the hook because the AELIC report seems to apply more to state-level primary legal resources?

It's quite commendable that AALL started this discussion, led the summit last April, and issued a noteworthy report on the authentication of online legal information. The report discusses the status of authentication in the fifty states and also includes an appendix with information on encryption and digital signature techniques. The report also suggests how we can take action as individual law librarians.

As for follow-up by our SIS, Katie Jones, Chair of SCCLL's Technology Committee attended the Court Technology Conference and a program featuring AALL's authentication report. The program presenters included AALL members Tim Coggins and Mary Alice Baish as well as the Honorable Judge Herbert B. Dixon, Jr. (Superior Court of D.C.) who was a summit delegate. As AALL's representative to the National Center for State Courts, I had budgeted attendance at the Court Technology Conference in October 2007. With its emphasis on technology, I asked Katie to attend in my place.

(View from the Chair continued on page 2)

(View from the Chair continued from page 1)

Her report about the CTC and the programs she attended is included in this newsletter. It's heartening to note that approximately 65 individuals attended the authentication program. Going forward, I hope we all stay in touch with efforts in our respective states to ensure that each state's publicly available legal resources on the web are authoritative and reliable. The ability to identify such information for our patrons, and to explain the rationale for authentication, certainly reinforces the value of law librarians to those who seek our services. ■

From the Editor

Kim Ositis, **SCCLL News** Editor

SCCLL News Correction Note:

In the Fall 2007 *SCCLL News*, an article appeared about SCCLL's meeting in July 2007 with Thomson West (T/W) representatives. West representatives requested that we make one correction in information that was reported about the LMA (Library Management Agreement). Our article stated the "LMA contracts generally have an annual increase of 11%. This is less than the average increase for their products."

After this article appeared in our SCCLL Newsletter, West notified us that their LMA contracts generally have an annual increase that is much less than that. ■

2008 Silent Auction is Right Around the Corner!

Tammy A. Hinderman, Silent Auction Coordinator

Looking for something to keep you busy during these cold, dark wintry days? Why not you're knit a scarf? Or make some jewelry? Or carve some wooden toys? And when you're done, consider helping out your SIS by donating your fine work to the SCCLL silent auction! As you all know, the money raised during the auction helps to fund grants for our members to attend the AALL Annual Meeting and for members to attend the Equal Justice Conference. These grants generally are awarded to newer members of our profession and members who have not previously been able to attend professional development activities due to funding constraints.



This year, we are awarding 3 grants to attend EJC and 4 grants to attend this summer's meeting in Portland! We would love to exceed that total with this year's auction. Through your generous donations (and, of course, your generous bids), we can certainly meet this goal. It is never too early to start thinking about what you can contribute. More details on how to submit your contributions and the online auction blog will be provided in the upcoming spring newsletter. For donation ideas, feel free to visit last year's auction blog at <http://sccll.wordpress.com>. If you have any questions or ideas for contributions, feel free to contact me at any time at thinderman@mt.gov. ■

Ed. Note: Tammy has taken a new position and will not be able to be the Silent Auction Coordinator. Barbara Fritschel has agreed to take over this position.

SCCLL News is published three times a year (Fall, Winter, and Spring) by the State, Court and County Law Libraries SIS. **The deadline for the next issue is May 15, 2008.** Articles and forms should be submitted via electronic mail to: Kim Ositis, SCCLL News Editor, King County Law Library, kim.ositis@kingcounty.gov.

The State Court & County Law Libraries SIS does not assume any responsibility for the statements advanced by the contributors in this newsletter. The opinions expressed in SCCLL News are those of the authors and do not necessarily reflect the views of the SCCLL SIS.

SCCLL Officers & Board Members 2007-2008

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Kathy Carlson, Longevity Awards
Barbara Fritschel

Newsletter

Kim Ositis, Chair
Charley Dyer (column)
Meg Martin
Dan Campbell

Nominations

Georgia Chadwick, Chair
Anita Anderson
Sandy Marz

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John Pickett

Charley's Corner

Profiling at the Reference Desk

Charles R. Dyer, Consultant and Retired Director of the San Diego County Public Law Library

All views expressed in this column are my own alone.

I received an interesting comment from a reader of my recent article, "The Queen of Chula Vista: Stories of Self Represented Litigants and a Call for Using Cognitive Linguistics to Work With Them," 99 *Law Library Journal* 717 (2007). In it she suggested that my characterization of different types of self represented litigants whom we see at the reference desk seemed to her to be "profiling." I did characterize them as falling into a spectrum or along a line, whose individual understanding of the law was either closer or farther away from the accepted normative concepts understood by those who understood legal discourse. I said it was our job to help these litigants gain the ability to understand the legal discourse as it applied to their cases.

The term "profiling", of course, has a bad reputation due to its use as a label for the process used by Homeland Security to judge who might be more likely to be a terrorist simply by their appearance. People are detained for long periods at airports and border crossings because they look Arabic and "act suspicious." Such simplified profiling of course leads to the deprivation of civil rights of people for whom the security personnel have no other reason to detain. Such detentions do not have just cause.

The term "profiling" was borrowed from the police practice of trying to determine who might be likely suspects in various crimes so as to eliminate the numbers of suspects that have to be culled through in order to solve the crimes. Several popular television programs show psychologists, mathematicians, or other trained personnel supposedly employing statistical patterns in order to accomplish such profiles. The real experts who do this know that they are dealing with probabilities and arrests are not made until subsequently revealed facts can corroborate who among the selected few is the probable criminal.

At the reference desk, we too use profiling, but for good purposes. When a person at the counter appears to be a little uneasy and out of place and perhaps dressed more casually than most lawyers, an initial presumption that the person might be a self represented litigant would be reasonable. Upon hearing the patron's question, a reference librarian will then continue with or correct the initial guess, making it a bit more educated. As the reference transaction continues, the reference librarian can fairly well determine how familiar the patron is with law practice generally and the area of law being discussed. The librarian will then respond with that knowledge in mind, taking more time and using more basic terms to answer the question for a person who is less familiar.

Profiling is actually routed in our common ability to recognize faces and assess friends and foes that humans and other higher animals developed through evolution. Humans primarily use visual cues, coupled with some auditory cues, to recognize friends, but we still have the residual recognition of olfactory cues that is more highly developed in many other higher animals. We develop our sense of recognition as we mature. One-year old babies quickly recognize adults that they see regularly, such as parents and siblings. But they remain, or rather become, fearful of faces they don't know. My own granddaughter, whom I see about once a month, was at first fearful of me. Now, as a three-year old having seen me regularly, she looks forward to seeing me, even asking to speak to me

(Charley's Corner continued on page 5)

"At the reference desk, we too use profiling, but for good purposes."

(Charley's Corner continued from page 4)

when she is talking to my wife on the phone.

At some point, children grow to make distinctions in broader categories. People in uniform might be perceived as either friend or foe, depending on the reaction the child sees her parents make. Eventually, the child learns to distinguish the mailman from the traffic cop, and later learns to distinguish when the traffic cop may be friendly from when he may be about to give you a ticket. As children grow, their profiling advances until they begin to perceive people in larger categories, rich or poor, handsome or ugly, thin or fat, ethnically similar or ethnically dissimilar.

This process is so common in humans that neuroscientists assume it and build empirical studies based on it. Some scientists have been searching for animals that develop a "theory of mind", which is considered a component of higher consciousness. In other words, they are looking for animals that have the capacity to try to determine what another animal might be thinking. The notion of these scientists is that, for a species to develop a theory of mind, an animal must first develop a sense of self. But that sense of self must come from developing a sense of "other," including others who are similar to the creature, and others who are dissimilar. Obviously, lower animals are able to recognize members of their own species (called "conspecifics" in their jargon), if for no other reason than to mate and propagate the species. Animals with social interaction, such as most mammals, must be able to recognize members of their own family. So they profile their own conspecifics.

There was a recent study of capuchin monkeys (the "organ grinder" monkeys), the most intelligent of the New World monkeys. Capuchin monkeys express a great empathy toward the fellow monkeys in their clan and usually react to other capuchins outside their clan with either hostility or fear. They also use tools and learn from each other. A capuchin monkey that is taught a trick (e.g., somersaulting for a reward) will teach other capuchin monkeys that trick. They will teach others how to use tools. A capuchin will not necessarily train a conspecific out its clan, but capuchins are smart enough to learn from other animals, even non-conspecifics, just by observation. Capuchins have been known to observe macaws cracking nuts with their beaks and then taking stones and cracking the nuts themselves. In other words, they can see what the other animals are doing and figure out why they would do that, and then emulate or even expand on the knowledge gained.

A test of the theory of mind is to place a mirror before an animal to see how it reacts. An animal with a full theory of mind will come to understand that the reflection is a reflection of itself. An animal without a theory of mind will usually act in a hostile manner to the reflection until bored, whereupon it ignores the reflection. Capuchin monkeys, which are right on the cusp, recognize the reflection not only as a conspecific, but also as one possessing physical traits similar to those within its clan. Perceiving the reflection as an unknown clan member, the monkey reacts with confusion and attempts at friendly gestures. Capuchins are close to having a theory of mind, but not quite there.

In a way, this too is a tale about profiling. An animal with a more fully formed theory of mind can abstract to some extent to recognize conspecifics outside the clan as either harmful or helpful, depending on how the other conspecific acts toward them. Gestures, calls, and body language help great apes determine the intent of approaching apes.

For human beings, our abstraction can go farther. We can consider the possibility that someone who does not know us or has not even ever met us may wish us good or ill.

(Charley's Corner continued on page 6)

"At some point, children grow to make distinctions in broader categories."

(Charley's Corner continued from page 5)

Indeed, we do it so naturally that we do it all the time without thinking about it. We profile our political leaders pretty much on the basis of how their political philosophy matches our own. In a sense, our individual political philosophies are somewhat like an abstracted version of our clan mentality. When the political philosophy is based on ethnic or religious identity, then it becomes even more viscerally similar to clan identity.

Our ability to empathize with our fellow humans, to understand what other humans are probably thinking, leads to another of our advanced traits, the ability to influence others. Our communication with other humans, our social nature, is considerably more complicated than just developing a clan hierarchy (like dogs and similar social animals) or protecting territory (like cats). We also develop extremely refined ways of working together. With the development of language, we considerably outpaced other animals in this regard. But language also gave us another trick. We can now create mental images of things and events without having seen them firsthand. We can study history and speculate about metaphysics and cosmology. We can even invent scientific theories that run counter to our normal observations. (I wonder if monkeys sent into space look back at the Earth and think to themselves, "My goodness, I always thought the Earth was flat.")

At the apex of this development, from an evolutionary point of view, is the reference librarian at a public law library aiding a self represented litigant. Here is the trained professional, able to delve into the literature of the law, itself a long-term compilation of reasoned normative patterns of prescribed behavior, helping another human who is not a member of the librarian's own clan and perhaps not even a citizen of the librarian's country. The librarian, using reference transaction training and experience, comes to understand what the litigant wants and needs. The several levels of profiling are performed almost instantaneously - indeed almost at the speed that an animal in the wild makes the decision between flight or fight.

The value of profiling is that it can help a person know how to talk with another. As the conversation continues, the speakers begin to rely on common terms that both can understand. When librarians talk with self represented litigants, librarians know to avoid jargon words and to avoid presuming frames of reference that most such litigants do not understand yet. Librarians rely on more widely known concepts. Some may be basic terms that most people know. Others may be terms or concepts that the librarian believes the litigant might know. For instance, when speaking to a younger patron, the librarian may likely presume that the patron is familiar with doing word searches in Google. If so, then the librarian can explain how to search the online catalog a bit faster.

The ethical component of profiling comes into play when the librarian decides what to do with the profile. Do we help this patron? At what level of involvement do we help this patron? Do we ignore this patron? Do we call the police? Regardless of our response, we always profile. And there are two decision points in the process of profiling: (1) Is our profile correct? We librarians should be good at reassessment when our initial guesses are wrong. (2) Is our action appropriate, based on the profile? We librarians should also be good at not presuming too much, based on a small amount of profiling.

There is no doubt that experience at the reference desk improves profiling generally. Unfortunately, a few bad experiences can sometimes add the emotional content that burns in memories and makes some profiles a bit biased. Some librarians are rather cold to "urban irregulars" because one or two were abusive or threatening. Our job in those instances is to refine our profiling so that we can distinguish when different appropriate actions are needed.

(Charley's Corner continued on page 7)

"The value of profiling is that it can help a person know how to talk with another."

(Charley's Corner continued from page 6)

Each person we serve is an individual. We profile in order to aid them faster. When we profile too fast, we can sometimes make mistakes.

From what I said above, it would seem that we should try to err on the side of taking too much time to profile, but when we don't profile fast enough, we also make mistakes. I see two kinds of problems:

(1) Time is money. Time management at the reference desk requires that we not spend all day with one patron. Also, most patrons (those who seek information, as opposed to those who seek psychological succor) want to get their business done promptly as well. This is a judgment call, based on context, on what is happening around you.

(2) Sometimes you need to call for help, and the sooner that decision is made, usually the better. Fortunately, in my experience, most patrons who become true threats take a while to do so. They are usually repeat users who exhibit signs of frustration or mental illness in prior visits. These factors should be taken into account when profiling. The problem is keeping staff informed. A log book on patrons should be kept at the reference desk, and staff should inform the next shift of issues they are seeing. (You're already doing this? Thought so.)

To the evolutionary neuroscientist, profiling is a routine part of the adaptive nature of our brain, a technique we as humans use to survive, both on an individual level and as a species. In our modern times, how we use what we learn through such devices gets more complicated than what our prehistoric ancestors saw. When you look in the mirror, what do you see? Sometimes, we profile ourselves.

For those of you interested in further study of the neuroscience discussed here, I highly recommend a recent compilation of good articles in the field: *Evolutionary Cognitive Neuroscience* (Steven M. Platek, Julian Keenan Paul, and Todd K. Sheckelford, eds., MIT Press, 2007). A book on much the same material, but with more theory and fewer case studies, is David C. Geary, *The Origin of Mind: Evolution of Brain, Cognition, and General Intelligence* (American Psychological Association, 2005). Another evolutionary neuroscience approach can be found in Gerald M. Edelman and Giulio Tononi, *A Universe of Consciousness: How Matter Becomes Consciousness* (Basic Books, 2000) and several other works by those authors.

“Each person we serve is an individual. We profile in order to aid them faster. When we profile too fast, we can sometimes make mistakes.”



2008 Candidates for Executive Committee

Georgia Chadwick, Chair, Nominating Committee

The SCCLL Nominating Committee is pleased to announce the following candidates for the 2008 election. Biographies of each candidate are included in this issue of the newsletter. The election will be held electronically, with ballots distributed no later than April 1, 2008.

The SIS Bylaws (Article VII, Section 4) allow additional nominations: "Further nominations may be made upon written petition of ten voting members in good standing. Such petitions, accompanied by written acceptance of the nominees, must be filed with the Secretary/Treasurer no later than March 15. The Secretary/Treasurer shall prepare an official ballot, including nominations by petition."

If anyone has further nominations, please follow the procedure above.

The Nominating Committee (Georgia Chadwick, Anita Anderson, and Sandy Marz) presents the following candidates:

Vice-Chair/Chair-Elect (2008-2009)

Anne Matthewman, Toronto Lawyers Association, Toronto, ON, Canada

Member-At-Large, (2008-2011)

Kathy Coon, Jenkins Law Library, Philadelphia, PA

Meg Martin, Wyoming State Law Library, Cheyenne, WY

Continuing on the SCCLL Executive Committee for 2008-2009 will be:

Chair (2008-2009)

Marcus Hochstetler, King County Law Library, Seattle, WA

Past Chair (2008-2009)

Sara Galligan, Dakota County Law Library, Hastings, MN

Secretary/Treasurer (2007-2010)

Amy Hale-Janeke, U. S. Court of Appeals 5th Circuit Library, New Orleans, LA

Member-At-Large (2006-2009)

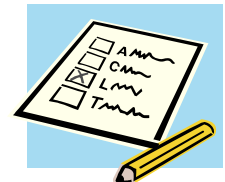
Barbara Fritschel, U.S. Courts Library, Milwaukee, WI

Member-At-Large (2007-2010)

Karen Quinn, Rhode Island State Law Library, Providence, RI

Newsletter Editor (2006-2008) Ex-Officio Member of the Executive Committee

Kim Ositis, King County Law Library, Seattle, WA



■

Anne Matthewman

Vice-Chair/Chair Elect

Employment

Library Manager/Executive Director, Toronto Lawyers Association - Toronto, 1987 - Present
 Reference Librarian, Chatham Public Library – Chatham, 1984-1987
 Librarian/Administrative Support, Essex Law Association – Windsor, 1979-1984

Education

Master of Arts in English, University of Windsor - School of Graduate Studies – Windsor, 1985
 Master of Library Science, University of Western Ontario - Faculty of Library and Information Science – London, 1979
 Bachelor of Arts in English and History, University of Windsor - Faculty of Arts – Windsor, 1978



Selected Professional Activities

American Association of Law Libraries Member, 1987-Present
 Chair, Grants Committee for State, Court and County Libraries Special Interest Section, 2007-2008
 Member of Nominations Committee for State, Court and County Libraries Special Interest Section, 2007
 Chair of By-Law Committee for State, Court and County Libraries Special Interest Section, 2006
 Member of Nominations Committee, 2005-2007
 Chair of Finance and Budget Committee, 2001-2004
 Treasurer, Executive Board 2001-2004
 Program Chair for Annual Conference 2000 - Philadelphia
 Canadian Association of Law Libraries
 President, May 2007 - May 2009
 Vice-President, 2005-2007
 Programme Chair – Conference Planning Committee, 2005
 Recipient of 2003 Education grant
 LibraryCo - Library System of Ontario Law Associations
 Member - Board of Directors, 2001 to 2007
 Toronto Association of Law Librarians
 Served as President for two years (1990-1992)
 Additionally held other executive position and served as chair of several committees

Selected Publications

Contributor to *Beyond 2000: The Future Delivery of County Library Services to Ontario Lawyers, Phases I-III*. Toronto: Law Society of Upper Canada, 1998-2000.

"Carrying out the Mission" 10 *Law Librarians in the New Millennium*, Jan-Feb 2007, 3.

"Managing library association finances, two scenarios: American Association of Law Libraries and the Metropolitan Toronto Lawyers Association" 16 *the Bottom Line: Managing Library Finances*, 2003, 65-68.

"Volumes of history: the legal profession and the development of law reporting in Ontario" 21 *Canadian Law Libraries*, Summer 1996. Updated and republished as "Volumes of History: The Development of Law Reporting in Ontario" in M.L. Foote, ed. *Law Reporting and Legal Publishing in Canada: A History*. Kingston: Canadian Association of Law Libraries, 1997.

Candidate Statement

A large component of my professional life has always been working with and contributing to law library organizations. As far as I am concerned, we all have everything to gain and nothing to lose by being a participant. I think that members of SCCLL are naturally given to working together as we must deal with many more variables than other types of libraries. We have varied user groups, several different funding sources - many of which are unstable, and infrastructure difficulties to name a few. I know that I have gained far more than I have given in the various roles I have filled as a contributor to SCCLL.

I am very pleased to have been asked to serve as Vice Chair/Chair Elect of SCCLL. I look forward to working together with all of you as SCCLL helps us to strengthen our contribution to the profession and to further the work of our libraries within the administration of justice. I have no doubt there will be some challenges and opportunities for us to work through!

Kathy M. Coon

Member-at-Large

Employment

Deputy Director, Jenkins Law Library, Philadelphia, PA 1997-present
Assistant Librarian for Public Services, Jenkins Law Library, 1982-1997
Reference Librarian, Pepper Hamilton, LLP, Philadelphia, PA, 1980-1982

Education

Masters in Library and Information Science, Drexel University, 1982
B.A., The Pennsylvania State University, 1977



Selected Professional Activities

American Association of Law Libraries Member, 1980-present
Annual Meeting, Local Arrangements Committee, 2000
AALL, Mentor, 2005
SCCLL-SIS Member 1983-present
SCCLL-SIS Trustee Development Chair 2007-2008, member 2006-2007
SCCLL-SIS Publicity/PR Committee 2005-2006
SCCLL-Model County Law Library Group, 2000-2002
SCCLL-SIS Newsletter Co-Editor 1990-1992
Greater Philadelphia Law Library Association, Member 1980-present
President, 1988-1989
Treasurer, 1985-1987
Placement Chairperson, 2006-present
Publicity Co-Chair, 2004-2006
New Jersey Law Library Association, Member
Society of Human Resource Managers, Member
Philadelphia Bar Association
Delivery of Legal Services Committee, 2006-present
Law Office Practice Management Technology Committee, 2006-2007

Selected Publications and Presentation

"Where Is Your Library Going?" Connecting...The Newsletter of the Computer Services SIS, May 2007

Program Coordinator and Panel Moderator, Blogging for Lawyers, July 2007, Philadelphia Bar Association Law Practice Management Division, <http://cybrarianblog.wordpress.com>

Program Planner, Managing Your Law Practice in the 21st Century: A Guide for Attorneys, July 2006, Pennsylvania Bar Institute

Moderator and Speaker, Key Ingredients for a Successful Technology Plan, 2000 AALL Annual Meeting

Project Manager, www.palawlibrary.com, 2001-present

Candidate Statement

The Information Age is an exciting and interesting time to be a law librarian. In addition to keeping up with new technologies, we face the ongoing challenge of providing more library services and content in a wide variety of formats with less money. It is critical for us to participate in relevant professional networks and to share our experience and knowledge with others in the state, court, and county law library community. If elected, I will work diligently with the SCCLL Board to implement our strategic initiatives to provide members with collaborative networking and educational opportunities so we can excel in the present and be prepared for the future. I have often been inspired and encouraged by the leaders of our unique section and I would like to have the opportunity to make a contribution.

Meg Martin

Member-at-Large

Employment

Wyoming State Law Library, Assistant Law Librarian 2005 – present

Education

MLIS – University of Missouri at Columbia, 2005

JD – University of Nebraska College of Law, 2003

BA – Creighton University, Omaha, Nebraska, 1976

Selected Professional Activities

American Association of Law Libraries – Member since 2003

SCCLL – Grants Committee 2005, Member News contact 2007

Wyoming Library Association – Recording Secretary 2007

Westpac – Member News Editor since 2006

Mountain Plains Library Association

Colorado Association of Law Libraries

Delta Theta Phi Law Fraternity – since 2001

Selected Publications & Presentations

Legal Research & Writing, Laramie County Community College, Adjunct Faculty - Fall 2007

AALL Spectrum Program Review, Sept/Oct 2007

TSLL newsletter – Program Review, Sept 2007

Law Library Letter Blog – since Jan 2006

Wyoming Library Association – “Legal Resources Online” and “A Gov-Docs Sampler” - Annual Meeting, Sept 2007

Preparation of teaching module for Government Information in the 21st Century (Gi21) in association with five state IMLS Grant consortia – posted on WebJunction Dec. 2007

Presentation of webinar about law library resources including HeinOnline –Summer 2007

Candidate Statement

My recent experience teaching at the college level forced me to focus on the very real differences in the ways that people learn. In the same way, I am aware of the differences that people bring to their understanding and use for a law library within the state court system. In the short time that I have been at the Supreme Court library in Wyoming I have noticed an increase in the numbers of pro se users and the concomitant increase in the need for the Court system to respond to and assist them. The SCCLL has been and I am sure will continue to be a leader in this response. I find the resources and support from SCCLL makes my job more fulfilling as I am able to help users more competently. If elected, I look forward to helping the membership of SCCLL move forward and continue to accomplish with aplomb, its mission of fostering professional excellence and providing a common and open forum for collaborative networking, continuing education and advocacy opportunities.



Court and Spark: Lost in Translation

Robyn M. Moltzen, Sacramento County Public Law Library

Law libraries and the courts must have clear communication between each other in order to provide adequate service to users. Even though the two institutions are often in close physical proximity to each other, sometimes even located within the same building, there is a vast, empty vacuum between them. Upon exiting the court line, facilitators' office, or self-help center, a person will have a clear understanding of what instructions they were given by court staff. Not surprisingly, when they arrive at the law library, what they think they were told to ask for is indeed something entirely different and often does not exist. The Sacramento County Public Law Library and the Sacramento County Family Law Facilitators office lovingly refer to the physical space between us as the "Sea of Forgetfulness", since people often forget what they were told as they walk between our respective locations.


In one of our typical bi-monthly meetings at the law library, public services staff was brainstorming on ways to help alleviate this issue of "forgetfulness". In our ensuing discussion, we were trying to think of solutions that would take the burden off of library and court users by having the library and court staffs take more responsibility to ensure that the exact referral or suggestion was communicated. During our brainstorming, it was mentioned we needed some physical connection between the agencies. Someone stated that we needed a pad similar to what a doctor would use, so that boxes could be checked, a "prescription" written out, and physically given to the person to take away with them. Library assistant Natalie Head stated "a legal prescription" – thus our Legal Prescription Pads were born!

After collaborating with the courts, we have since created a customized Legal Prescription Pad for the different referring agencies, including the Family Law Facilitators office and the VLSP Civil Self-Help Center located in the Sacramento Superior Court. We also have a generic "prescription" pad that we use for other agency referrals and for marketing purposes when we give a presentation, or attend a luncheon, etc.

Our prescription pads include our logo, hours and location, check boxes for suggested supplemental materials or books, and most importantly, it includes "ask a librarian for more information on..." and provides enough free space so that the referrer can put a brief description of what they were suggesting the user research once they arrived at the law library. Also, for our customized pads, it lists the referring agency, so that we can track who is using our Legal Prescription Pads, and how often.

The law library is currently keeping statistics on how often the prescriptions are used and what the most often asked questions are. Our librarians will use this valuable information to create Legal Resource Guides, sample pleadings, 24/7 reference scripts, and other documents as necessary. We are hoping that in collaborating with the courts and other referring agencies, and through continued use of our "Legal Prescriptions" we can turn the "Sea of Forgetfulness" into just a small trickle.

Editor's Note: Court and Spark is a place where "our court and county librarians are motivated to contribute musings on, experiences with, or real life accomplishments in, strengthening the recognition of their library as a full and honored partner in the process of self representation, where the Court staff, the librarians and the library user overlap, and where expectations are met or exceeded."



A legal prescription

Ask a reference librarian for information on:


Suggested supplemental materials:

book title _____

website _____

other (please explain) _____

Referred by the VLSP Civil Self Help Center

<p>Main Library 813 G St. Sacramento, CA 95814 (916) 874-6011</p> <p>Mon-Thu 8:00am-5:00pm Friday 8:00am-5:00pm Sat 9:00am-4:00pm</p>	 <p>SACRAMENTO C O U N T Y P U B L I C - L A W L I B R A R Y</p> <p>www.saclaw.org</p>	<p>Branch Library Family Solutions Courthouse (Family & Probate Law only) 3341 Power Inn Rd. Rm. 112 Sacramento, CA 95826 (916) 875-3490 Mon-Fri 8:30am-12:30pm and 1:30pm-4:30pm</p>
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An example of one of the Legal Prescription Pads referral tools.

SCCLL Website: Growing and Evolving

Kate Rushforth Fitz, SCCLL Webmaster

The SIS Web site is our most prominent illustration of the varied communication talents and legal information expertise of our members. The continued development and reorganization of this major marketing and information resource is of paramount importance

--SCCLL Technology Committee Charge

In the 2006-2007 year, the Technology Committee focused its attention on redesigning the SCCLL website, with an emphasis on standardized code, layout, and colors. Several logos had been in use on the site over the years. The committee settled on one of these, and based the colors for the new design on the chosen logo. The new site design was unveiled in April, 2007.

The revamp went deeper than just unifying the site's appearance. The underlying code has now been standardized using Cascading Style Sheets (CSS), making updates and maintenance easier. In the 2007-2008 year, the committee has been hard at work reorganizing and adding to the site's content.

The site has been part of SCCLL since early 2000. The 1999-2001 Strategic Plan set the goal of getting a web site developed and online by April, 2000. (<http://www.aallnet.org/sis/sccll/pdfs/stratgc.pdf>) The new site was introduced in the Winter 2000 newsletter ("SCCLL Announces its Web Site Presence with Authority," Volume 26, Number 1 Winter 2000). From the start, the site contained much the same content as now: "About SCCLL," listings of officers and committees, links to newsletters, strategic plan, and bylaws, and information about the listserv. The early addition of a page listing member library websites was planned.

The site was "redesigned, reorganized and expanded" by webmaster Joelle Gresham of the Georgia State Law Library in 2002. "Completed new sections include a page of job descriptions and a summary of responses to an SCCLL discussion list thread on Space Issues in a Small County Law Library;" more were planned. (2002/2003 SCCLL SIS Web Site/Listserv Committee Report.)

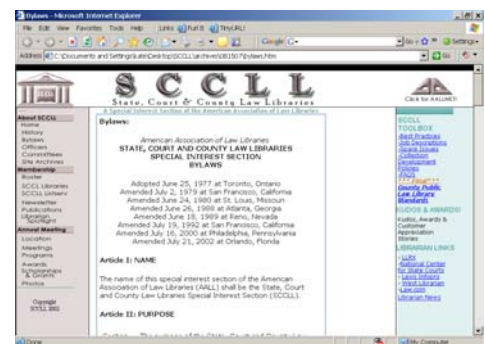
Over the intervening years, more and more content has been added. Today the site includes a "Toolkit" with member-contributed material and links to member collection development policies, info on self-represented litigants and the unauthorized practice of law, and other categories; an archive of SCCLL Newsletters back to 1999; links to annual meeting information; and more.

The Technology Committee's 2007-2008 charge includes expanding the site's content. So far, the Committee has added several sections to the site, streamlined some of the design, and added a search box. Ideas include adding a password-protected membership directory page; incorporating the content of the SCCLL Sourcebook into the "Toolkit" section; links to member publications, and more.

Keep up with the changes by subscribing to the site's new RSS feed. And if you have content to share, please send it along!



August 2000
Webmaster Anita Anderson



January 2003
Webmaster Joelle Gresham



February 2005
Webmaster Bonnie Hill



April 2007
Webmaster Rita Kaiser

How to Train Without Having to Show Up: a Program about Screen casting

Rita Kaiser, King County Law Library

The Law Librarians of Puget Sound (LLOPS) held a Fall Professional Development seminar titled "Talking the Talk: Communicating Knowledge and Value" in October of 2007. Kerry Fitz-Gerald of the Seattle University Law Library and I, for our portion of the program, demonstrated how to use "screen casting" to do training. We evaluated the better known software tools such as Camtasia and Captivate, explained what you might want to do with these tools, and created a screen cast on the fly for the participants in the seminar. You can access the PowerPoint of our presentation and the list of resources for further study at the LLOPS web site at: <http://www.aallnet.org/chapter/llops/committees/profdev/profdev.asp>.

In our presentation we spoke to the real issues with creating these "virtual" training snippets and provided the participants with some of the tricks we learned as we became familiar with the software we use. Both Kerry and I use the Captivate software from Adobe, as it allows easier editing than most programs and makes it possible to add slides if the demonstration isn't fluid enough for your presentation.

There have been a number of articles recently on "screen casting," so by now you all probably know that a screen cast is simply a recording of your desktop as you demonstrate a program, web site, or database. This recording usually includes audio and sometimes includes interactive components such as quizzes.

Kerry has created a number of screen casts, and is using them in her legal research classes at Seattle University Law School. She posts her screen casts to their internal course site for the students, and has posted a few to their external web site. Both Kerry and I learned early to:

- Keep the screen casts small in overall size and length
- Determine exactly what we really need to show before we start recording
- Script the screen cast (as the narration needs to synchronize with the video)
- Size our screen to keep the screen cast usable on multiple computers with varying resolutions
- Use scenes if the screen cast covers multiple concepts.

Once the screen cast is recorded, edit it (directly on your local computer before placing it on a server – the software is a memory hog), watch the screen cast, and watch it again before you post it.

I originally became interested in "screen casting" as a possible addition to the podcasting that we do here at the King County Law Library. When we started podcasting I thought of the podcasts as an additional way to help our patrons, especially those who are not visually oriented. The podcasts would highlight the resources we have at the Library to help with many legal issues. We have done some interesting podcasts on divorce, landlord/tenant law, estate planning, and more. But while the podcasts are informative, they cannot walk a patron step-by-step through the process. KCLL has many good research guides and these guides explain more about doing research on a particular legal topic. But again, they do not demonstrate the web sites or databases we include in the guides.

Thus, I decided that we needed to start working on tutorials that we could post to our web site along with the podcasts and the research guides. The patron will be able to

"In our presentation we spoke to the real issues with creating these "virtual" training snippets..."

(How to Train continued from page 14)

choose the screen cast and run it. The tutorials will explain step-by-step how to use a particular resource. While all we have managed to do so far is a short screen cast on how to search our online catalog for videos, we have big plans! Some of our staff members are interested in doing the screen casts. So hopefully, I will have lots of help and we can post screen cast tutorials along with our podcasts for our patrons. Stay tuned and visit the King County Law Library web site in a few months to check out our efforts. ■

2008 Annual Meeting Grant Opportunities

Anne Matthewman, Chair, Grants Committee

The SCCLL Grants Committee is pleased to announce that there will be four (4) grants of \$850 each to attend the 2008 AALL Annual Meeting in Portland, Oregon.

These grants have been funded by contributions to the SCCLL Silent Auction held last year in New Orleans and by matching grant challenges. Thanks to the organizers of the Auction, those who donated, and those who purchased Auction items.

Grants are available to SCCLL members and the full criteria are available at http://www.aallnet.org/sis/sccll/annual_meeting/scholarships.htm. I encourage those of you in need of funding to visit the site and determine whether you meet the criteria.

The application form is also on the SCCLL website at http://www.aallnet.org/sis/sccll/annual_meeting/scholarships.htm.

Please send **five (5)** copies of the completed application together with your letter of recommendation by **April 1, 2008**. Please note that incomplete applications will not be considered. Send application to:

SCCLL Grants Committee

c/o Anne Matthewman
Library Manager/Executive Director
Toronto Lawyers Association
Court House Library, 3rd floor
361 University Ave.
Toronto, ON, Canada
M5G 1T3

Good luck! ■

*“Please send **five (5)** copies of the completed application together with your letter of recommendation by **April 1, 2008.**”*

Add Two Books and Stir Well...

Jacqueline Cantwell, Brooklyn Supreme Court Law Library

I have just finished reading *The Art of Political Murder: Who Killed the Bishop?* by Francisco Goldman (New York: Grove Press, 2007). When I read a review early last year, I knew that I had to read Goldman's recounting of the investigation and trial of Bishop Juan Gerardi's murder in 1998, two days after the publication of the report *Guatemala: Never Again*. The report, which included testimony by survivors of army atrocities, was sponsored by the Guatemalan Archdiocese's Office of Human Rights (ODHA). Father Gerardi had been a founding director of ODHA and he wrote the introduction to the report. Father Gerardi had survived earlier assassination attempts in the 1980's, and he thought that his position as a high church official in a Catholic country attempting to create a normal country after the 1996 peace agreement would protect him. Goldman goes into the reasons why Father Gerardi was not protected by his position and how the legal system and media were used by military and oligarchy interests to prevent the search for truth and justice.

The week that I read the book I had one of those strange experiences that makes me believe in synchronicity. The New York Times had an article about a Brooklyn immigrant center, the Maura Clarke-Ita Ford Center. The center was named in honor of two of the four churchwomen murdered in El Salvador on Dec. 2, 1980. The Center's director, Ruth Ford, a niece of Sister Mary Ita, paraphrased Bishop Romero "He said you can never do everything. Instead you should do the small things you do well, because that is the difference between the master builder and the worker. We are prophets of a future that is not our own."

The sentence, "We are prophets of a future that is not our own, resonated with me," made me think of the old union organizers, almost religious in their dedication to workers' rights, who I had met when I was young and living in San Francisco's Mission district, a slum populated by Latinos, Central Americans, and poor white artist types who have still failed to gentrify the area. In the late '70's and '80s, the Vietnam War was supposed to be over, but the neighborhood's demonstrations – grandmothers marching down the street holding photographs of children killed by Somoza's soldiers, memorials for Chile-- suggested that the war had just gone to other small countries that most Americans did not care about. The only people upset about those wars were leftists who continued harping on US military power when most Americans wanted to forget about the US withdrawal from Vietnam. The leftists were easy to ignore and when I saw the movie *Charlie Wilson's War*, I understood why. The leftists hadn't won. The leftists were broke, living in slums, strident, and difficult. The people in power were having fun. Charlie Wilson was living large, whisky and women, hot tubs in Vegas, Playboy strippers. Success and power made his actions look *right*.

So reading Goldman's book brought back memories of a time where I was living the marginal life: going to punk night clubs, writing poetry, and picketing. What I did get out of that time was the ability to work with a diverse public, a prized skill for a public access law librarian, and an understanding of the legal process from being evicted three times, as well as labor law because of my participation in Bay Area Typographical Union, Local 21 (no longer in existence).

The phrase, "We are prophets for a future not our own," linked up to a phrase an old union militant said to me one day, when as usual, our side lost, "Politics is a marathon, not a sprint." Those phrases certainly applied to the Guatemalans described by Goldman. They didn't expect personal reward, they wanted a just country. Every person investigating the murder was threatened. Family members were beaten and killed.

(Two Books continued on page 17)

"The week that I read the book I had one of those strange experiences that makes me believe in synchronicity."

(Two Books continued from page 16)

Government prosecutors had to leave the country to save their lives. Their bravery is hard to imagine, but the investigators said it was the great, transformative experience of their lives. They got to be in something bigger than themselves.

Looking back over the book, which has been hard to shake off, I was most struck by what Goldman described as the “third stage” of the murder:

“The judges of the Inter-American Court of Human Rights described the various stages of a politically motivated homicide as typically carried out by the Guatemalan Army, especially by Military Intelligence. First came the preparation and planning, followed by the second stage, the actual execution of the victim. But there was a third stage, which the judges described as a continuation of the murder itself, as much a part of the crime as the prior stages. That third stage included the methods used by Military Intelligence to subvert the courts and the role of complicit judges in preventing justice from being done; and also the crucial role of misinformation, especially disseminated through the media, used to discredit opponents and create confusion.”

As a court librarian and a news junky, I cannot stop thinking on that paragraph. It makes me question what I live in and read, upon what information I base my reactions and thoughts. It also makes me question my comfort. It makes me think of how best to sympathize. If Richard Ford can write: “Goldman has focused his superb novelist’s talents – compassion, precision, muscularity, great thoroughness, and instinct for the exotic ...” I need to do something more vigorous than nod my head as I read.

Reading this book is part of my effort to reconcile my intriguing, bohemian, outsider youth with my staid present, court librarian. To quote Raymond Chandler, I’m all wrapped up in law. I feel confined. Something feels wrong when I walk on the street. There is an undercurrent of anger within the crowd. New York City’s streets used to feel so exciting. Even when the city was dangerous, this was the place where things could get bigger. Now it feels small and mean. Last year, I was on the subway and a homeless man came on and announced, “Welcome to New York. What I am, homeless, could happen to you. You are all one paycheck away from standing here like me. Reach into your pockets and give me your spare change, enough for a sandwich.” He was right, but I never thought that welcome to New York meant failure. I thought it was the chance to break big, but the street shows otherwise. Now, courthouses feel like dikes holding back the potentially raging crowds. Many judges, compassionate and just, must feel frustrated. Warren’s court hadn’t been like that; his Supreme Court opened up the country so more people could participate.

Guatemalans are more hopeful about law. Goldman writes about how the Guatemalans, after the terror of the civil war, want to regain a freedom only possible under law. Law to them means openness in government and accountability. They want passionately to be proud of their country. After Vietnam, I don’t know if I can feel proud.

I have wondered if I was the only person who was disenchanted, but another book I just finished tells me that my feelings are shared. See *You in Court: How the Right Made American a Lawsuit Nation* by Thomas Geoghegan (The New Press: New York, 2007) is a liberal’s argument about the loss of public trust. Geoghegan is a union lawyer (*Which Side Are You On?: Trying to be for Labor When It’s Flat on Its Back*) so some people may feel that he is slanted. I think he is just open about his slant. He admits to the feeling that things are wrong. He too feels that people are angrier and meaner. He puts it down to the lack of law in our daily lives. The right by breaking labor and deregulating government has weakened the bonds between citizens and state. People

(Two Books continued on page 18)

“Reading this book is part of my effort to reconcile my intriguing bohemian, outsider youth with my staid present, court librarian.”

(Two Books continued from page 17)

feel isolated and threatened. They don't have jobs, pensions, or health insurance. People live in fear of crime. Life has become meaner because it has become so unpredictable.

Geoghegan argues that what is making litigation so nasty is that tort law has replaced contract law. Contract law clarifies relationships between people. Tort law relies upon blame. Experts have to be called. Depositions have to be scheduled.

Since the unions have been broken, if an employee feels that the employer has wronged him, instead of going through the union to an arbitrator and getting a decision based on contract violation, the employee has to individually litigate that the employer intentionally acted malevolently. State of mind has to be proved. What used to be simple cases now have become nasty and invasive. Not only have the cases become more difficult to prosecute, but results have become more unpredictable. No one knows how the judge will rule, or what will happen on appeal.

Geoghegan also argues that as the New Deal's administrative agencies have been weakened and we rely on whistleblowers, more judges have been hired to hear cases that at one time were handled by professional civil servants enforcing law and investigating violations. This means more court, more litigation, and more uncertain results. This has made our libraries' jobs harder. I know that many of the questions I get at the reference desk shouldn't be handled by individuals. The job safety questions, the wrongful terminations, the civil rights cases are not easy for non-lawyers. These are not questions that a librarian can answer successfully even if I spent twenty to thirty minutes with each person.

Geoghegan writes in one chapter on how deregulation has actually had its own blowback: more litigation. This is because of arbitration. Not the labor arbitration described by Geoghegan where the employer and union jointly selected an arbitrator, hired a hotel room, and had a hearing. He is talking about professional arbitration businesses such as National Arbitration Forum. One credit service, First USA, used professional arbitrators in mass private proceedings and won 99.6 percent of the time. Nice odds. There is no way for a consumer to avoid these arbitrations. Businesses, such as credit cards, require customers to sign away their right to court, and go to arbitration instead. This is called a release. (This may happen without your knowledge when you sign your credit slip, and don't read the tiny type on the bill's back.) The debt goes to collection, the collection agency goes to court to get a garnishment order, and the proceeding is not questioned because individuals rarely have the abilities or resources to fight these actions. Read the Dec. 11, 2007 *New York Law Journal* article by Daniel Wise, "Civil Court Adds Safeguards for Consumers Sued for Debt." Judge Fern Fisher has since changed court procedures. She is an admirable judge and must have hated to read about the court being used dishonorably.

Geoghegan believes in law the same way the Guatemalans do. He wants a bigger world where each person has the chance for "a career open to talent." His solution to this mess of litigation and anger is more participation in public life. The public needs to get involved in the workplace and the government has to become more open. People may disagree with his solutions: model laws, German-style workers' council, employee contracts are a few of his proposals. I know that I would have some rip-roaring arguments with him, especially about unions and their lack of democracy. Still, it would be fun to argue with someone who *cares* about the daily world. It would give me the energy for politics' marathon.

"Geoghegan argues that what is making litigation so nasty is that tort law has replaced contract law."

(Two Books continued on page 19)

(Two Books continued from page 18)

Political discussion is difficult in our field; everyone worries rightfully about getting hired and AALL is not and should not be a political interest group. Our members have a wide-range of opinions, and it would not be right for AALL to take political positions. But after reading Goldman's and Geoghegan's books, I would like to know more about the aspirations of my colleagues. We have interesting jobs and work; there is so much potential to contribute in our tasks. How can we be part of making the world big again? How can we bring Goldman's vigor and Geoghegan's hope into our work?

Jacqueline Cantwell is a senior law librarian in the Brooklyn Supreme Court Law Library. These opinions are her own.

■

SCCLL Mentorship Program

Barbara Fritschel, Membership/Mentoring Committee

"Mentor: A person who knows next-to-nothing offering advice to one who knows nothing." The Devil's Dictionary does not include the word mentor, but if it did, I suspect it might read something like this. Ideally, a mentoring relationship would develop with someone you work with. However, many of our librarians are solo librarians or work with small staffs. This situation increases the need for and importance of long distance mentoring.

Last year, a diverse group of people were looking for SCCLL mentors. Some were library students or law firm librarians trying to decide if this was the right type of librarianship for them. Others were solo librarians on the job for a year or two, wanting to have someone show them the ropes at AALL and introduce them to others. Another wanted to make contacts to help with advocacy. This diversity means we need to have a diverse group of mentors as well.

We are looking for people to fill two positions. The first is a mentor coordinator. Ideally, this person is someone who knows the state, court, and county librarians in their state or region. They can suggest people who would make good mentors. They might be willing to be a mentor as well, but that is not required.

The second position is for mentors. While we usually pair up mentors and mentees at the annual gathering, mentoring can be done at any time. We are looking for librarians of all backgrounds and experiences. Last year, the most requested type of mentor was for someone with technical services experience.

If you would like to volunteer for either of these positions, or if you have any questions, please contact Barbara Fritschel at Barbara.Fritschel@ca7.uscourts.gov

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"We are looking for librarians of all backgrounds and experiences."

Trustee Development Committee Update

Kathy Coon, Chair, Trustee Development Committee

One of our charges this year is to identify members of AALL who are Trustees and solicit feedback on why they join AALL or attend annual meetings. The committee has identified that only 13 library trustees from 4 law libraries are members of AALL. We recently surveyed the law librarians who have joined their trustees as members to learn more about the benefits of having members of your library board belong to AALL. The survey questions and interesting responses are listed below.

Regardless of whether members of your governing board belong to AALL, it is important for them to know about the professional associations you belong to and how these memberships assist you with managing your law library.

How does trustee membership in AALL benefit the library?

It benefits the library by keeping the trustees informed and it also encourages them to attend the annual meeting. We get a good turn out for that as well.

The Trustees see when our librarians are recognized by the wider community, such as election to national offices. They are also able to see when programs of the library are highlighted in articles in the AALL publications such as the *Spectrum*.

The President of our board reads a good deal of the information in *Spectrum*. I do not know if she receives or reads any of the AALL email.

Would you consider this a good ROI/"bang for the buck"? YES

In this case, it is generally good. Although there are moments when she sees/hears something that sounds like a great idea or is new to her and then there's a lot of time spent putting the info into context or developing an understanding of how it is accomplished here.

How does it benefit your trustees?

They want to attend the annual meeting and find the educational programs of a very high quality. It also helps them better understand what we do and how they can support our work.

They have the opportunity to participate in the conversations with librarians from other libraries about common struggles and challenges

Do you think AALL or SCCLL should actively recruit trustee members?

Yes. Maybe AALL should consider a separate "trustee membership" so that the expense is not as great as a full AALL membership since they really don't take advantage of the full membership.

If there was more cohesiveness in what trustees do – what their responsibilities are and their role in the library, there might be a learning curve that would be helped by their membership. Using John Carver's book, "Boards that Make a Difference" as a model, AALL might be able to develop a seminar, workshop, or even DVD that new trustees could look at.

"[I]t is important for [your governing board] to know about the professional associations you belong to and how these memberships assist you with managing your law library."

(Trustee Committee continued from page 20)

Unfortunately, most Board members of SCCLL libraries are only tangentially involved. Even my Board, which I think is terrific, gives 1 ½ hours a month to attend the meeting. Several members will respond when I have questions, concerns, or issues. But, learning about the library, understanding the scope and direction is sort of done via “on the job training.” Very few would give up several days to come to a meeting or participate in a national workshop.

Even when we hold a Council of California Law Libraries Trustee meeting once a year, on a good year only about 10-12 trustees will attend - and these meetings are held in conjunction with a judicial or bar association meeting.

Would trustee membership in AALL benefit other law libraries with trustees?

I believe it would. It does depend on how much the Director highlights for the Trustees when the library is mentioned or when issues in other states mirror their own.

Additional Comments:

If there were a way to develop something you could send to a new trustee (provided the librarian gave SCCLL a heads up that there was a new Board member) that would be great. I'm thinking perhaps an email that says, “Welcome to the wonderful world of law library trustee!” If you could then attach a 5-10 minute video that explained about trustees setting policy as opposed to procedure, understanding the financial aspect of the library, understanding the user flow (in house, via phone, via email, via online chat), understanding the use of technology in the library, etc. that would be great.

Not easy to do, but a service that might be appreciated. A final caveat... the policy setting role is fundamental to how I interact with the Board. Prior to my tenure, they were much more involved in process, which may be more common. In California, for example, I believe some Boards are much more involved with day-to-day activities.

■

Best-Selling Author to Speak at Trustee Luncheon

Marcus Hochstetler, Vice-Chair

The Trustee Development Committee is pleased to announce that noted mystery writer Phillip Margolin will speak during the SCCLL Trustee Luncheon at the annual meeting in Portland on Sunday, July 13th, 12-1:15 pm. Mr. Margolin is the author of 12 *New York Times* bestsellers and began his career as a defense attorney trying cases before the Oregon Supreme Court, the Oregon Court of Appeals, and the United States Supreme Court. He is a practicing attorney in Portland. He noted in a recent conversation that the law library was his second home during much of his legal career and looks forward to speaking to us.



Many of his novels take place in Oregon, including his most famous - *Gone but Not Forgotten*. Even if you don't read mysteries, Margolin is an entertaining speaker. And if you do read mysteries, you definitely will want to hear him. His new book “Executive Privilege” will be out this March. We are working out the deals for a possible book signing afterwards. If we are not able to make this happen, feel free to bring your own copies of Mr. Margolin's works.

Plan to carve out some time during the busy annual meeting to come join your colleagues and hear a dynamic speaker. You can find out more information about him at www.phillipmargolin.com.

■

Trustee Tips

Regina Smith, Trustee Development Committee

Many of the members in our SIS report to a governing body such as a Board of Trustees or Directors, or perhaps a Library Committee. In 1994, the *Sourcebook for Law Library Governing Boards and Committees* was published by the SCCLL Trustees Development Committee. It has served as a useful tool for trustees and librarians but it needs some updating.

Last year, the SCCLL Executive Board accepted the former Sourcebook Committee's recommendation that rather than publish an update to the Sourcebook – that materials similar to what are in that publication be housed on our website via links or PDF's. This would ensure that current materials are available to be shared with our trustees, library committees, or other governing bodies, as well as among the members of our SIS.

The Trustees Committee will facilitate making this information available on the SCCLL website in the Toolkit section under the heading "Trustee Tips". This section will be geared toward librarians and trustees and contain links to annual reports, budgets, types of funding sources, by-laws, governance, strategic plans, and more. Even though the heading will be Trustee Tips, all types of law libraries can benefit from the information that will be included in this part of the Toolkit.

In order to accomplish our goal, we need your help. The Toolkit section on our website already has the following sections: [Advocacy](#), [Best Practices](#), [Collection Development](#), [FAQs](#), [Job Descriptions](#), [Law Library Standards](#), and [Space Issues](#).

We are proposing to add the following:

1. Under [Best Practices](#) we would include:
 - Operations** (Budgeting, Managing Money, Audits, Fees for Service, Using a Consultant, Human Resources, Working Effectively with Other Entities)
 - Library Advancement** (PR, Marketing, Fund Raising, Friends Groups, Lobbying)
 - Strategic Planning**
2. Establish 4 new categories entitled:
 - Funding** - which would contain information regarding how our libraries are funded, trends in library funding such as a decrease in court filings, etc.
 - Governance** – which will describe the structure of a library's governing body, reporting requirements, terms of office, and more
 - Sample Reports** – Annual Reports, Budgets & Financial Reports, Human Resources Materials, Long Range or Strategic Planning Reports, Mission Statements, Organizational Charts, Library Policies, Press or Media Kits, Grant Proposals, User Guides
 - Types of Law Libraries** – a description of various libraries within our SIS

This outline is open-ended and we can make adjustments to incorporate additional topics that our membership might find useful – suggestions are welcome.

This year I will act as the gatekeeper and accept materials from our members to have posted on our web-site's Toolkit section. I will organize the material and then forward it to our Technology Committee for posting on the site. What we need you to do is send me links to any of the above topics or a PDF file that you are willing to share with members of our SIS on the above mentioned topics. With your assistance, our toolkit will grow and be full of information that will help us and those who are members of our governing bodies work smarter.

Submissions may be sent to: rsmith@jenkinslaw.org



SCCLL Programs at the 2008 Annual Meeting

Connie Von Der Heide, Chair, Education Committee

A fantastic slate of SCCLL-related programs awaits all who plan to attend the AALL annual meeting in Portland, OR July 12-15.

Last August, SCCLL members submitted ten proposals to the Education Committee, all of which went on for consideration by the Annual Meeting Program Committee (AMPC). The AMPC selected five of them, and two more have been selected by SCCLL-SIS for direct sponsorship. All seven programs are described below.

Many thanks to everyone who submitted a proposal; all of them were excellent. Thanks also to fellow Education Committee members Madeline Kreisler, Reference Librarian, Tenth Circuit U.S. Courts Library, Denver; Anita Postyn, Law Library Assistant, Queens County Law Library, Jamaica, NY; and Jean-Paul Vivian, Law Librarian, Charles B. Swartwood Supreme Court Library, Elmira, NY. Marcus Hochstetler, SCCLL Board liaison to the Education Committee, and Barb Golden, who represents SCCLL on the AMPC, also provided expert guidance.

The Evolving Role of Law Librarians with Self-Represented Litigants

A-2, Sunday, July 13, 1:30-2:45 p.m.

Coordinator: Judy Meadows, Director and State Law Librarian, State Law Library of Montana. Speakers: Sara Galligan, Manager, Dakota County Law Library, Hastings, MN; Coral Henning, Director, Sacramento County Public Law Library; Marcus Hochstetler, Director, King County Law Library, Seattle; Frances Thompson, Lead Court Assistance Officer, Idaho Court Assistance Services, Moscow; Jessica Van Buren, Utah State Law Librarian.

Public law libraries and, to a lesser extent, academic law libraries, are searching for the best way to provide for self-represented litigants (SRLs) who need information. The speakers will concentrate on how to strategically plan for SRL programs and services, and give practical advice for directors, public service and reference librarians to make changes at the system level, including whom to network with, and how that networking can strengthen the image and perceived worth of the law library in the larger legal environment. Two law librarians will speak about their work in determining their communities' needs for service to SRLs, how to identify and network with the other important players (such as the Bar, Legal Services & the Courts), and how to evaluate the effectiveness of their programs. Another speaker will discuss how a court's services could be replicated by law libraries. The conclusion will be a short explanation of AALL's support of the Self Represented Litigant Network and how its information gathering and networking can assist those working in this field.

We Are the World: Dealing with Foreign Issues in a U.S. Law Library

Sunday, July 13, 4:15 – 5:15 p.m.

Coordinator & Moderator: John Cannan, Assistant Law Librarian, Montgomery County Circuit Court Law Library, Rockville, MD. Speakers: Jennifer Murray, Assistant Director, Superior Court Law Library, Maricopa County, Phoenix, AZ; Marilyn Raisch, Librarian for International and Foreign Law, E.B. Williams Law Library, Georgetown University Law Center, Washington, DC.

Upward trends in immigration and increasing globalization mean that law librarians will face progressively more foreign patrons with problems in this country and/or domestic patrons with legal issues overseas. To evolve to meet these patrons' needs, law librarians must "globalize" their perspective. This program will propel this evolution through advancing the cultural competency necessary to assist patrons with foreign legal issues. In the context of law librarians, cultural competency involves finding the tools to create an understanding between different legal systems. This program will have two components. The first will contain instruction on developing a cultural competency program to serve foreign born patrons or those with interests overseas. The second will focus an important area of cultural competency - international family law issues.

Lawyers in the Library: Exploring New Ways to Serve Our Public Patrons

E-1, Monday, July 14, 9:45-10:30 a.m. Co-sponsored by LISP-SIS.

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(SCCLL Programs continued from page 23)

Coordinator, Moderator & Speaker: Mareth Wilson, Sacramento County Public Law Library.
Speaker: Sandy Marz, Law Library Director, Washoe County Law Library, Reno, NV

“Lawyers in the Library” programs are innovative partnerships between librarians and their legal community’s pro bono sector. This enhancement to library services helps fill a critical need among low income people for access to the information that can help them function within the legal system. Speakers will cover their programs’ origins and evolution, and give planning and operational details. Participants will learn what has and hasn’t worked in these trailblazing programs, pitfalls to avoid on the path to success, and methods of evaluating the effectiveness and measuring the outcomes of this win-win-win relationship.

Giving Credit: The Law Library as CLE Provider

Monday, July 14, 10:45-11:45 a.m.

Coordinator & Moderator: Patricia Monk, Reference/Electronic Services Librarian, Bernard E. Witkin Law Library Alameda County, Oakland, CA. Speakers: Judy Meadows, Director and State Law Librarian, State Law Library of Montana; Cossette Sun, Law Library Director, Bernard E. Witkin Law Library Alameda County, Oakland, CA.

Most attorneys spend significant amounts of time and money to fulfill their MCLE requirements. By becoming CLE sponsors, law libraries can offer convenient, low cost CLE credits to attorneys while gaining visibility and support from the legal community. The speakers, who both work at CLE provider law libraries, will discuss the factors a library should examine in deciding whether to become a provider, and describe the steps involved in developing such a program. Each speaker will also explain how her library allotted the various tasks among their staff in order to successfully implement and sustain their program.

Avoiding Giving Legal Advice at the Library: Exploring the Ethical and Legal Framework of Assistance to the Self-Represented

G-2, Monday, July 14, 4:00-5:15 p.m. Co-sponsored by LISP-SIS.

Coordinator and Speaker: Judy Meadows, Director and State Law Librarian, State Law Library of Montana. Speaker: John Grecean, Grecean Associates LLC.

Many librarians who work with non-lawyers and self-represented litigants are uncomfortable serving them, because of uncertainty about the line between providing legal information and giving legal advice. As a result, librarians often err on the side of not helping the pro se library user as much as they could. This program will provide clear guidance. The speakers, who have both provided training on the national level, will discuss the standards involved in assisting pro se library users without being accused of practicing law without a license, and explore the ethical framework for self-help services in law libraries. They will also address the importance of the topic and its historical context, and provide participants with a sound policy based on clearly articulated ethical obligations, definitions and guidelines. This program will be part lecture and part audience discussion, based on the types of pro se reference questions the audience has discomfort with. [Note: For additional information on this topic, see John Cannan’s article, “Are Public Law Librarians Immune from Suit? Muddying the Already Murky Waters of Law Librarian Liability,” at 99 *Law Library Journal* 7 (Winter 2007).]

Battling Employee Burnout? Explore Tools and Techniques to Assess and Address Employee Burnout

I-5, Tuesday, July 15, 10:45-11:45 a.m.

Coordinator and Speaker: Gail Warren, Virginia State Law Librarian. Speaker: Jean Holcomb, retired law librarian and former director, King County Law Library, Seattle.

To be successful, law librarians must be ready to address challenges on a daily basis. Over time, the demands placed on law librarians to meet the expectations of their users put many at risk for career burnout; they are no longer able to derive satisfaction from their job. Unchecked, job burnout leads to absenteeism, loss of productivity, and employee

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(SCCLL Programs continued from page 24)

turnover. Managers who recognize burnout warning signs and work to assist employees with developing coping strategies will limit the personal and institutional impact of this debilitating condition. The program will highlight a variety of methods library managers and directors may use to identify burnout symptoms, including the use of an inventory tool. Speakers also will focus on designing strategies to prevent employee burnout.

Using WorldCat.org's Social Software to Promote the Law Library

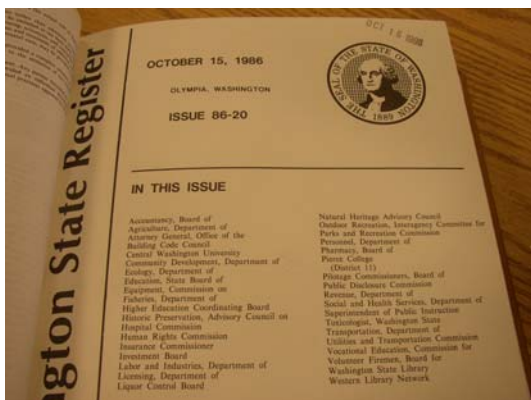
J-3, Tuesday, July 15, 2:45-3:15 p.m. Co-sponsored by RIPS-SIS and OBS-SIS.

Coordinator, Moderator & Speaker: Jacqueline Cantwell, Senior Librarian, Brooklyn (NY) Supreme Court Library.

How can law libraries reach out to people who want legal information but are unaware of law libraries? How can we promote law libraries as reliable sources for legal information? The content we develop in pathfinders and legal research guides is often part of the deep web and may not be easily found. We need to take advantage of social software technology supported on OCLC's WorldCat.org. Even with limited budgets and time, law librarians can utilize WorldCat.org to post legal lists (also known as bibliographies or pathfinders), reviews of legal books, and to create canned searches that will help users find useful materials. The speaker will outline WorldCat.org's potential for law libraries, demonstrate ways she has applied it in her own library, and share her experiences working with OCLC staff. ■

LLOPS (and SCCLL) Members Testify for Free Print Version of State Register

Excerpted from AALL Government Relations Committee E-Bulletin, Winter 2008. Submitted by Marcus Hochstetler.



LLOPS (and SCCLL) members Marcus Hochstetler, King County Law Library Director, Kay Newman, WA State Law Library Director, and Sue Bellevue, Reference Librarian with the WA Attorney General's office testified before the Washington Statute Law Committee meeting on November 14, 2007 in Olympia regarding the importance of keeping free print versions of the Washington State Register (WSR) in as many county and government law libraries as possible. The State Code Reviser, Kyle Theissen, agreed to examine what the U.S. Government Printing Office was doing with the authentication of public laws generated by the 110th Congress. This keeps the authentication issue as a viable option for enhancing the online version of the Register in the future.

Of the 39 county law libraries in Washington, 18 will continue to receive free print versions of the Register, 16 will receive the free CD version, and five will use the website version. The State Law Library and other state agencies will also receive free print versions of the publication. Mr. Theissen made a point of emphasizing that: "All of the versions we provide, web-based, CD, or paper, are created from the same .pdf document. It is also important to note that the Code Reviser's Office maintains and will continue to maintain a file of every document ever filed for the Register, and that we will utilize the original file copy when we are asked to certify a document." ■

National Center for State Courts - Court Technology Conference

Katie Jones, Wyoming State Law Library

The National Center for State Courts (NCSC) held their tenth Court Technology Conference (CTC10) on October 2-4, 2007 in (still hot and humid) Tampa, Florida. As the SCCLL Technology Committee chair, Sara Galligan allowed me the honor to attend CTC10 as the SCCLL representative. As described on the CTC10 web site, “[t]he NCSC’s Court Technology Conference brings together more than 2,500 court professionals from around the world for three days of learning, training and networking. CTC participants learn how to use the latest advances in court technology in ways that help them improve court operations and better serve the public.” (<http://www.ctc10.org>, accessed 10/31/2007).

Similar to Joan Bellistri’s experience at the Court Solutions Conference in September 2006 (see *SCCLL News*, 33(2), Spring/Summer 2007 <http://www.aallnet.org/sis/sccll/pdfs/spring07.pdf>), attendees consisted of court administrators and administration staff, court clerks, judges, staff attorneys, and of course, IT staff. I believe I was lucky to not be the only law librarian in attendance - there were at least two others (Tim Coggins and Mary Alice Baish).

Joan also wrote that attendance at the Court Solutions Conference “provided an opportunity for court law librarians to be seen as involved members of the court organization and for court law librarians to learn about the issues of importance to the courts.” I can’t be certain that my presence enlightened many other CTC attendees as to involvement of law librarians in courts, but I hope my request for attendance and final report to the Wyoming Supreme Court administration will communicate the law library’s interest in court issues. Additionally, I attended the conference with one of our own IT staff, which provided me with time to learn and share about each other’s goals and tasks.

In addition to two keynotes and times for special interest groups, the conference sessions were divided into several tracks covering a variety of interests: administrative, public access, technologist, judge & courtroom, and lawyer & law firm. The schedule was packed with programs, some which had scary acronyms that this wannabe techie hadn’t heard of before and many which looked fascinating. Luckily, many of them were duplicated over the three-day schedule (those poor presenters!). I was able to attend the following programs: “Technology and the Access to Justice Crisis,” “Authentic Legal Information in the Digital Age: Are the Courts Prepared To Deal with Non-Authenticated Legal Information,” “Web Disability Access: Best Practices in Preventing a Disability Lawsuit Over Your Courts Website,” “Open Source Software’s Benefit to the Judiciary,” “Access to Justice: Connecting the Public to the Courts and the Legal System via the Web,” and “Virtual Electronic Traffic Citations: Implementation Experience in Alabama” (I attended this session for my IT colleague). While I was not able to attend a few sessions (“Montana’s Integrated Justice Information Sharing Project,” “LiveHelp – Helping People Find Information Online,” and “What’s the “Meta” With Your Documents?”), many presenters have allowed their materials to be posted on the CTC10 web site and are accessible to anyone.

All of the sessions I attended were wonderful. Contrary to my usual method, I even actually took notes for most of them (included at the end of this report). In order to not be too repetitive, I’ll just make a few comments about them and let you look through the session summaries and my notes.

As I mentioned, an IT colleague from the Wyoming Supreme Court also attended the
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“In addition to two keynotes and times for special interest groups, the conference sessions were divided into several tracks covering a variety of interests...”

(CTC10 continued from page 26)

conference. I work closely with him to maintain the law library web site (as well as providing more suggestions than he probably thinks necessary for the Judicial Branch web site) and we both appreciated the “Web Disability Access” session. I look forward to being able to implement more accessibility features for both sites.

Both “Technology and the Access to Justice Crisis” and “Access to Justice” sessions were amazing. It is exciting to see the number of projects throughout the states using technology and collaboration between local, state, and national agencies and institutions to make justice accessible. I have to admit to being overwhelmed and a bit confused by the number of projects and opportunities. I was also feeling quite left out, as Wyoming has only one set of forms for divorce and child custody (might I add that they are long, complex, and very confusing), much less interactive tutorials or live help. You can imagine my pleasure when, on my way into the “Access to Justice” program, I was told that Wyoming had just received a SJI grant. As I had to run out before the session was over to catch my plane, I didn’t learn until later that Wyoming Legal Services received a \$66,000 grant from the Legal Services Corporation and SJI to partner with the Seventh Judicial District Court to create HotDocs templates and an A2J Guided Interview for the above mentioned divorce forms. According to Kate Bladow, NPADO Project Coordinator at Pro Bono Net, the templates and interviews will be posted on the NPADO server. True confession - I did a chair dance.

I received this information while still on a high from the “Authentic Legal Information in the Digital Age” program presented by Tim Coggins, Mary Alice Baish, and Judge Herbert Dixon. Mary Alice, Associate Washington Affairs Representative for the American Association of Law Libraries, began by describing efforts by the Government Printing Office and AALL to authenticate government information. She then spoke about the AELIC report, noting that some states have already completely eliminated some print legal resources. Tim, Associate Dean for Library and Information Services at the University of Richmond School of Law and former chair of the AALL Access to Electronic Legal Information Task Force, summarized the AELIC National Summit that was held in April 2007. (Catherine Lemann, our past SCCLL Chair, wrote an article for *SCCLL News* as a participant in the Summit - <http://www.aallnet.org/sis/sccll/pdfs/spring07.pdf>. For an article on the summit by Mary Alice, see a July 2007 Washington Brief in the *AALL Spectrum* - http://www.aallnet.org/products/pub_sp0707/pub_sp0707_Wash.pdf.)

While I enjoyed the camaraderie offered by simply being in the presence of other law librarians, I more appreciated the viewpoint of Judge Herbert Dixon, Superior Court of the District of Columbia. As an attendee of the National Summit, and convert for the path to authentication of electronic information, his agreement validated the dedicated work on behalf of AALL for permanent access to authentic legal information. Though his comment that this issue was more important than a bunch of librarians just looking for job security startled me, it definitely drew a nice response from the crowd and made me think yet again outside of my, admittedly, sometimes narrow box. And then he reminded me that this need goes beyond the government information I am used to hearing about through GPO; toward e-filing, opinions, and other judicial information.

At the very real risk of annoyingly repeating myself, the questions asked after the presentation again prompted me to step outside of the law library world when considering questions that seem so important to us. Observations from a New Zealand participant, as well as questions of urgency and cost demanded thoughtful responses from the presenters.

While this conference cannot be termed inexpensive financially, I firmly believe it was worth every penny on both educational and professional levels. The conference is held every other year and I am delighted to know that CTC11 will be in Denver, Colorado, right in my backyard. In the meantime, I look forward to increasing my knowledge of NCSC and the variety of areas where law libraries and courts can and are collaborating.

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“[T]he questions asked after the presentation again prompted me to step outside of the law library world when considering questions that seem so important to us.”

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Technology and the Access to Justice Crisis

Public Access Oriented Session

Lead Presenter: Bonnie Hough | [View PDF](#)

The session will serve as an introduction to the Public Access sessions by providing a broad strategic perspective of the need and potential solutions for the courts. In particular, the program will highlight the enormity of the access to justice problem, and its impact on the system as a whole, including litigants, judges and court staff as well as outline the general strategic approaches that are being taken to deal with the problem. The session will then outline the critical role that technology plays both on its own and as part of those strategies in overcoming that problem by providing information over the web, assisting with preparation for court, customer friendly filing of cases, the development of training and support programs, and support and encouragement of pro bono and discrete assistance programs. The program will present an analytic approach that focuses on identifying barriers to access and identifying ways that technology can assist in overcoming them. It will then focus on the advantages of technology-based solutions, including low marginal cost, the ability to improve quality control, and the opportunity for resource-saving collaborations with legal aid and bar programs, and will address the particular needs for technology that can be used by those who suffer the greatest barriers to access.

Katie's Notes

Public access oriented session - Lots of judges attended

Impact – clerk & judge time

SRL Needs

- Info and knowledge
- Analytic understanding
- Preparation & skill
- Confidence
- Engaged judge
- Informed system

Technology Brings

- Repurpose info materials for web
- Link to credible sites (local bar, statewide legal services)
- Adapt local materials to statewide use
- Short video clips show actual court procedures

California Courts Self-Help Center - <http://www.courtinfo.ca.gov/selfhelp/>

Maryland's Peoples Law Library - <http://www.peoples-law.info/Home/PublicWeb>

Illinois Legal Aid Online - <http://www.illinoislegalaidonline.org/>

Illinois Legal Aid - <http://www.illinoislegalaid.org/>

MontanaLawHelp.org - <http://www.montanalawhelp.org/MT/index.cfm> (Live Help - chat)

Idaho Supreme Court Self-Help Center - <http://www.courtselfhelp.idaho.gov/> (videos)

Idaho Legal Aid Services - <http://idaholegalaid.org/Home/PublicWeb/> (interactive forms)

A2J Author - <http://www.kentlaw.edu/cajt/A2JAuthor.html>

NPADO - <https://npado.org/>

HotDocs - <http://www.hotdocs.com/>

SJI grants - <http://www.statejustice.org/grants.php>

LawHelp.org - <http://lawhelp.org/> - powered by Probono.net (<http://www.probono.net/>)

Legal Services Corporation Technology Initiative Grants Program - <http://tig.lsc.gov/>

Center for Court Solutions - <http://solutions.ncsconline.org/>

selfhelpsupport.org - <http://www.selfhelpsupport.org/> - powered by Probono.net (<http://www.probono.net/>)

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Authentic Legal Information in the Digital Age: Are the Courts Prepared To Deal with Non-Authenticated Legal Information

Judge and Courtroom Oriented Session

Lead Presenter: Timothy L. Coggins | [View Presentation PDF](#)

Mary Alice Baish

Judge Herbert Dixon, Jr.

Legal information that is understood to be both official and authentic is at risk in the digital age. When using printed legal materials, it is usually clear that the documents are official and authentic because of the print medium's fixed nature. It is much less obvious, however, with digital sources because they are inherently susceptible to corruption or tampering. They are not trustworthy unless authenticated using encryption-based methods. The American Association of Law Libraries (AALL) recently conducted a fifty-state survey about the availability of official and authentic digital information. AALL found that a few states have designated their online legal information sources as "official," but no state has dealt with the challenge of authentication. At the same time, some states are eliminating print versions of primary legal sources, even though print is the only authentic and official format now available. This session will report on results of the "Authentic Legal Information in the Digital Age: A National Summit" held in April 2007 to define the steps that must be taken to ensure the permanent availability of digital legal materials that are both official and properly authenticated.

Katie's Notes

60-65 attendees

Patty Wells: Wyoming legislative IT (pwells@state.wy.us)
x7881

Mary Alice Baish

- FDSys – following French model
- Summarized AALL and GPO effort for authentication
- Summarized 2007 AELIC report - AL, IN, NM, TN,
 - Some states have eliminated print and made online sources
 - Only Utah made online version statutorily official

Tim Coggins

Summarized AALL AELIC National Summit –

- <http://www.aallnet.org/summit/default.asp>
- http://www.aallnet.org/products/pub_sp0707/pub_sp0707_Wash.pdf

Judge Dixon

- Taken from aspect of e-filing, etc. (orders, opinions)
- More important than just law librarians worried about their job security
- Disclaimers all over the place online
 - It's time to change the prevalent approach of "that's good enough"

Questions/Comments

New Zealand Judge

- All Australian cases online (no authentication)
 - authenticity comes from the quality of the site
- What will judges accept in court?
 - photocopy
 - print
 - online
- Need national solution

Oregon Judge

- Need to be more persuasive
- Overcome fact that authenticity has been dealt with on a case by case basis in court itself
- Why is this so important/urgent?
 - Mary Alice's answer – from a user perspective it's important for permanent access
 - Judge Dixon's answer – not urgent, but important

Participant Question (another judge?)

- Cost?
 - Judge Dixon's answer – encryption is reasonable cost

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Web Disability Access: Best Practices in Preventing a Disability Lawsuit over your Courts Website **Public Access Oriented Session**

Lead Presenter: Craig Waters | [View Paper PDF](#) | [View Presentation PDF](#)

In 2006, Florida's legislature gave every webmaster in the state an abrupt awakening to an emerging issue: it passed a law requiring websites to immediately comply with federal disability laws as though they were state laws. To this day, few if any Florida websites are fully compliant in either the public or private sectors, and full compliance is trickier than it sounds. What's more, there is abundant evidence that federal regulatory agencies are going to extend national disability laws to cover websites. Even if an exception is made for some governmental or other websites, courts and others in the legal community could face embarrassment if persons with disabilities do not have equal access to Internet services. This session explores both the legal and technological issues all of us face in providing equal access. It will include a legal overview by the Florida Supreme Court's communications counsel, and technological overviews by the Court's webmaster and the webmaster for the Florida administrative office of the courts.

Katie's Notes

WCAG – web content accessibility guidelines - <http://www.w3.org/TR/WAI-WEBCONTENT/>
Accessible Courts Initiative - <http://accessiblecourts.net/>

Barriers to web

Visual, hearing, motor, cognitive, photo epilepsy, and age-related impairments.

16 standards

1. alt text
2. synchronize media
3. information with color is also available without color
4. readable without style sheet
5. text links with image maps
6. client-side image maps preferable
7. row & column headers for data tables
8. mark up complex table
9. frames should be titled as identification and/or navigation
10. flicker frequency > than 2Hz and lower than 55Hz
11. text only page when accessibility cannot be provided
12. scripts are readable by screen reader or provided with functional text
13. links are provided to plugins or applets
14. electronic forms are accessible
15. skip navigation is provided
16. allowance to extend time if a timed response is necessary

Quick fixes

Alt text, skip navigation links, relative font sizes, non-serif font, use <h> tags for headers and update templates & menus.

Vision disabilities

Use ALT text on graphics, use a font size no smaller than 10 point, provide ample space between columns, use a high color contrast scheme, and name hyperlinks sensibly.

Hearing disabilities

Include any information available in sound as text

Motor disabilities

- Ensure that the document can use the TAB key for navigation
- Position hyperlinks in easy to find places, putting the most important ones first

Cognitive disabilities

- Avoid long paragraphs of text
- Use ample white space

Accessible PDFs

To head off many problems encountered when creating accessible PDFs for posting on a web site, the easiest solution is to design the source document (whether it is from Word, WordPerfect, InDesign, PageMaker, etc.) with accessibility in mind. Tips for improving the tagging process are:

- Always use paragraph styles when formatting text – Heading 1, Heading 2, Body Text, etc.;
- Use bullets and numbering when creating lists and outlines;
- Format columns using the columns feature instead of using tables;
- Insert ALT text on images and design with reading order in mind.

Assistive technologies

Screen readers - University of Wisconsin screen reader video, screen magnifier, on-screen keyboard, sip & puff systems – inhaling & exhaling, and Braille display.

Ideas for library web site

- Switch Wyoming box with library links
- Check headings to be sure they are <h> tags
- Check for readability without style sheets
- Add tags to PDFs? – accessible PDFs

Ideas for court web site

Add skip navigation

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Open Source Software's Benefit to the Judiciary **Administrator Oriented Session**

Lead Presenter: Jorge Basto

Open source is a great buzz word, so what does it mean? As a court administrator or judge, why should I care? For a non technical person, this session will discuss the reasons why you should care since it can potentially save your court money and offer some rock solid applications. Both the AOC in Georgia and Massachusetts has been involved with open source projects and in the few years have realized cost savings of thousands of dollars, have seen the quality of software products rise significantly, and in Georgia's case even gained two corporate sponsors. This session will communicate how open source can benefit other courts, what it takes to get started with using open source, and discuss the risks, costs, and licensing issues that may be involved with the use of open source software.

Katie's Notes

Mass.gov ITD Open Initiatives - <http://mass.gov/?pageID=itdtopic&L=2&L0=Home&L1=Open+Initiatives&sid=Aitd>

Access to Justice: Connecting the Public to the Courts and the Legal System via the Web **Public Access Oriented Session**

Lead Presenter: Ronald Staudt | [View Ronald Staudt PDF](#) | [View Marc Lauritsen PDF](#)

This presentation focuses upon the application of technology to improve service to self represented litigants (SRLs). This first part of the session will report on ethnographic research concerning self-represented litigants (SRLs) in five different state courts. The session will then explain the solutions emerging from that research designed to improve access to justice for SRLs; describes the partnerships that built those technology solutions; and finally showcases the statewide implementation of those technologies in the Idaho courts. The session will explain and demonstrate Chicago-Kent College of Law's A2J Author software and the National Public Automated Documents Online (NPADO) project that helps SRLs use document assembly and e-filing systems. The presentation will include testimony of a working court project, the result of collaboration between the Idaho Supreme Court and Idaho Legal Aid Services (ILAS), where interactive court forms are currently available to SRLs applying technology from both the NPADO project and A2J Author.

Katie's Notes

Maryland's Peoples Law Library - <http://www.peoples-law.info/Home/PublicWeb>

Ethnographic research in 5 states

- Courts - complex, confusing, disorienting, and inefficient
- Expected more customer service, more explanation, and more guidance

Prototype – kind of like tax software

- Questions to help complete forms and build court process
- Too expensive and inefficient

A2J Author and A2Jauthor.org

- Interviews online & free for non-commercial use

National Public Automated Documents Online (NPADO.org)

- Online doc assembly for low-income users to use in the legal system with shared infrastructure, efficiently and cheaply
- Free access through state equal justice communities
- Probono.net and Lexis partnership

Doing Documents Online & a History and Overview of NPADO

By: Marc Lauritsen, Capstone Practice Systems, 2005

<http://www.lstech.org/node/290>

Idaho Legal Aid and Idaho Supreme Court – technology initiative grant by Legal Services Corp.

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Virtual Electronic Traffic Citations: Implementation Experience in Alabama

Lead Presenter: Allen Parrish | [View PDF](#)

This session will report on the Alabama statewide electronic citation project. This project, which was initiated in 2002 with funding from the Federal Motor Carrier Safety Administration, involves administering traffic citations electronically with a laptop-based system. It has grown rapidly over the past twelve months, and now includes the entire Alabama Department of Public Safety, as well as a few dozen local police agencies. Citation volume is approaching 20,000 tickets per month, and substantial further growth is expected. In 2006, legislation was passed to eliminate the requirement for the defendant's signature on the ticket, and to permit biometric authentication of the officer for the purpose of swearing in front of a magistrate. As such, it is no longer necessary to produce a paper ticket at all. The defendant receives a receipt-sized "notice to appear" with the ticket number and court date information and the officer swears to the authenticity of the ticket via a touch-screen kiosk equipped with biometric-based authentication. For guilty pleas, payments are accepted via an Internet site, and all dispositions are reported electronically to the state driver history repository. With electronic citation entry by the officer, electronic swearing/reporting from the officer to the court, Internet payment and electronic reporting of dispositions, Alabama has created a "virtual citation process" that is completely electronic throughout the entire life cycle of the citation."

Katie's Notes

- Appears to be integrated with license & registration info & GPS
- Choose from list of specific violations (i.e. speeding)
- Pulls up records of previous stops
- Calendar to enter court appearance date and time
- Replicate feature
- Can transfer tickets to courts when connectivity is available
- Working on implementation on PDAs – now runs on special "rugged?" hardware (Dell?)

Electronic process – hybrid

(have not deleted all paper because paper is still considered final/formal/official doc)

- Write a cite on laptop
- Prints copy for defendant
- Sends copy to court electronically (upload/ftp process)
- Swearing process
- Print copies of citations
- Electronic copy goes to case management system

Virtual citations – no paper

(required change in legislation to eliminate need for defendant's signature)

Operational in 30 of 67 counties – 48,000 esworn tickets

- Write a cite on laptop
- Give defendant small notice to appear using receipt-sized thermal printer "notice to appear"
 - Full copy available online from the court
- swearing process (eSwearing)
 - officer no longer has to deliver paper citation
 - logs in to kiosk at any court (regardless of jurisdiction) and biometrically logs in (fingerprint) with a magistrate/clerk

- swears for each ticket
- magistrate/clerk prints UTC transmittal form

Advantages

- Less paper for defendant
- No paper transmittal to court
- Authentic via biometrics
- Officer can swear at any courthouse

Statistics package for officers in pre-release

- GIS analytical capability
- Court status of various cases
- Key stats

Answers to questions

- Looking at hardware solutions for mobile officers (i.e. motorcycles)
- Some sponsors (took 5 years to implement)
 - Federal safety motor vehicle
 - State dept. public safety
 - Univ. of Alabama
 - Courts of Alabama
 - More...
- Court date is not yet customized – just general dates & times provided
- Still have paper citation book in case of electronic problems
- FYI--CA and FL collecting fingerprints at roadside (to get around false identity & lack of driver's license)

News from the Self-Presented Litigation Network

Charles R. Dyer, Chair, Law Librarians Group, SLRN

The Self Represented Litigation Network is not holding a national meeting this year, as plans to hold a regional conference in California in February 2008 were canceled. Instead, the SRLN will hold a strategy session immediately following the conclusion of the pre-conference workshop at the Equal Justice Conference on May 6, 2008, in Minneapolis. (See the article on the Equal Justice Conference on page 34.)

SRLN Chair Richard Zorza is currently drafting an annual report for the many activities that the SRLN accomplished in 2007. I hope to be able to publish it in the next newsletter. Rather than duplicate that information, this report will discuss upcoming events. I should note that the much anticipated second edition of the Best Practices document will probably be distributed before the next issue of the SCCLL SIS Newsletter is created, so look for that announcement on lists and from <http://www.selfhelpsupport.org>.

Following the very successful National Judicial Conference on Leadership, Education and Courtroom Best Practices in Self Represented Litigation at Harvard Law School (to be reported next issue in the annual report), the SRLN planned to hold a similar conference for court administrators. However, the State Justice Institute determined that this next conference would be a continuation project, not eligible for seed money, so the SRLN will not be able to hold this conference as a separate event. In conjunction with the National Center for State Courts, the SRLN will hold the conference as one of the three tracks of the Court Solutions Conference, Baltimore, MD, September 8-10, 2008. The track will be very intense, with considerable interaction among the participants, probably including role playing. Track participants will get toolkits and training so that they can teach others when they return home. The Librarians Group has been asked to provide one of the toolkits, with the emphasis on best practices in terms of court administration - law library collaboration to serve self represented litigants. The good news from having it as a track at the CSC is that the conference is open to everyone, not just invited state teams.

The Librarians Group also recently undertook compiling a directory of programs in libraries meant to serve self represented litigants. (See Member News on page 39.)

The Librarians Group entered two program proposals for the American Association of Law Libraries Annual Meeting in Portland in July 2008, with Judy Meadows acting as coordinator. Both were accepted. The first is "The Evolving Role of Law Librarians with Self-Represented Litigants," a 75-minute program. The description is: "Public law libraries and, to a lesser extent, academic law libraries, are searching for the best way to provide for the self-represented litigants who need information. This program will concentrate on how to prioritize system changes. The speakers will concentrate on how to do strategic planning for SRL programs and services. Two law librarians will speak about their work in determining their communities' needs for service to SRL's, how to identify and network with the other important players (such as The Bar, Legal Services & the Courts), and how to evaluate the effectiveness of their programs. Another speaker will discuss how a court's services could be replicated by law libraries. The conclusion will be a short explanation of AALL's support of the Self Represented Litigant Network and how its information gathering and networking can assist those working in this field." Speakers are Coral Henning, Frances Thompson (runs a self help program in Idaho), Sara Galligan, and Jessica Van Buren. Marcus Hochstetler will moderate.

The second program is: "Exploring the Ethical and Legal Framework of Assistance to
(SRLN continued on page 34)

"The Librarians Group also recently undertook compiling a directory of programs in libraries meant to serve self represented litigants."

(SRLN continued from page 33)

the Self Represented,” a 75-minute program. The description: “Many librarians who work with non-lawyers and self-represented litigants are uncomfortable serving them, because of uncertainty about the line between providing legal information vs. legal advice. As a result, librarians often err on the side of not helping the pro se library user as much as they could. This program will provide clear guidance. Two speakers who have done training on the national level will discuss the standards involved in assisting pro ses without being accused of practicing law without a license, and explore the ethical framework for self-help services in law libraries. They will address the importance of the topic and its historical context, and provide participants with a sound policy based on clearly articulated ethical obligations, definitions, and guidelines. Ample time will be allowed for questions and discussion with the audience.” Judy Meadows and another expert will be speakers on this program. The program is based on the excellent NCSC webinar that Judy Meadows and John Greacen hosted back in April 2007.

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Equal Justice Conference Update

Sara Galligan, SCCLL Chair

As many of you already know, the Equal Justice Conference will be held in Minneapolis, Minnesota May 7-9, 2008. Please consider this opportunity to network with partners in the legal community who share our interests and concerns about assisting self-represented litigants. A wealth of resources, most technology-based, will be discussed during the various educational programs.

Online registration is now available. The conference webpages have been updated with information about registration, registration discounts, hotel accommodations and travel information. Please see <http://www.equaljusticeconference.org>. Note that the EJC conference has an early registration deadline of March 21. The EJC website has other details about the registration process. Although information is not yet available, the local host committee for the EJC was informed that a daily registration option would also be available.

The conference also includes an all day pro se preconference on May 6 entitled “**Self Represented Litigants: Effective Strategies for Meeting Their Needs and Realizing Your Organization's Goals.**”

As for the regular conference, one session presented by law librarians was accepted for inclusion this year. “**Serving the Unserved: Your Law Library as Your Partner and Your Bridge**” will include the Honorable John R. Rodenberg from Minnesota’s Fifth Judicial District and law librarian panelists Charley Dyer, Sara Galligan, and Lisa Rush.

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“[T]he Equal Justice Conference will be held in Minneapolis, Minnesota May 7-9, 2008.”

Paula Waddle 1947-2008

Reprinted with permission from the Brownsville (TX) Herald.

Paula Waddle passed from this life on Jan. 4, 2008. She will be deeply missed by all who knew her. With her passing, a very large void has been created within the legal community and especially within the federal court family. The void will not be quickly filled.

Paula was born in Dallas, Texas, on Nov. 9, 1947, to Jake and Virginia Waddle. She received her Bachelor of Arts degree from the University of Texas, Austin, in 1969. In 1976, she earned her doctorate in Jurisprudence from the University of Texas School of Law.

As an attorney, Paula had a varied career. She worked as an attorney in the Law Office of F.L. Edmunds from 1983 to 1986. Paula was the lead attorney for the then largest Small Business Administration office in the United States from 1979 to 1982 in Corpus Christi, Texas. From 1982 to 1986 Paula was a municipal court judge for the city of Corpus Christi. In 1991 she opened her own law firm and in 2001 she was legal counsel with the South Texas Immigration Counsel. Paula was named the Fifth Circuit Court Librarian for the Southern District of Texas in 2006. She served the federal courts in Brownsville until her passing on Jan. 4, 2008.

Paula held various adjunct teaching positions at various institutions of higher learning where she taught various areas of the law to college and pre-law students. She was a member of professional and community organizations where she gave of herself tirelessly for the betterment of the community. Her membership in civic and community organizations included the Harlingen Rotary Club, Texas A&M-Corpus Christi Foundation Board, South Texas Lighthouse for the Blind, League of Women Voters, Art Museum of South Texas, and many other worthy organizations.

Paula often assisted doctors by translating for them when they provided services for the needy in Mexico.

Paula was preceded in death by her father, Jake Waddle. Paula is survived by her mother, Virginia Green B. Waddle of Harlingen, Texas; her loving aunt, Lupe Marie Barksdale; and many loving cousins. In lieu of flowers, memorial donations may be made to the Harlingen Public Library. ■



2008 Connie E. Bolden Publications Award

Claudia Jalowka, Chair, Awards Committee

Attention SCCLL Members! The Awards Committee is seeking nominations for the 2008 Connie E. Bolden Publications Award. This award is presented to a State, Court, and County Law Libraries Special Interest Section member to recognize a scholarly publication produced sometime within the last three years. Has someone in your library or a colleague in another library written a work that you feel is outstanding and should be recognized? Nominate them! Nomination forms will soon be available on the SCCLL website or contact any member of the Awards Committee with your nomination. The deadline for nominations is April 1, 2008.

Committee Members:

Claudia Jalowka, Chair 2007-2008
Law Librarian
Connecticut Judicial Branch Law Libraries
90 Washington St.
Hartford, CT 06106
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Director of Access Services
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Executive Board Liaison: Barbara Fritschel

“The deadline for nominations is April 1, 2008.”



***NOMINATION FOR THE CONNIE E. BOLDEN PUBLICATION AWARD
2008***

SCCLL Member and Publication Being Nominated:

Name:

Library:

Address:

Telephone:

Email:

Name of article:

Publication in which article appeared:

Date of publication:

Intended audience of article/publication:

Significance/impact of the article/publication:

Other information for the Awards Committee to consider regarding this nomination:

Please provide a copy of the nominated work.

Individual Providing the Nomination:

Name:

Library:

Address:

Telephone:

Email:

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Member News & Announcements

Dougherty County Law Library Receives Bar Award

The Dougherty County Law Library's Legal Information and Assistance Center has been awarded the 2007 William B. Spann Jr. Award for its small-city/rural focus in delivering critical access to legal information, forms, and lawyer-supervised advice clinics. The award, presented by the Access to Justice Committee of the State Bar of Georgia and the Pro Bono Project, is given each year either to a local bar association, law firm project, or a community organization in Georgia that has developed a pro bono program that has satisfied previously unmet needs or extended services to underserved segments of the population.

Joel Fishman Awarded Grant

Joel Fishman, Asst. Director for Lawyer Services, Duquesne University Center for Legal Information/Allegheny County Law Library, has been awarded by the AALL Research Committee a Wolters Kluwer Law & Business Grant to complete his *Index to Judges' Inductions, Memorials, Etc. From the Official State Court Reports*.

John Barden New Director at Law & Legislative Reference Library

The Law and Legislative Reference Library welcomes John R. Barden as Director, effective January 2, 2008. John comes to Maine from Richmond, Virginia, where he served as Head of Reference and Research Services at the William Taylor Muse Law Library, University of Richmond School of Law. He holds a law degree from the University of Virginia School of Law and a library science degree from the University of North Carolina at Chapel Hill, plus a Ph.D. in early American history from Duke University. In addition to his work in law librarianship, John also researches and publishes in the fields of early American history and the Civil War.

Self-Help Program Directory Available on SCCLL Website

The new *Directory of Library-Based Self-Help Programs* is available on the SCCLL website at <http://www.aallnet.org/sis/sccll/toolkit/selfrepresentation.htm>. The *Directory* was compiled by the Law Librarians' Working Group of the Self-Represented Litigation Network (SRLN). The goal of the *Directory* is to give you ideas for programs you can implement in your own library.

The *Directory* includes entries from 23 libraries in 15 states and the District of Columbia. Some libraries offer multiple programs. Programs include classes for self-reps taught by library staff, clinics staffed by community volunteers held in the library, Lawyer in the Library programs, library-based self-help centers providing help with forms and procedures, and other innovative programs.

If you would like to be included in the *Directory*, fill out the form provided on the SCCLL website and email it to Jessica Van Buren at the Utah State Law Library (jessicavb@email.utcourts.gov). Information about SRLN is available on their website: <http://www.srln.org/>. You can also contact the Law Librarians' Working Group chair Charles Dyer (charlesrdyer@clearwire.net) for more information.

New Membership Committee Chair

Liz Robb accepted another position outside of law libraries and resigned from her position as chair of the membership committee. Jennifer Creevy, from the Louisiana Supreme Court Law Library in New Orleans, graciously agreed to take over as chair for the remainder of the year.

Washington State Code Reviser will be VIP at the Annual meeting in Portland

Kyle Theissen, Code Reviser for Washington will attend the annual meeting in Portland as one of our section VIPs. He is particularly interested in the authentication program **C-4**: "*Official But Not Authentic: The Future of Electronic Legal Information*" sponsored by the Access to Electronic Legal Information Committee (AELIC) Sunday, July 13, 4:15-5:15 pm.

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