

SCCLL News

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

Don't Miss:

- Bolden Award Winner
- EJC Grantee Reports
- VIP Profiles
- Carol Billings Profile

View from the Chair

Sara Galligan, SCCLL Chair



Momentum and measurement are on my mind as we move forward toward our Portland finale. While we excitedly anticipate July events and programs, recognition for our past year's fine accomplishments are a traditional theme for the Chair's final column. This year is no exception. As measured against our strategic goals of advocacy, leadership, and education, I want to thank all the many SCCLL members who made this a successful year.

Inside this issue:

Charley's Corner	4
SCCLL Programs at the 2008 Annual Meeting	8
Bolden Publications Award Recipient	9
SCCLL VIP Phil Margolin	10
SCCLL VIP Kyle Thiessen	11
2008 Election Results	11
Profiling at the Reference Desk: Another Viewpoint	12
Silent Auction Blog Up and Running!	13
Court & Spark: Members Participate in EJC	14
Doing the Right Thing at the EJC 2008	15
Equal Justice Conference 2008	17
Legislative Advocacy Programs at the EJC	18
Carol Billings Wins Gallagher Award	21
Member News	22

Our SIS vision and focus were embraced by members and implemented by committees. While we often discuss significant issues, our SIS produced real, tangible results. Thanks go to the SCCLL Executive Board members for launching their board liaison relationships to help committees get their work done. Special thanks go to Marcus Hochstetler, Vice-chair/Chair-elect, for his strategic planning efforts, for communicating vision to our board and committees, and for leading important advocacy initiatives. Thanks also go to Board Member Barbara Fritschel, for her written contributions and her willingness to coordinate the Silent Auction for us this year.

Specific committee efforts I want to highlight include the following: great educational programs and social events for Portland; selection of two VIPs for our annual meeting - Kyle Thiessen, Code Reviser for Washington and Phillip Margolin, attorney-author from Portland; several travel grants; the Bolden Award; a draft revision for the county law library standards; a third resource guide, "Management Essentials in the Public Law Library," due in August and coordinated by John Cannan; a fabulous newsletter, and an invaluable website. Thanks to the committees and their chairs for the above highlights and all the other work completed this year for our SIS. On behalf of all our members, thanks go to Kim Ositis for editing our newsletter these past years. Kim's term is ending, and I want to congratulate her for providing our members with a consistently commendable newsletter.

One of my goals this year was to expand our involvement with the Equal Justice Conference in Minneapolis. Based upon law librarian participation in the Minneapolis event, I believe momentum was launched for future partnerships with this program. I won't be modest about our accomplishments - we awarded three travel grants for our members, we had eleven law librarians in attendance (as opposed to two last year), one or more law librarians were involved in five program presentations, we staffed a law library exhibit booth with informative handouts (and a new bookmark) about law library services to the public, we networked with other members of the legal aid community, and two of us presented testimony at an ABA hearing about online legal resources for the public. Our SIS support for this conference dramatically engaged the "Energize/Explore/Evolve" theme! Hopefully, our participation in future EJC programs will continue to strengthen recognition in the legal aid community about law library services that support pro se and pro bono efforts.

In contrast to the positive momentum involved with our successes this year, the SCCLL-SIS Executive Board was informed about political activities in some states that could

(View from the Chair continued on page 2)

(*View from the Chair* continued from page 1)

seriously lead to the erosion of county law library services and programs. Ohio is one state where some county law libraries have formed a coalition to fight for legislation to offset a negative funding formula. Ohio's situation is the most urgent at this point, and yet it appears that other states may be facing political challenges in the near future. While we await news about Ohio, and consider any response we'd want to offer, it's vital that we understand the dynamics involved in lobbying and advocacy, especially for smaller county law libraries that may have little ability to mobilize constituencies on their behalves. AALL's Advocacy workshop that takes place in Portland on Saturday morning (July 12) should be top priority for our members who plan to be at the annual meeting. Our SIS may try to offer additional educational options about advocacy in the next year, and any thoughts you have about a program are most welcome.

Thanks to you, our SIS is doing quite well. However, your ongoing input is vital. Please communicate via the newsletter or our listserv. For those of you going to Portland, please share your local successes and ideas with your colleagues. I've appreciated the opportunity to work with and learn from so many generous and dedicated SCCLL law librarians this year as your Chair. I hope that for most of our members, this year has allowed you to Energize/Explore/Evolve - and I encourage your further involvement and volunteerism to sustain our momentum.

■

From the Editor

Kim Ositis, SCCLL News Editor

As I'm sure you read in Sara's column, this will be my last issue as editor of *SCCLL News*. Please permit me a stroll down memory lane.....

Since taking over in 2006, I have edited nine issues of the newsletter, totaling more than 270 pages. On almost every occasion, I faced the wonderful dilemma of how to make all the great submissions I received fit in the issue. I was excited to have almost always have contributions for the new features in the newsletter: the *Court & Spark* column and The Back Page with member news and humorous asides for *View from Your Library*.

I received many excellent contributions - too many to list here - but several of my favorite include the feature article in volume 32, issue 1 by Frank Liu and Joel Fishman about building the Allegheny County Law Library and Amy Hale-Janeke's series of articles on surviving Hurricane Katrina. Thank you to Charley Dyer and Jacqueline Cantwell for providing consistently thought-provoking articles.

In conclusion, I am thrilled to announce that Jennifer Dalglish of the Clackamas County (OR) Law Library has just agreed to take over as the *SCCLL News* editor. Thank you, Jennifer!

■

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 September 15, 2008.**

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

<p>Chair Sara Galligan (651) 438-8080 sara.galligan@co.dakota.mn.us</p>	<p>Vice Chair/Chair Elect Marcus Hochstetler (206) 296-0940 marcus.hochstetler@kingcounty.gov</p>	<p>Past-Chair Catherine Lemann (504) 310-2412 catherine@lemann.net</p>	<p>Secretary/Treasurer (2007-2010) Amy Hale-Janeke (504) 310-7797 ahjaneke@ca5.uscourts.gov</p>
<p>Board Member (2006-2009) Barbara Fritschel (414) 297-1698 Barbara_Fritschel@ca7.uscourts.gov</p>	<p>Board Member (2007-2010) Karen Quinn (401) 222-3275 kquinn@courts.state.ri.us</p>	<p>Board Member (2005-2008) Lisa Rush (512) 854-9290 lisa.rush@co.travis.tx.us</p>	<p>Board Member (ex-officio) Kim Ositis (206) 296-0940 kim.ositis@kingcounty.gov</p>

SCCLL Committees for 2007-2008

Awards

Claudia Jalowka, Chair
Kathy Carlson
Susanne Dyer
Sarah Sabasteanski

Bylaws

Anne McDonald, Chair
Jacquelyn Jurkins

Education

Connie Von Der Heide, Chair
Madeline Kriescher
Anita Postyn
Jean-Paul Vivian

Grants

Anne Matthewman, Chair
Anna Djirdjirian
Michele Finerty
Akram Sadeghi Pari
Barbara Fritschel, Silent Auction Chair

Membership/Mentoring

Jennifer Creevy, Chair
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

Publicity/Public Relations

Joel Fishman, Co-Chair
Gail Warren, Co-Chair
Nancee Halling
John Cannan, Resource Guides
Lisa Mecklenberg Jackson, Resource Guides

Standards

Larry Meyer, Chair
Joan Bellistri
Anne Grande
Jennifer Murray

Strategic Planning

Marcus Hochstetler, Chair
Barbara Fritschel
Sara Galligan
Amy Hale-Janeke
Catherine Lemann
Karen Quinn
Lisa Rush
Kim Ositis

Technology Committee

Katie Jones, Chair
Eric Brust
Judith Gaskell
Rita Kaiser
Katrina Piechnik
Kate Fitz: Webmaster
Carolyn Tanen: List Administrator

Trustee Development

Kathy Coon, Chair
Laureen Adams
Donna Bausch
Sharon Borbon
Regina Smith

Pro Bono Partnership (Joint LISP/SCCLL Committee)

Jean Holcomb, Co-Chair
John Pickett

Charley's Corner

Cultural Competency: A Layered Problem

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.

At the Equal Justice Conference, held May 6-9, 2008, in Minneapolis, there was a session titled "Outside of Justice: Bridging the Cultural Gaps in Access to Justice Systems." Legal services and pro bono attorneys face an increasing demand for services from both non-English speaking clients and clients from cultural minorities who have difficulty understanding the American legal system. The latter could include, for instance, inner city blacks and rural folk, both black and white. The session highlighted several innovative programs, while giving some frightening statistics on the increasing numbers - frightening in the sense that the legal system, including public law libraries, needs to ramp up to be able to handle these litigants and provide them justice. The catch phrase being employed by these experts is "cultural competency." Does your legal services or pro bono program have the ability to comprehend the cultural presumptions that your clients bring with them and can you help them under the different cultural presumptions found in the American legal system?

Richard Zorza, the Coordinator of the Self Represented Litigation Network, recently related findings from an SRLN research project, wherein they videotaped some divorce trials where both parties were self represented and then interviewed the litigants and the judge to see if they understood each other. He and his fellow researchers found that there was a surprisingly high level of comprehension among the litigants, except for one group, the litigants who needed to have interpreters. It appears that the biggest problem is that word-for-word translation, and even phrase-for-phrase translation, is not good enough. The judge expects his trial to move forward at reasonable speed, so translators have to put aside the questions their clients ask when they don't understand the meaning of what's going on, even while hearing the words.

In her presentation at the EJC session mentioned above, Madelynn Herman (recently of the National Center for State Courts, now with the State Courts of Virginia) had a very good slide:

"Does your legal services or pro bono program have the ability to comprehend the cultural presumptions that your clients bring with them..?"

Weaving Cultural Competency Into Services Means Understanding that Culture Shapes

- Beliefs and expectations about justice
- What is right, wrong, or unfair
- What is appropriate or inappropriate
- The way people communicate
- Their perceptions of authority
- Beliefs about responsibility, and
- Beliefs about people and their motivations.

I would call this the *meta-level* of our misunderstanding, as that slide applies to all cultural gaps.

Getting more specific, at a 2007 EJC session on cultural competency, one included handout was a short article by Charles Horejski and Joe Pablo, *Cultural Awareness: Practical Suggestions for Non-Indians Interacting with Indian Tribes* (http://www.nlada.org/Training/Train_Civil_Equal_Justice/2007_Materials/047_2007_Delaney_handout5), wherein they had a chart noting the following areas of cultural

(Charley's Corner continued on page 5)

(Charley's Corner continued from page 4)

difference between "Contemporary U.S. Culture" and "Traditional Native American Culture":

- The meaning of time
- Competition among people
- Control
- Definition of self
- Social interaction
- Material possessions
- Personal space
- Individual freedom
- Learning process
- Family
- Children
- Older persons
- Religion and Spirituality

Here is an example (the shortest), from Personal Space: *Contemporary U.S. Culture*: "Much emphasis on having privacy and personal space. Separate space for each family member is highly valued. For example, everyone wants his or her private room." *Traditional Native American Culture*: "Highly social. Compact living is the norm. Frequent and close contact with others. The value places on sharing with others extends to the sharing of a room or house. A person who lives alone is pitied." These differences would obviously cause a Native American to question what is happening in court during a divorce and even more so in litigating against a citizen steeped in contemporary U.S. culture.

"Cognitive linguistics has found that there are many common metaphors used in all cultures because they are based on our common human capacities."

I would call this the *middle* level of cultural misunderstanding.

Milan Pham, North Carolina Lawyers for Entrepreneurs Assistance Program, at the 2008 EJC session, noted that the Hmong (immigrants from Laos during and after the Vietnam War) do not even have a word for "rape" because their sexual practices and inhibitions are different. And many immigrants do not understand zoning because in immigrant communities, economic classes mingle more.

From another discipline altogether, cognitive linguist Zoltán Kövecses has written *Metaphor in Culture: Universality and Variation* (Cambridge University Press 2005). Cognitive linguistics has found that there are many common metaphors used in all cultures because they are based on our common human capacities. Such metaphors as these are *universal* metaphors. They are so common, we don't even think of them as metaphors. Some are so common they become second meanings in the dictionary. (Try looking up the word "spring," for instance.)

An interesting example of an unexpected universal metaphor is found in such phrases as "hanging out with oneself," "being out to lunch," "being on cloud nine," and "pampering oneself." It turns out that the common metaphor is "self-control is object control," which leads to a variety of derivatives, such as "self-control is object possession" ("I lost myself in reading."), "self as container" ("I was beside myself."), and "self as child" ("I'll reward myself with a glass of beer.").

Kövecses's thesis is that there is also a level of quite common metaphors that are culturally based. They may spread over a whole culture or even several cultures, but still

(Charley's Corner continued on page 6)

(Charley's Corner continued from page 5)

not be universal. For instance, we refer to a person who is enraged at something as being "steamed" about it because nearly all cultures know the "highly emotional response is like a boiling liquid in a container" metaphor. That is because all humans, except those with neurological damage, will feel a flush and rise in temperature when they are mad, and, as social beings, we can sense that in others. However, in Chinese, the metaphor is simply "hot," i.e., an increase in temperature, without the "liquid in a container" part. So, a Chinese speaker would understand that someone was "hot under the collar" about something, but have more difficulty understanding that someone was "steamed" about it.

In fact, it is more likely that we (contemporary U.S. culture) share certain metaphors with western European cultures (especially those with Romance or German languages) than with many of our immigrant communities within the United States. Kövecses uses English and Hungarian (which is neither Romance nor Germanic) for most of his comparisons, in part because he and most of his graduate students speak both languages and have been immersed in both cultures, and he notes that, even as a linguistic scholar, he could not divine the roots of the cultural differences in metaphor without that familiarity. He and his group base most of their findings on both corpus studies (i.e., studying large data files, such as newspapers, etc.) and subject testing (the traditional asking undergraduates to respond to questions, as in psychological testing). But without their privileged background, they would not even know where to begin to pick the collocations (key words in context) for the corpus studies or construct the test questions for their subjects. (In his book, Kövecses also borrowed from other studies of language comparisons, so his conclusions are more broadly based than his own studies.)

I would call this the *base level* of cultural misunderstanding.

But wait. There is one more. Milan Pham also cautioned her audience that "Legalese translated is still legalese. We still have to make it accessible." Plain language forms help, provided the Plain English form is somehow well translated into the other plain language, given all the pitfalls already noted. To help overcome some of those pitfalls for their Spanish clients, the North Carolina Lawyers for Entrepreneurs Assistance Program developed a series of telenovelas with law themes. An example would be property law in the U.S. They play on Univision. They are also using comic books, podcasts, and DVDs. The point is to use narratives and story telling. They also develop peer to peer programs, which is another way of saying that they hire someone who is versed in the culture to serve on their staffs. The point of designating this as a specific program is that, with the additional feature of cultural competency, you might otherwise have to lower the eligibility requirements in order to get candidates. (At the San Diego County Public Law Library, we often used support staff with language proficiencies to help out at reference. Now we have a name for that.)

As a researcher, I have been on the lookout for linguistic studies that have something to say with regard to our problem of legalese. In linguistics, the study of professional speech primarily comes under discourse studies, and, recently, several scholars have begun to combine cognitive linguistics with discourse studies. Unfortunately, there have been no such studies that I know of that have focused on the American legal profession or legalese, or "legal discourse," as they would call it. There are, to be sure, some law professors who are versed in cognitive linguistics, but they have tended to spend most of their time writing on the problems of meaning generally, i.e., for lawyers and judges and judicial interpretation, rather than for non-law-trained people. There are also some law professors, such as John Conley, who have done admirable work in discourse

(Charley's Corner continued on page 7)

"Plain language forms help, provided the Plain English form is somehow well translated into the other plain language..."

(*Charley's Corner* continued from page 6)

studies and law, but without the cognitive linguistics.

Another problem is that the field of discourse studies is divided in two groups. The Europeans tend to combine discourse studies with a desire to get at the underlying political meaning of the discourse, taking a postmodern stance toward such work because they were inspired by Foucault and Derrida. Their work goes under the names "discourse studies" or "critical discourse analysis." The Americans do not see displaying the underlying political meaning as a necessary element of their work. Conley, for instance, would fall within that group. That group goes under the name "discourse analysis." The Europeans are more inclined to study professions like law because they can see the possibility of serving their political analysis through such studies. In the United States, cognitive linguistics is not so common as in the rest of the world, with most of the linguistics departments devoted either only to practical language studies, as opposed to theoretical, or still clinging to the older theoretical linguistics of Noam Chomsky and his generative grammar. While cognitive linguists see generative grammar as a necessary intermediary step between the even older theories and their theories, they reject its notion that semantics (i.e., the study of meaning) should be left solely to pragmatics (the study of language used in context). (As you can see from Kövecses's work, there are comprehensible meanings at the universal and cultural levels, not just in context. And meaning is the main reason that I have looked at linguistics at all.)

Anyway, trying to get something that I can use, i.e., something not European and not political, has been difficult. I am doing better with materials produced by front-line workers through their own trial and error. (Greg Hurley recently posted 64 folders on plain language on selfhelpsupport.org.)

In what is certainly a bit of irony, the American cognitive linguists who want to do discourse analysis in the United States have gravitated toward an analysis of political speech. It seems that the Republican juggernaut that has been so good at framing our political speech the last few decades has raised the ire of these academics. (George Lakoff, whom I mention in my other article on legislative advocacy in this issue, is the most prominent among them.)

This last level of our cultural misunderstanding, that of translating legal discourse, I call the *hidden* level. I wanted to use the word "subordinate" because it comports with the use of that word in the cognitive linguist's theory of prototypicality, but I realized that I would be using it in a jargon way, i.e., with discourse meaning that you would not have.

So, I have spent my whole column lining up the problem and giving you the lay of the land. I'll get back to you when I have something more to impart.

When next you direct a person to the "circulation" desk, think of all that is implied in that phrase. Does "circulation" arise from a metaphor to our own body's circulatory system? And, while we librarians might see books as circulating through our "body" of users, do the users themselves see it that way? (That has got to be a professional discourse metaphor if there ever was one.) And what do we do with the Native American who is just as likely to think that the book we handed him is a gift, rather than a loan? ■

*"This last level of
our cultural
misunderstanding,
that of translating
legal discourse, I call
the hidden level."*

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 on July 12-15. The titles and dates/times for all seven programs are listed below. Complete descriptions are available on the SCCLL Web site at http://www.aallnet.org/sis/sccll/annual_meeting/programs.htm.

The Evolving Role of Law Librarians with Self-Represented Litigants

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

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

SCCLL-sponsored program, Sunday, July 13, 4:15 – 5:15 p.m.

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

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

Giving Credit: The Law Library as CLE Provider

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

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.

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

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

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.

Looking Ahead to 2009

The deadline for 2009 annual meeting program proposals will be in August, so it's not too early to begin brainstorming for ideas. Is there a topic on which you have expertise to share with your colleagues? Or is there a topic you'd like to know more about? Has your library undertaken a special project, campaign, or other activity that other libraries could model and learn from your experiences? The SCCLL e-list is a great place to post ideas and look for speakers. Start now, and when the 2009 annual meeting theme is announced, you'll already have some great ideas to fashion into program proposals.

■

2008 Bolden Publications Award Recipient - Jean M. Holcomb

Claudia Jalowka, Chair, Awards Committee

Established by the State, Court, & County Law Libraries Special Interest Section, the Connie E. Bolden Publications Award is awarded every other year.

This year, Jean M. Holcomb, Retired, is the recipient of the Connie E. Bolden Publications Award for her Law Library Journal series *Managing By The Book*. Ms. Holcomb received both her MLS (1984) and her JD (1985) from the University of Alabama. She is the former Director of the King County Law Library, Seattle, Washington, 1992 - 2005. Prior to this she was the director of the Norfolk Law Library, Norfolk, Virginia from 1987 - 1992, and a Reference Librarian at the University of Alabama School of Law Library, Tuscaloosa, Alabama, 1985 - 1987.

The Awards Committee received more than one nomination for Ms. Holcomb's *Managing By The Book* series. This series of articles, which began appearing in the Law Library Journal in 2005, reviews recent books on management and applies them to the law librarian environment. According to Judy Meadows "They are much more than book reviews, as Jean spends considerable time in extracting how her readers can benefit from what the author includes in the book... Jean should be acknowledged for this very considerable contribution to the management literature of our profession." Donna Bausch said of Jean in her nomination "Her writing inspires going above and beyond the daily routine and thinking outside the box about our jobs, our colleagues and our organizations. Jean can make anyone believe that all things are possible if we dream big enough and work hard enough. Her writing will continue to inspire readers for years to come with its timeless discussions of management issues with which we all contend."



Jean Holcomb
2008 Bolden Publications
Award Recipient

Photo credit:
King County Law Library

Past Recipients

2005 - Dr. Joel Fishman, in recognition of his body of published works including numerous treatises, bibliographies, and indexes.

2002 - Gail Warren, for her development of the "Court Library Management" course notebooks for the Institute for Court Management from 1999 through 2001

1999 - Kendall F. Svengalis, for his book Legal Information Buyer's Guide & Reference Manual

1996 - Charles R. Dyer, in recognition of his work on Sourcebook for Law Library Governing Boards and Committees

1993 - Kendall F. Svengalis, in recognition of his work on The CRIV Sheet.

The Awards Committee received a number of nominations this year. All the nominees are deserving and selecting just one recipient was not an easy task. We would like to commend all of the nominees for their contributions to the body of professional publications. We would also like to thank all who took time to nominate their worthy peers. The list of nominations this year included: Laureen Adams & Regina Smith for *The Evolution of Public Law Libraries: A Growing Need for Public Access to Legal Information, Funding Cuts Shape the Future of Public Libraries* AALL Spectrum, vol. 10 no. 5 (March 2006), Nancy Adams for *Georgia Legal Research*, John Canann for *Are Public Law Librarians Immune from Suit? Muddying the Already Murky Waters of Law Librarian Liability* Law Library Journal (Winter 2007), Ellie Slade for *Lighting a Fire under a Bushel: How to Ignite Law Librarians' Compensation, Recruitment, and Job Satisfaction* AALL Spectrum, vol. 10 no. 4 (February 2006), and Arthur S. Zanan for his collection of Pennsylvania law books and newsletter, including; *PA Family Law Update*, *Bisel's Pennsylvania Motor Vehicle Operation Lawsourc*e and *Bisel's Pennsylvania Domestic Relations Lawsourc*e.

SCCLL's 2008 VIP - Portland's Own Phil Margolin

Donna Bausch, Norfolk Law Library

Philip Margolin grew up in New York City and Levittown, New York. In 1965, he graduated from American University with a bachelor's degree in Government. From 1965 to 1967, he was a Peace Corps volunteer in Liberia. In 1970, he graduated from New York University School of Law. During his last two years in law school he went at night and worked his way through teaching junior high school in the South Bronx. After graduating, he clerked with Herbert M. Schwab, Chief Judge, Oregon Court of Appeals. From 1972 until 1996, he was in private practice in Portland, specializing in criminal defense at trial and appellate levels. As an appellate attorney, he appeared before the United States Supreme Court, the United States Court of Appeals for the Ninth Circuit, and the Oregon Supreme Court and Court of Appeals. As a trial attorney, he handled criminal cases in state and federal court and represented approximately 30 people charged with homicide, including several who faced the death penalty. He was the first Oregon attorney to use the Battered Women's Syndrome to defend a battered woman accused of murdering her spouse.

Since 1996, he has been writing full-time. All of his novels have been New York Times bestsellers. [Heartstone](#), his first novel, was nominated for an Edgar for best original paperback mystery of 1978 by the Mystery Writers of America. The second, [The Last Innocent Man](#), was made into an HBO movie. [Gone, But Not Forgotten](#) was sold to more than 25 foreign publishers and became a miniseries in 2004. [After Dark](#), [The Burning Man](#), [The Undertaker's Widow](#), [Wild Justice](#), [The Associate](#), [Ties That Bind](#), and [Sleeping Beauty](#) were also New York Times bestsellers and selections or main selections of major book clubs.

In addition to novels, Margolin publishes short stories and non-fiction articles in magazines and law journals. Since 1996, he has been President and Chairman of the Board of [Chess for Success](#), a non-profit charity that uses chess to teach study skills to elementary and middle school children.

His latest novel, [Executive Privilege](#), goes on sale this month. Many of his novels are set in Portland, so they are great reads in preparation for the Annual Meeting this year. You will learn a lot about the city and its culture from Margolin's writing, and you'll enjoy his gift for story and character development along the way.



Philip Margolin
2008 SCCLL VIP

Photo credit:
www.philipmargolin.com

■

SCCLL Welcomes Washington State Code Reviser as a VIP

Marcus Hochstetler, King County Law Library

Kyle Thiessen is the current Code Reviser for Washington State. He has held this position for 2 1/2 years and he serves at the pleasure of the Legislative Oversight Board. The last Code Reviser served for 27 years so his plans do not include retirement any time soon. He is a Uniform Commissioner for Washington and involved in the National Conference of Commissioners on Uniform State Laws. This group will be meeting in late July, 2008.

Some projects which he has worked on in the past include upgrading the website for the Washington State Register, working with legislators to make the statutes more gender neutral, and moving to an all electronic filing system with the state agencies who report to his office with regulation proposals.

Thiessen most enjoys his work as a go between with the Legislature and the bill drafters ensuring that the final code is accurate and accessible for the public. His attention to issues surrounding permanent public access to legal information by his 2007 statewide tour gathering feedback on a new plan to make the online copy of the Washington State Register the primary means of access to the code. With some valuable input from law librarians in the state, Thiessen modified the distribution plans to include free print copies for county law libraries in the state who expressed an interest.

He is especially interested in hearing more about the program **C4: Official but not Authentic: The Future of Electronic Legal Information** in Portland. If you have some time to speak with Kyle on Sunday or Monday, he is excited to hear your comments and concerns.

■

2008 Election Results

Sara Galligan, SCCLL Chair

I am excited to announce the results from the recent SCCLL election held March 31st through April 20th:

Anne Matthewman, **Vice-Chair/Chair-Elect (2008-2009)**

Meg Martin, **Member-At-Large, (2008-2011)**

Congratulations to both Anne and Meg! Thank you to all our members for voting in this important process. Thanks also go to Secretary/Treasurer Amy Hale-Janeke for handling our election.

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

Marcus Hochstetler, **Chair (2008-2009)**

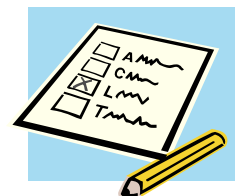
Sara Galligan, **Past Chair (2008-2009)**

Amy Hale-Janeke, **Secretary/Treasurer (2007-2010)**

Barbara Fritschel, **Member-At-Large (2006-2009)**

Karen Quinn, **Member-At-Large (2007-2010)**

■



Profiling at the Reference Desk - Another Viewpoint

Jacqueline Cantwell, Brooklyn Supreme Court Law Library

I am the unnamed reader who commented that Charley Dyer's article "The Queen of Chula Vista: Stories of Self Represented Litigants and a Call for Using Cognitive Linguistic to Work with Them " 99 Law Library Journal 717 (2007) made points that could lead to profiling. I don't know why Charley Dyer did not acknowledge me in his SCCLL article. Some months ago, I had sent him a comment disagreeing with some of his positions in "The Queen of Chula Vista." I suggested that we start a public discussion on our differences. I had been inspired by a blog post criticizing the lack of discussion and debate in library literature and blogs. I thought it would be fun to have an open discussion. I had hoped that a discussion would encourage colleagues to participate, drawing upon their own practices. Charley Dyer replied that he was not interested in a discussion. So I was surprised when he wrote a column expanding upon my brief comment.

In the 34:1 SCCLL article, "Profiling at the Reference Desk," Charley Dyer repeats the tactics that I criticized in "The Queen of Chula Vista." He describes the law librarian in moral terms. He makes assertions. He draws upon his readings in cognitive science to support his assertions. He has no data on reference desk interactions or the effectiveness of library assistance to litigant outcomes. I argue that without data, we cannot evaluate our services to litigants or our contribution to the legal system. Evidence-based librarianship can help develop work practices that provide feedback on our daily practice. Data that demonstrates our effectiveness will help justify our collections and services. This is even more important as our libraries service growing numbers of self-presented litigants (SRL).

How can we best help the SRL? Sadly, surveys of SRLs' legal outcomes show most lose their cases. There is no substitute for legal counsel. None of the survey reports that I have read mention public access law library use. Do SRLs who use the library have better outcomes? We don't know. There is no data. Without data, we cannot evaluate our services. The data must be more than hash marks documenting a reference question. We need to log what kind of questions we receive, what resources best answered the question and what we had to do to help the patron use the resource. We have started doing this in the Brooklyn Supreme Court Law Library. Logging questions has made me aware of my own "profiling" of patrons. It has become what I call a feedback loop, a method to evaluate my work. It has made me aware of what questions make me react, "profile," instead of treating the patron as an individual. A simple work practice has improved my skill.

Training in conducting an interview (because what is the reference transaction, but jargon for an interview) would help us. Saxton* closes his study on public library reference with the recommendation that reference librarians needed and wanted improved interviewing skills. A set of standardized questions, that could be modified when the librarian judges necessary, would be a valuable reference tool. Public access law librarians don't get many ready reference questions; we do get lots of procedural questions. Standardized work practices could help us over rough spots. The reference log in Brooklyn is giving me ideas for a staff training program on interviewing.

Charley and I could argue back and forth over our differences. Without data, the two of us are simply drawing upon our own local experiences and using two different sets of readings to support our interpretations. What most disturbs me in this article and "The Queen of Chula Vista" is Charley's describing the librarian in a moral narrative, for example, "At the reference desk, we too use profiling, but for good purposes." We have

(Another Viewpoint continued on page 13)

"Do SRLs who use the library have better outcomes? We don't know. There is no data."

(Another Viewpoint continued from page 12)

skills and experiences that help us make decisions about how to help patrons, not benevolent intuitions. By documenting our work and evaluating our practices, we can make reliable suggestions on how best to help the public. Among our colleagues, we need to feel free to have difficult conversations. Ethical behavior at the reference desk, work practices that encourage reflection, and the creation of systems that support on-going improvement are topics we need to discuss in this newsletter. I look forward to such discussions.

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

* Saxton, Matthew L., and John V. Richardson. *Understanding Reference Transactions: Transforming an Art into a Science*. San Diego, Calif: Academic Press, 2002. ■

2008 Silent Auction Blog Up and Running!

Barbara Fritschel, Silent Auction Coordinator

Start your knitting, crafting or buying now to help us make this year's silent auction a success. The money raised goes to support travel grants for SCCLL members. Given that many travel budgets are being cut, this is a significant member benefit.

By now, you should know the drill but some helpful reminders:

1. To contribute an item, please send a brief description, a minimum bid, value (if different) and a picture (less that a 500K file please) to Barbara.Fritschel@ca7.uscourts.gov.
2. Online bidding will begin June 1st and end at noon (Central Time) on July 10th. The auction site is <http://sccll08.wordpress.com/>
3. Bidding will continue at the SCCLL breakfast meeting in Portland.
4. If you are not attending the meeting and wish to donate, please find a way to get the item there.
5. If you are not attending and wish to bid, please have someone who is attending be your proxy. They will need to be able to pay for and pick up the item.
6. Feel free to distribute the auction link to others but make sure the people are aware of #5 and the need for proxies.
7. If a proxy is not available to pick up the item immediately after the breakfast meeting, the item will go to the next highest bidder.

Last year we raised enough money to fund eight travel grants to either the Equal Access to Justice Conference in Minneapolis or the AALL Annual Meeting in Portland.

DONATE GENEROUSLY. BID EARLY. BID HIGH. IT'S FOR A GOOD CAUSE. ■



Court and Spark: Members Participate in Equal Justice Conference

Sara Galligan, Dakota County Law Library

The recent Equal Justice Conference in Minneapolis included SCCLL-SIS law librarians from Minnesota as well as several other states. With its emphasis on partnering, the legal aid community began to learn more about how law librarians contribute toward common equal justice efforts. Through various activities, programs, and an exhibit booth, law librarians demonstrated how they support self-represented litigants in a way that enhances overall efforts.

During the preconference, the Hennepin County Law Library was included on a tour of the Hennepin County District Court Self Help Centers. The preconference, "Self Represented Litigants: Effective Strategies for Meeting Their Need and Realizing Your Organization's Goals," also included a program by Sara Galligan, Dakota County Law Librarian and Barb Golden, Minnesota State Law Librarian. Two other preconference programs on distance services and funding included Judy Meadows, Montana State Law Librarian, and Charley Dyer, Consultant, and former director for the San Diego County Law Library. Eleven law librarians attended the Equal Justice, a significant increase over the two who attended the program last year in Denver.

During the regular conference, Lisa Rush from Travis County Law Library (Austin, Texas) joined Sara Galligan and Charley Dyer on a program entitled "Serving the Un-served: Your Law Library as Your Partner and Your Bridge." Judge John Rodenberg, from Minnesota's Fifth Judicial District also participated in this program which explained how law librarians assist pro se litigants when courts and traditional services can't help them. Judy Meadows was also on a regular program entitled "Lawyers Without Borders: Evolving Intake Systems and Models."

SCCLL and the Minnesota Association of Law Libraries (MALL) cosponsored an exhibit booth, with staffing coordinated by Pauline Afuso, co-chair of MALL's Public Relations Committee. Seven MALL members (mostly from private firms) volunteered to staff the exhibit booth. They spoke with attendees, and distributed informative handouts, a new SCCLL bookmark, and MALL souvenirs.

During the final afternoon of the conference, Charley Dyer and Sara Galligan presented testimony at an ABA hearing about online legal resources for the public. They explained the importance of law librarians as partners in serving self represented litigants. They also spoke about national efforts to create a system for authenticating legal information.

Next year's Equal Justice Conference is in Orlando from May 14-16, 2009. Each year the overall attendance increases. This year, over 1000 people participated in the Minneapolis program. Hopefully, SCCLL will be able to send increasing numbers of law librarians to this important program as well.

Materials related to the Minneapolis Equal Justice Conference were recently added to the selfhelpsupport.org library. Several items describe library programs from around the country. See www.selfhelpsupport.org for further information and future listings from the EJC.

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."

"[L]aw librarians demonstrated how they support self-represented litigants in a way that enhances overall efforts."

■

Doing the Right Thing at the EJC 2008

Melissa Barr, Cuyahoga County Public Library

The views expressed herein are mine and not those of my employer.

The weather in Minneapolis was gorgeous, the food was excellent, the conversations were stimulating, the Equal Justice Conference was hugely informative, and I stumbled through it in a haze from the multi-symptom cold capsules. The medication made it all seem a little hallucinatory – as if I had wandered into a field of narcoleptic poppies and was enjoying a wonderful dream. I felt like Dorothy trekking across the magical land of Oz* as I listened to prominent judges and attorneys stating that setting up self-help centers and lawyer-for-a-day programs was the right thing to do, heard librarians and lawyers describe partnerships intended to tear down the wall of words that barricade the courthouse doors, and viewed demos of software programs that will help self-represented litigants create procedural forms they can file with the courts. I certainly was NOT in Kansas – er, Ohio – any more! Some highlights penetrated the fog of congestion, coughs, and sneezes more brightly than others, so I'll hit on those items.

A pre-conference program on Tuesday, May 6th called “Self-represented Litigants: Effective Strategies for Meeting Their Needs and Realizing Your Organization’s Goals” set the tone for the rest of the week. The pre-conference provided an overview of many programs and initiatives taking place across the country as well as a walking tour of the self-help centers at the nearby Hennepin County District Court. It was sheer bliss to watch a self-help center employee twirling a tripod stand containing the much-coveted forms for self-represented citizens. I had to restrain myself from leaping across the counter, throwing my arms around the forms stand, and absconding with it to Ohio! Or maybe it was a reaction to the cold capsules. Since I am not built for leaping, the forms were safe. The reality of seeing an actual self-help center in action was almost worth the \$4.00 per gallon gas that I bought on the way home.

In addition to co-sponsoring the Conference with the National Legal Aid & Defender Association (NLADA), the American Bar Association has shown support for many equal justice initiatives by promoting pro bono work among its members and, more importantly from my perspective, actively supporting the concept of limited scope representation, aka unbundled legal services, lawyer-for-a-day, affordable limited services, etc. Now, lawyer-for-a-day sounds like some newfangled concept. However, as I was leaving home I had grabbed a new library book, *The Case of Abraham Lincoln: A Story of Adultery, Murder, and the Making of a Great President* by Julie M. Fenster, and came across a description of Abe Lincoln riding the county court circuit in 1856:

“As many as a dozen lawyers swept along in [the judge’s] wake, though, and for a very simple reason. The work was where the judge was. During the first few days of court, clients in need of counsel drifted around the courthouse, searching for someone to hire. And looking remarkably like trout in a barrel to the attorneys on the circuit. Lawyers consulted with prospective clients in the privacy of a park bench or the shade of an old tree. Those taking cases might then have less than a day to prepare before it went to trial.”

Add a wireless laptop and it's 2008. If it was good enough for Abe, it's good enough for the ABA. Limited scope representation allows attorneys to handle only a specific task or specific issue for a client, setting limits on how much to do, how long the attorney will be involved, and how much it will cost the client. This is the one time when you want the attorney to stay inside a box – the little shoebox that is the task or issue at hand within the huge packing crate that is the entirety of the case. Family Law Judge M. Sue Talia,

(Doing the Right Thing continued on page 16)

“I had to restrain myself from leaping across the counter, throwing my arms around the forms stand, and absconding with it to Ohio! “

(*Doing the Right Thing* continued from page 15)

an active advocate for limited scope representation, emphasized that it is not for every issue, case, or client. All useful talking points for persuading attorneys to offer these services. She also pointed out that the attorney is required to advise the client on other issues related to the client's case, even if the client does not ask, and does not want the attorney to represent him or her on those issues. Since Judge Talia trains attorneys and judges in this area, I consider her the equivalent of the Good Witch of the North (Billie Burke in a business suit, with a better speaking voice, and a gavel instead of a wand).

Since forms, forms, forms, and more forms are what public library patrons always ask for, I lusted after the A2J software like the Scarecrow lusting for a brain! Or the Wicked Witch of the West lusting after the ruby slippers. The software bears some resemblance to the Yellow Brick Road in its graphical depiction of a street with signs directing the user to the next step in the process. Useful for preparation of forms, A2J can be scripted to accommodate specific legal areas (domestic relations, landlord-tenant, foreclosure, etc.) with a series of questions that, depending on the client's response, will walk the client through creation of the appropriate documents. Service agencies like Legal Aid can use the scripted software for intake purposes, screening potential clients for income or other eligibility, and directing them to pro bono or other resources if they do not qualify for that agency's services. Designed for non-technical users, the A2J software is free to nonprofits organizations and courts. Luckily the Legal Aid Society of Western Ohio will be bringing it online soon, so I am keeping an eye on developments for an Ohio model.

Threaded throughout the conference were tantalizing glimpses of public library connections and partnerships, many serving rural areas with little access to traditional or nontraditional law libraries. Wisconsin's State Law Library is helping county law libraries partner with local public libraries to provide online, law-related services. Minnesota has the circuit-riding law librarian whose duties includes training public librarians on assisting SRLs, mini-law libraries inside public libraries that include Westlaw terminals and selected print resources, and access to the Hennepin County self-help center via telephone and electronic reference. A self-help center can consist of a computer terminal, printer, and telephone on a desk or work surface large enough for the user to spread out books and papers. Simple, elegant, effective.

My head is still spinning a little with all the possibilities presented at the conference. I want to try them ALL, but particularly anything to do with creating the forms, forms, forms, and more forms that my patrons want. Too bad I can't just click my heels three times to have them appear. Wonder where I can get one of those spinning tripod stands? Much more practical than ruby slippers.

Many thanks to Sara Galligan for encouraging AALL and SCCLL members to attend the Equal Justice Conference. Special thanks also to the SCCLL Grants Committee members – Anne Matthewman (Committee Chair), Anna Djirdjirian, Michele Finerty, Akram Sadeghi Pari, Amy Hale-Janeke (Board Liaison) and Barbara Fritschel (Silent Auction Chair) - for awarding a partial scholarship to me so that I could attend the Conference. I am deeply appreciative of the opportunity to see what is happening outside my box!

*Judy Garland was from Minnesota, hence the precedence for the Wizard of Oz (MGM movie version, 1939) references throughout. ■

“Threaded throughout the conference were tantalizing glimpses of public library connections and partnerships...”

Equal Justice Conference 2008

Jane Colwin, Wisconsin State Law Library

Thanks to the generosity of SCCLL Grants Committee, I had the pleasure of attending the 2008 Equal Justice Conference May 6-9, 2008 in Minneapolis. This annual conference, sponsored by the ABA and the National Legal Aid and Defender Association, focuses on improving legal services delivery programs of all types. The Minneapolis conference was attended by over 1000 people with backgrounds in pro bono services, legal aid and assistance programs, law libraries, court services, pro se services, national and state bar programs, legal self-help centers, and education. I began the week by attending the one-day preconference entitled *Self Represented Litigants: Effective Strategies for Meeting Their Needs and Realizing Your Organization's Goals*. Highlights of the day included a walking tour of the Hennepin County Courthouse to visit their outstanding self help center and law library. The day also featured sessions on law library programs, unbundling legal services, funding, and distance services.

Personal highlights of the conference:

- Having excellent representation of law librarians in attendance and law library and/or public library initiatives featured in the programming. There was a lot of interest from many of those in attendance about how to foster local programs and partnerships that would take advantage of the enthusiasm and knowledge of their local libraries. Sara Galligan and others from the Minnesota Association of Law Libraries staffed a booth in the exhibit area with a great array of handouts (and chocolate!) and every time I stopped by they were busy talking to people. I really felt that our message was getting through!
- Viewing the self-represented litigation issues through the eyes of legal services attorneys, law firm pro bono coordinators, judges, and educators.
- Learning about the impact home mortgage foreclosures are having on the courts and legal services organizations – this is a growing area where many homeowners will likely be in court pro se. Courts and legal services providers are trying to meet the challenge by recruiting more pro bono participation, and it occurred to me that our law libraries can assist with developing information for our websites focusing on this topic and providing links to local organizations that may be able to assist our users.
- Realizing, yet again, that there are many, many efforts going on to assist self-represented litigants and that there is not a one-size-fits-all approach. Any effort, no matter how small, will make a difference – so don't hesitate to try something. Partnership opportunities are everywhere – local bars, paralegal training programs, law schools, public libraries, retired citizens' groups, etc.
- Professor Peter Edelman's rousing opening plenary session speech in which he offered his strongly held conviction that curing poverty is the only way to truly solve the myriad of problems facing the legal services community. Professor Edelman, currently a professor at Georgetown Law, serves as chair of the District of Columbia Access to Justice Commission.
- Being excited about the Illinois Coalition for Equal Justice and Illinois Legal Aid "self help center in a box" program – especially because they are partnering with public libraries in the more rural parts of the state. And they are doing this because they recognize the pivotal and important role that libraries play in their communities. One of their first centers is in Rockford, IL, not too far from Madison, so there will likely be a field trip coming up soon!

I would not have been able to attend this meeting without the SCCLL scholarship – so thank you again for making it possible. ■

Legislative Advocacy Programs at the EJC

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.

At the Equal Justice Conference, held May 6-9, 2008, in Minneapolis, there were three programs on the topic of legislative advocacy. Two were part of the regular conference, and one was a part of the pre-conference workshop on self represented litigants. I will discuss the regular conference programs first. Although not available at the time of this writing, the handout materials for the regular programs will be available within a few weeks on ABA Net at www.abanet.org/legalservices/ejc/archive_workshop_documents.shtml. For a list of all the regular programs from the 2008 conference, see http://www.abanet.org/legalservices/ejc/workshop_preview_2008.html.

Local Legislative Advocacy: Making an Impact in Increasing Resources for Legal Aid and Pro Bono Programs. In spite of the title, all the presenters were directors or deputy directors at legal aid organizations, three from three different programs in New York and one from Los Angeles. Although advertised as giving the lowdown on the difference between state and local legislative advocacy, the program gave basic rules that would apply in all such situations. (Their local legislatures are as large as many state legislatures.) Their handout was a good basic outline, plus some samples from their own advocacy, the kinds of things that novice legislative advocates would need.

Some of the discussion focused on the restrictions on lobbying imposed on Legal Services Corporation funded programs, i.e., that LSC funds cannot go toward such advocacy, including salaries. These directors got around that by using funds from other sources to fund the "part of their salaries", travel, etc., they used for lobbying, but they had to keep good track of how the various sources were used. To a question from the audience from a rural legal aid director, whose program is 100 percent LSC funds, they suggested that she not do any lobbying directly, but get lawyers from her board or other advocates to volunteer to do the work.

Of course, the best information came when they left their outline and explained what strategies worked best. Two things in particular stood out: First, connecting with the legislator is all important. They noted that, when actually meeting a legislator, if someone in your group seems to be making better contact with the legislator, let that person take the lead in the presentation. Another suggestion was to learn ahead of time about the legislator's own pet programs to see if some connection can be made. In Los Angeles, they got support from a county supervisor because of their service on domestic abuse, even though the supervisor did not like Legal Aid generally.

Second, they made great claims for being sure to tell the stories of the people being served by their programs. The director of Legal Services of the Hudson Valley (White Plains, NY) even created a video showing people aided, including children, while the voice over gave out the statistics. The video cost \$20,000, but they found it so effective they plan to spend an additional \$20,000 next year. (I found that amount of expense rather fascinatingly large, given that for about twice that amount, a nonprofit group can usually hire a lobbyist, if he is carrying several similar clients.)

Policy Advocacy: Working with the Private Bar and Community Partners to Secure Equal Access to Justice through Legislative and Administrative Advocacy. This program was presented by two professional advocates from the Legal Services Advocacy Project (St. Paul, MN) and an attorney who has worked with them. After giving the usual review of their political landscape, the presenters went into the meat of their discussion, which was "10 ways to involve and effectively integrate the

(Legislative Advocacy continued on page 19)

"[L]earn ahead of time about the legislator's own pet programs to see if some connection can be made."

(Legislative Advocacy continued from page 18)

private bar pro bono volunteers in the legislative process,” or, in short, “10 ways to involve the private bar.” Although they sounded to me to be a bit too slick, like motivational speakers, I will quickly list their 10 ways:

- Clearly identify the issue sought to be addressed by the legislation.
- Identify existing partnerships with Legal Aid and pro bono providers.
- Identify drafts person for the legislation and develop first draft with a committee of legal aid, committed stakeholders, and volunteer pro bono attorneys who have passion and experience for the issue. Consider press releases and other public education pieces about the issue.
- Start the process early to meet the deadlines of the legislative process and educate the drafting group about the political realities.
- Identify the opponents of the legislation.
- Identify one or two members of the pro bono bar with leadership in the drafting group and knowledge of the issue to testify at critical hearings.
- Instruct the pro bono attorneys of the time involvement and time investment required - there is a lot of sitting around.
- Develop the script and discussion items. (The lead lobbyist should be the person introducing the issues, required changes, and effect of the legislation at the hearing.)
- Prep (or remind) the pro bono lawyer on the protocol for legislative testimony and the legislative hearing/lobbying process.
- Follow up with the team on the status of the legislation.

The list is not bad if you remember that it is not the complete list of steps to getting legislation passed. (You have to find an author for the bill, for instance.) Rather, this is a list on how to get lawyers to volunteer to help out with the advocacy. I particularly like to part about getting them involved in the drafting of the legislation, as that would certainly increase their “buy in” and commitment over the long run.

One point they emphasized was that the sharing of information helped to create trust among the several groups. In their sample instance, the groups were legal aid offices, pro bono programs and lawyers, and the attorney general’s office, working on a bill to “regulate equity stripping,” their euphemism for defrauding people into signing over their property titles to their homes during refinancing.

Another interesting comment from the presentation: Private attorneys are not used to the very short, to-the-point statement needed when doing legislative advocacy. They are used to building arguments over four hours in court. Can’t do that here.

Legislative Advocacy: A Cognitive Approach. This was the title of my own presentation at the pre-conference workshop titled *Self Represented Litigants: Effective Strategies for Meeting Their Needs and Realizing Your Organization’s Goals*. The handouts for the pre-conferences are not usually available on ABA Net, but the organizer of the pre-conference is hoping to get them posted there. They are posted on www.selfhelpsupport.org already, and I will put my own handouts up on my own website at www.charlesrdyer.com.

My presentation was one of four on funding generally. Two were on internal funding and two were to be on legislative advocacy. Unfortunately, Judge Doug Meslow, a former state legislator, who was to give an overview of legislation from the legislator’s side, was ill. My presentation focused specifically on how to convince a legislator who might

(Legislative Advocacy continued on page 20)

“Private attorneys are not used to the very short, to-the-point statement needed when doing legislative advocacy.”

(Legislative Advocacy continued from page 19)

otherwise not be in favor of your program to support it anyway.

I labeled my program “A Cognitive Approach” because I incorporated theories from cognitive psychology and cognitive linguistics into the presentation. I chose the theories because they match with what I have learned from my 25 years of legislative advocacy. Essentially, I concentrated on two features: (1) You have to start with a story, as storytelling is the quickest and strongest way to get your point across. (2) The story needs to be framed so that it matches the values of the legislator - so that he “gets it,” in other words.

With regard to telling the story, I used the features of a good story as outlined in neurologist and radio commentator Thom Hartmann’s book, *Cracking the Code: How to Win Hearts, Change Minds, and Restore America’s Original Vision* (Berrett-Koehler Publishers, Inc. 2007). With regard to framing the message to reach the legislator’s core values, I relied on cognitive linguist George Lakoff’s book, *Moral Politics: How Liberals and Conservatives Think* (University of Chicago Press, 2d ed. 2002). Both books were written on how to create appealing arguments to the electorate so that they would vote for the right political candidates. I used them in reverse, as a constituent making a winning argument to a legislator who was elected with a certain set of values.

As my discussion was, quote, “academic,” as our panel coordinator called it, I created a sample script of a visit to a conservative legislator by two people advocating for funding for self help centers. I used comments in the script to refer to the portions of my presentation that showed their application. In my example, noting that, according to Lakoff, a conservative Republican legislator would value moral strength and moral order more than “coddling the poor,” I used a story of how a self help center helped a woman get her divorce, get child support, and get her and her children’s lives in order, rather than having the children lost to the streets, with no support from their father. It’s a subtle difference in emphasis that makes the story work for the legislator.

There were two other books on my reading list: *The Nonprofit Lobbying Guide*, by Bob Smucker (Publisher: Independent Sector, 2d ed. 1999) now available only in PDF at <http://www.independentsector.org/programs/gr/lobbyguide.html>. There are very few materials written about legislative advocacy for nonprofit or governmental agencies. This one is very good in terms of the steps that should be considered. It stops short of my cognitive theories about the subtleties of argument, but does a good job generally.

The Political Brain: The Role of Emotion in Deciding the Fate of the Nation, by Drew Westen (Publisher: Public Affairs (Perseus Books Group 2007). Drew Westen is another neurologist who has studied politics and value systems. Westen also writes from a liberal viewpoint, as do Hartmann and Lakoff (at the end of his book and in other writings). This book is not as immediately helpful, but is considerably more thorough in presenting the neuroscience aspects of political thought.

“You have to start with a story, as storytelling is the quickest and strongest way to get your point across.”

■

Carol D. Billings Receives Gallagher Distinguished Service Award

Dan Campbell, US Court of International Trade

On July 17, 2007, AALL President Sally Holterhoff presented Carol D. Billings, Director (Retired) of the Law Library of Louisiana, with the Marian Gould Gallagher Distinguished Service Award during the closing banquet of the AALL Annual Meeting in New Orleans. The Marian Gould Gallagher Distinguished Service Award is presented to an individual who has completed, or is nearing completion of, an active professional career. The Award is given in recognition of outstanding, extended, and sustained service to law librarianship and to AALL.

Carol began her professional career in 1965 as a circulation librarian at the Northern Illinois University Library. In 1969 she became the cataloger and microforms librarian at the University of New Orleans Library. In 1976, after a four year hiatus to raise her daughter, she accepted a position at the Law Library of Louisiana as a cataloger. Three years later she accepted a reference position and in 1981 she became the Law Library Director where she served until her retirement in 2007.

Carol has held many leadership roles throughout her career on both the national and local levels. She was president of the New Orleans chapter of SEALL, chaired both the SCCLL and Social Responsibilities Special Interest Sections, and served on the AALL Executive Board. She also served as president of the Louisiana Library Association for the 1997-98 term.

In 1994 Carol was elected president of AALL. During her presidency, she invited VIPs from various law-related organizations and library groups to a National Conference on Legal Information Issues, held in connection with the AALL Annual Meeting. She is widely credited with strengthening AALL's ties with the British and Irish Association of Law Librarians, Canadian Association of Law Libraries, and International Association of Law Libraries.

Carol's publication record spans over 25 years and includes articles published in Law Library Journal, AALL Spectrum, Louisiana Bar Journal, Louisiana Library Journal, and The National Law Journal. Most recently, she authored the Louisiana chapter for the book, *Prestatehood Legal Materials: a Fifty-State Research Guide*, winner of the 2007 AALL Joseph L. Andrews Bibliographical Award.

In 2006 Carol received the Bethany J. Ochal Award for Distinguished Service, awarded by the SCCLL for achievement in a state, court or county law library; contributions to AALL and SCCLL; recognition by the legal community; contributions to professional literature, legal research, teaching, and outreach; and service to the law librarian profession, including mentoring of newer AALL members.

Congratulations on this most prestigious award, and a remarkable career!

Further information is available in "Marian Gould Gallagher Distinguished Service Award Goes to Three Perennially Active Members: Carol Billings, Roger Jacobs, and Cossette Sun Recognized for Contributions to AALL and the Profession" in the June 2007 issue of AALL Spectrum at http://www.aallnet.org/products/pub_sp0706/pub_sp0706_Gallagher.pdf. ■

The Back Page



Member News & Announcements

SIS Council Sponsoring Community Service in Portland

AALL's Special Interest Section (SIS) Council will sponsor two unique volunteer opportunities in Portland during the Annual Meeting and Conference. The SIS Council is partnering with the Portland Parks and Recreation Community Gardens and the Oregon Food Bank to offer attendees the opportunity to spend a few hours in the community and lend a hand to support our host city. Both projects will be held on **Saturday, July 12, from 9 a.m.-12 p.m.** Learn more by visiting the Portland Community Service Projects Web page where you can register to energize your Portland experience! <http://www.aallnet.org/events/communityproject.asp> For more info, contact Catherine Lemann at 907-264-0583 or 888-282-2082.

2008 National Legal Research Teach-In Kit

The Research Instruction and Patron Services SIS released the 2008 National Legal Research Teach-In Kit on March 24, 2008. Each year in conjunction with National Library Week, RIPS creates a Teach-In Kit which contains fresh materials for use in your institution's promotional and instructional activities. Due to the great success of last year's web-based kit, this year's release will again be online. New this year - the Teach-In Kit will no longer be password protected, making it available to all and facilitating its inclusion in library catalogs.

The 2008 Teach-In Kit is available at: <http://www.aallnet.org/sis/ripssis/TeachIn/2008/index.html>. An overview of the kit as well as kits from previous years are available at: http://www.aallnet.org/sis/ripssis/TeachIn/Teach_In.html. Our thanks to all this year's contributors. We hope you enjoy the kit! Submitted by Shawn G. Nevers, BYU Law Library.

2008 Annual Meeting Grant Recipients Announced

The recipients of the 2008 SCCLL-SIS grants to attend AALL's annual meeting are:

- John Cannan, Montgomery County Circuit Court Law Library, Rockville, MD
- Joanne Gialelis, Utah State Law Library, Salt Lake City, UT
- Carolyn Tanen, U.S. Court of Appeals Library, New York, NY
- Donna Williams, California Court of Appeal Library, San Jose, CA

Congratulations to all the grant recipients!



Pauline Afuso and Charley Dyer staff the joint AALL/MALL table at the Equal Justice Conference in Minneapolis, May 6-9.

Photo Credit: Sara Galligan