

Don't Miss:

- Profiles of the 2007 SCCLL candidates
- Information about SCCLL events at the Annual Meeting
- Makeover of the Montana State Law Library website

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View from the Chair

Catherine Lemann, SCCLL Chair



We're about halfway between AALL conferences. In my last communication, I wrote about the successful 2006 meeting in St. Louis. It's now time to at least begin thinking of the 2007 meeting in New Orleans.

The Education committee, ably chaired by Connie Von Der Heide, had five programs accepted. Additionally, after the successful SCCLL sponsored Centennial program last year, the Executive Board approved sponsoring two programs as alternatives to annual meeting selected programs. Thanks to the committee and program proposers for a terrific lineup. Don't forget to use the preliminary program and descriptions on the SCCLL website to educate your supervisors on the benefits of the annual meeting to you and your organization.

The Grants committee, chaired by Katrina Piechnik, will be publicizing the availability of five grants to fund travel to the annual meeting. The board has generally decided that funding a few grants at a generous amount is more likely to enable our members to travel to the conference. Katrina also suggested that we consider re-gifting holiday items to the SCCLL auction.

It's time to consider nominating VIPs to attend the annual meeting. The Valuable Invited Participants program is an opportunity for us to showcase what we do to colleagues in related fields. Last year's VIPs were Boyd Burnison, Alameda County Law Library, and Kathleen Gaylord, Dakota County Law Library. VIPs can be trustees, your supervisor, a law library supporter, court staff, or anyone you think would benefit from learning more about law librarians do. Please let me know (clemann@courts.state.ak.us) if you can suggest a VIP and I will pass the names on to the committee.

SCCLL members work for a variety of libraries: federal court, state court, counties, appellate court, trial court, attorneys general, libraries managed by trustees, libraries part of an integrated court system, solo librarians, part-time librarians, libraries with a large staff, etc. SCCLL is always looking for ways to align librarians with similar problems or situations to discuss issues. Groups of librarians who work for Attorneys General, librarians who have trustees, and state law librarians meet during the Annual Meeting. Because networking is one of the main benefits of the conference, these opportunities to connect can be some of the most valuable of the many chances to interact with other state, court, and county librarians. Be sure to sign up for these extra events.

I realize how busy everyone is but if you have written an article or need an idea for an article, take a look at the list created by the AALL Publishing Initiatives Caucus. See, http://baseportal.com/cgi-bin/baseportal.pl?htx=/Publishing_Initiatives/main. This can also be helpful if you need to give a presentation and want something different to talk about. Some of the articles are full text so you can even get some specific content ideas.

Winter is a time when many of us hibernate to avoid the weather. January can present many new beginnings with legislative sessions, school terms, and New Year's resolutions. I hope that you will call on your SCCLL support team during the year whenever we can help. There is definitely strength in numbers!

2007 SCCLL Silent Auction Only 6 Months Away!

Tammy A. Hinderman, Auction Coordinator

Looking for something to keep you busy during these cold, dark wintry days? Why not knit a scarf? Or make some jewelry? Or burn a mix CD of your favorite librarian rock classics? And when you're done, consider donating your fine work to the SCCLL auction! As you all know, the money raised during the auction funds grants for our members to attend the AALL Annual Meeting. These grants generally are awarded to newer members of our profession and members who have not previously been able to attend the Annual Meeting due to funding constraints.

Last year, we were able to fund 5 grants, and we would love to exceed that total this year. 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 site will be provided in the spring newsletter. In the meantime, if you have any questions or ideas for contributions, feel free to contact me at any time at thinderman@mt.gov.



From the Editor

Kim Ositis, SCCLL News Editor

Welcome to the Winter 2007 SCCLL News! Highlights of this issue include candidates bios and a preview of SCCLL-sponsored events slated for the 2007 Annual Meeting. Brian Huddleston leads us on an engaging tour of the history of the cocktail and places to partake of said beverage in New Orleans. Rudolf Lamy, Tammy Hinderman, and Katy Gill tell us about exciting website-based projects at their respective institutions. Jacqueline Cantwell speaks to us about a relatively new phenomenon in our community - judges accessing scientific research on their own. An editorial note - if you don't "get" the word play in the title of Jacqueline's article, it's not her fault, she asked me to pick a title.

Thank you to all of the contributors for excellent articles. The deadline for the Spring/Summer issue is May 15, 2007. I will be looking for articles highlighting specific events at AALL. Georgia Chadwick is planning a piece profiling an early Louisiana judge. Here is a preview:

"After Louisiana became a territory and then a state there were many problems between the Creoles who were the first settlers and the Americans who came later. Judge Bermudez was a probate judge and an old Creole. He was asked to decide if a Creole who had killed an American in a dispute could have bail. He did decide but was threatened and some Americans went to his home and tried to kill him. Bermudez and his wife fended off the Americans. His son became one of the chief justices of the Louisiana Supreme Court."

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, 2007.** Articles and forms should be submitted via electronic mail to: Kim Ositis, SCCLL News Editor, King County Law Library, kim.ositis@metrokc.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.

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Charley's Corner: Prototypes, Metaphors, Clichés, and Service of Process

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.

Ted Smith, Law Librarian for the North Dakota Supreme Court Law Library, was the trivia quiz winner of my question posed in the last issue. I asked in which book did Tom Robbins write, "It takes real courage to change your clichés." Ted wrote:

The quote [is] from "Another Roadside Attraction", slightly different than you quoted:

You risked your life, but what else have you ever risked? Have you ever risked disapproval? Have you ever risked a belief? I see nothing particularly courageous in risking one's life. So you lose it, you go to your hero's heaven and everything is milk and honey 'til the end of time, right? You get your reward and suffer no earthly consequences. That's not courage. Real courage is risking something that you have to keep on living with, real courage is risking something that might force you to rethink your thoughts and suffer change and stretch consciousness. Real courage is risking one's clichés.

–Tom Robbins

I had heard the whole quote on the radio just before I wrote the previous column, and it seemed to fit in with what I was planning to express in the column. Unfortunately, although my wife is an avid reader of Tom Robbins, we couldn't determine the source, since he says so many good things throughout his writings.

Last time I spoke about the hard work that law librarians face, getting self-represented litigants to learn to express themselves in the rule-oriented terms and logic of legal discourse, rather than their natural relationship-oriented terms and logic. This time, I'd like to speak about how it is that we naturally think in relationship terms and have to learn to think like lawyers. Why aren't we born to think like lawyers?

Over the last twenty-five years, cognitive linguistics has grown as an academic discipline and developed some theory that has withstood scientific testing. Indeed, it is rooted in cognitive psychology studies in the 1960s and 70s dealing with semantic prototypes and categories. I have spoken previously about these findings and their relevance to law in my column two issues ago, called "Some Cognitive Science for the Reference Staff."

A prototype, as used by cognitive linguists, is the meaning usually given to a word by a person when context is excluded. For instance, the word "mother" in the abstract sense refers most commonly to a birth mother who provides love, care, and training for a person when he or she is young. When thinking about mothers abstractly, we have a sort of neutral sense that everyone's mother is just like this common sense of the term mother. We don't think of the wide variants unless required to do so in the context of the conversation. An adopted person may think of his adoptive mother as his "mother" and the unfamiliar person who actually gave birth to him as someone needing further defining, e.g., "my birth mother." But his sense of the term "mother" generally will not be far from that of people who are not adopted.

From this prototype, a person "radiates" outward to make new senses of the word. So there are "birth mothers," "adoptive mothers," "step-mothers," "gentle mothers," "cruel mothers," "mothers of other animals," "mother countries," "mother of all battles," and further removed senses of the word. If you were to try to establish the set (in the mathematical sense) of all

(Charley's Corner continued on page 5)

"A prototype, as used by cognitive linguists, is the meaning usually given to a word by a person when context is excluded."

(Charley's Corner continued from page 4)

uses of the term mother, the “edges” would be fuzzy. Indeed, we could make up new meanings, using mother as a metaphor for all sorts of concepts. And the variants of word choice for the term provide an even broader range of uses. The expletive “Yo Mama!”, said in a harsh tone, has little to do with the prototypical use of “Mama,” except to be a pejorative statement about one’s clan relationship.

Our legal discourse requires that the class of things that a legal rule affects should have a specific boundary, that it not be a fuzzy set. Recall my discussion two issues ago of the debate between Frederick Schauer and Steven Winter over the legal rule, “No animals allowed on the bus.” Schauer maintained that the rule must apply to the guy bringing a small fish in a plastic bag on board, because a rule must apply, even when not reasonable. But Winter points out that Schauer’s application is no more logical, because “no animals” applied literally would be silly, e.g., even people would not be allowed on the bus. Winter calls for using the cognitive linguistics approach and suggests that the court’s duty is to determine the extent to which the rule is meant to radiate beyond the prototypical meaning in this context. The prototypical meaning would be something like the large, rambunctious dog that would bother the passengers. The utility of the rule is the prevention of mishap aboard the bus, and that becomes obvious when one thinks of the prototypical application.

Prototypes from our sensory experience become our sources for metaphors that we use to describe our abstract concepts. There are basic metaphors that nearly every culture uses, such as those based on the cognitive metaphors LIFE IS A JOURNEY, TIME IS MOTION (along a line), HAPPY IS UP, and SAD IS DOWN. There are metaphors based on cultural frames, such as MORE IS BETTER, which means something to Americans, but not to many third world cultures. There are legal metaphors, such as the infamous A CORPORATION IS A PERSON.

Although our development of abstract concepts and higher levels of thought require our use of prototypes and metaphors, we also seek a regularity in the application of these concepts. Thus, we have precedent, *stare decisis*, and formalist logic within the legal system in an attempt to create sufficient knowledge among its users to make application more apparent. The bus driver wants some rigidity in the application of the rule “no animals allowed on the bus,” if for no other reasons than that he does not want to be second-guessed and possibly blamed for making a wrong choice in its application. The bus driver will be smart enough not to apply the rule to particular people trying to get on the bus, even if they seem to dress “like animals,” because he know he will be blamed for a bad decision and he doesn’t want the hassle. But he is not too sure what to do with a rider who wants to bring a fish in a plastic bag on board. Would he then have to allow a person on board who had a Chihuahua in a large handbag?

In a court of law, with the application of a rule in the prototypical case, most of the work of the court is to weigh the evidence to see if it can be proven the incident actually took place as described. Much of criminal law consists of this. When appealed, these cases are usually given perfunctory rulings, such as per curiam affirmative decisions. The real decisions in court reporters are about the extension of a rule to a situation that is not prototypical. Indeed, were it not for our need to establish more rigid limits on fuzzy sets, we would not even have law libraries.

So how does the quote at the beginning apply to all this. A considerable part, and some would say almost all, of imagination and creativity is based on the creative use of metaphors. We understand more by applying patterns and categories from what we already know to novel things and situations. We do this through metaphor. In analytic philosophy, a metaphor is considered to be the linguistic expression of a connection between source object and a target object that have no relation at all. “Death is the mother of beauty.” That

(Charley's Corner continued on page 6)

“Our legal discourse requires that the class of things that a legal rule affects should have a specific boundary, that it not be a fuzzy set.”

(Charley's Corner continued from page 5)

is referred to as a "live metaphor." When a metaphor is used too much, it becomes a pat phrase, losing its artistic, i.e., creative, i.e., instructive, appeal. "Trying to get the reference department all on one page is like herding cats." "All on one page" and "herding cats" become clichés.

Eventually, the cliché becomes so common that the use of the word is simply thought of as an alternate definition, or a "dead metaphor." "The economy is up." In this orientation metaphor, we do not think of our use of "up" as metaphorical, but it is. To cognitive linguists, all these uses are metaphorical. The use of "up" in "The economy is up" refers back to our sensory experience that UP IS GOOD and DOWN IS BAD, because, when people are healthy, they stand erect, and, when they are sick, they lie down. When metaphors are used so commonly, they become a central part of our understanding of the world, as we soon begin to develop other radiating metaphors based on these new "meanings."

Sometimes, we lose sight of the use of language to promote values that we had not noticed. Republicans have a notion that paying taxes is not a good thing, even though there are many useful activities that cannot be conducted by private enterprise. In trying to win over the minds of voters, they have, for instance, started to call the estate tax "the death tax." By invoking the emotional reaction we all have to death, we now have a knee-jerk reaction to this tax, even though it affects only a very small percentage of people, the very rich. Thirty years ago, corporations used to pay some 23 percent of taxes to the federal government, and now they pay just 7 percent, and most state income taxes are dependent on the federal rules. So governments are now strapped for funds, and we see county law libraries in dire financial straits. With language such as "The economy is up," people link the "up" part of that phrase to the increase in the stock market averages, yet they also invoke their gut feelings that somehow this up means that conditions are healthier than they were. Those who have lost their higher paying jobs with small companies and now work for mega-stores like Wal-Mart, with low pay and poor benefits, don't think so. Yet, as the value of Wal-Mart increases, it is reflected in stock market averages, while smaller companies going bankrupt is not reflected at all.

Buried within our clichés are hidden beliefs we do not realize we espouse unwittingly, even when we ought to think them over.

Now let's look at a jargon term used in law that seems so innocuous to us: "Service of process." The word "service" is a metaphor radiated out from the ordinary meaning of "serve," which is to give someone something that he needs or desires, as in "Mother just served dinner." Most people who receive service of process are not happy at all about that, even though they certainly would be more upset if the case went forward without their hearing about it. Also, people are not excited about having to "serve" someone in a lawsuit, because it is a lot of effort with unusual rules—certainly different from serving dinner.

The word "process" is a metonymy, which is to say that it is a linguistic device using a part to represent the whole. In the sentence "The Pentagon gave out a casualty report," the actual building didn't do anything at all. "The Pentagon" represents the Department of Defense, and it was a spokesperson for the Department who gave out the casualty report. In context, a metonymy sounds perfectly natural. A waitress might say to her co-worker, "The ham sandwich on 8 needs more coffee," meaning the person sitting at table 8 who ordered a ham sandwich needs more coffee. "Process" in "service of process" represents the whole procedure, including hiring the right person to do the service, his work in handing over the copies of all the different papers being served, the recipient's signing the return form, and having the return form properly filed with the court. "Process" actually refers to the act of getting the signature of receipt from the right person. It becomes the focus, since finding the right person and getting that signature is the most difficult part of the operation—at least

(Charley's Corner continued on page 7)

"Buried within our clichés are hidden beliefs we do not realize we espouse unwittingly, even when we ought to think them over."

(*Charley's Corner* continued from page 6)
to those of us familiar with the procedure.

Other words, like “summons” or “subpoena,” also entail significant linguistic content that is hidden from us. We learn by doing what these words mean, rather than finding their meaning in the dictionary.

Service of process is one of the significant barriers that face self-represented litigants. They don't understand it. At our reference desks, we spend hours helping them learn the procedure and explaining why they can't do the work in some seemingly more practical way, like just mailing the other party a copy. We create research guides, checklists, and sample forms for them. Some self-represented litigants get so discouraged just from service of process that they drop their lawsuits. A much higher percentage of lawsuits by self-represented litigants are dropped at this stage than by those pursued by lawyers, so much that some court systems are studying the phenomenon to look for better practices. In some other countries, service of process has been taken over by the courts, and the cost is simply added to court fees. Such an obvious solution. Why can't we do that here? I submit that our first problem is risking our clichés.

When I reread the column just before sending it off, I saw that I was not clear about what cognitive linguists think about the approach of analytic philosophers to the issue of the use of metaphor in thinking. Cognitive linguists vehemently disagree with analytic philosophers, who wish to downplay metaphor as a component of our thinking process, precisely because metaphor creates fuzzy sets. Metaphor causes emotional and subjective content to be involved in our normal course of thinking. Analytic philosophers would like to limit thinking to “rational thought,” i.e., Aristotelian logic or even just mathematical logic, based on rigid sets. Cognitive linguists believe that rational thought would not exist without metaphor, and that. Like it or not, emotional and subjective content, invades all our thoughts. Similarly, they also disagree as to how sensory experience contributes to our knowledge. But that is another column.

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“Service of process is one of the significant barriers that face self-represented litigants.”

Nominations Committee Presents 2007 Candidates

Georgia Chadwick, Chair, Nominations Committee

The SCCLL Nominating Committee is pleased to announce the following candidates for the 2007 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 March 31.

However, 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 in the Bylaws.

Here are the names of the nominees from the Nominating Committee (Georgia Chadwick, Anita Anderson and Anne Matthewman)

Vice-Chair/Chair-Elect (2007-2008)

Marcus Hochstetler, King County Law Library, Seattle, WA

Secretary/Treasurer (2007-2010):

Amy Hale-Janeke, U.S. Court of Appeals 5th Circuit Library, New Orleans, LA
Kim Ositis, King County Law Library, Seattle, WA

Member-At-Large (2007-2010)

Fran Jones, California Judicial Center Library, San Francisco, CA
Karen Quinn, Rhode Island State Law Library, Providence, RI

The Nominating Committee thanks the candidates for their willingness to be considered for leadership positions of the SIS.

Continuing on the SCCLL Executive Committee will be:

Chair (2007-2008)

Sara Galligan, Dakota County Law Library, Hastings, MN

Past Chair (2007-2008)

Catherine Lemann, Alaska State Court Library, Anchorage, AK

Member-At-Large (2005-2008)

Lisa Rush, Travis County Law Library, Austin, TX

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Marcus L. Hochstetler

Vice-Chair/Chair Elect



Employment

Law Librarian and Director, King County Law Library, Seattle, WA 2005-present
Director, Mahoning Law Library Association, Youngstown, OH 2000-2005
Reference Librarian, Stradley, Ronon, Stevens & Young, Philadelphia, PA 1998-2000
Assistant Law Librarian, Stradley, Ronon, Stevens & Young, Philadelphia, PA 1996-1998

Education

M.L.I.S, Drexel University, College of Information and Science Technology, 1998
M.A., Lutheran Theological Seminary at Philadelphia, 1996
B.A., Malone College, Canton, OH, 1992

Selected Professional Activities

American Association of Law Libraries Member, 1996-Present
Annual Meeting Program Committee (2007 New Orleans Annual Meeting), 2006-2007
AALL Pro Bono Partnership Committee, 2006-2007
Government Relations Committee, 2004-2006
SCCLL-SIS: Member, 2001-present
SCCLL-SIS Secretary/Treasurer, 2004-2007
SCCLL-SIS Education Committee, Chair, 2001-2004
Ohio Regional Association of Law Libraries
Executive Board member, 2002-2004
Government Relations Chair, 2002-2005
County Law Library –SIG Chair 2002-2003
Law Librarians of Puget Sound, Member 2005-present
Chair, Professional Development Committee, 2006-2007
Western Pacific Association of Law Libraries, Member, 2005-present

Presentations and Publications

Moderator, Legislative Advocacy Leadership Training, St. Louis, July 8th, 2006
Speaker, "Prove Your Worth: Computing Library Value." San Antonio, TX, July 2005
Coordinator, "Marketing the Law Librarian to the world: Getting Published in Judicial, Court, and Bar Publications."
Boston, 2004
Contributor, ORALL Newsletter, 2001-2005
Editor, "The Letter of the Law," Mahoning Law Library Association Newsletter, 2000-2005
Columnist, King County Bar Bulletin, monthly, September 2005-present

Candidate Statement

It has been my utmost pleasure becoming a part of the State, Court and County Law Libraries-SIS over the past 7 years and I feel the members of this section are the hardest working within AALL, despite our small numbers. The ongoing efforts to communicate with our patrons, the legal community, and beyond are made easier as we connect with one another with creative minds. Our sharing of ideas is the cornerstone of our individual success in our respective settings and we have begun this process in earnest through our website. I would like to encourage these ideas to flow so that we can become better advocates for our services.

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Amy Hale-Janeke

Secretary/Treasurer

Employment

Head of Reference Services, 5th Circuit Court of Appeals Law Library, New Orleans, LA 2007
 Reference Librarian, 5th Circuit Court of Appeals Law Library, New Orleans, LA, 2005- 2006
 Reference Librarian, San Diego County Public Law Library, 1999-2005



Education

Masters in Library Science, University of Arizona, August 1999
 J.D., Texas Tech School of Law, May 1998
 B.A., Lubbock Christian University, May 1995

Selected Professional Activities

American Association of Law Libraries, Member 1999-present
 SCCLL Technology Committee, member, 2004-2007
 Moderator/Coordinator, 2006 AALL Annual Meeting, "What do YOU Want? The Hidden Problem of Compassion Fatigue."
 SCCLL-SIS, Listserve Manager, 2004-2005(partial), 2006- present
 LISP-SIS, Listserve Manager, 2004-present
 AALL Public Relations Committee, member, 2006-2007
 AALL Continuing Professional Education Special Committee, member, 2006-2007
 LISP-SIS, Chair, Nominations Committee, 2006-2007
 Speaker, 2005 AALL Annual Meeting, "How to Give Presentations without Putting Your Audience to Sleep."
 Joint creator (with Ann Hemmons) of the Joint Roundtable on Library Service to Pro Se Patrons and Prisoners in 2004.
 Moderator of Roundtables in 2004, 2005, & 2006.
 Co-presenter, 2004 AALL Annual Meeting, "Negotiating with the Bizarre" with Sharon Blackburn.
 Council of SIS Chairs, member, 2003-2004
 LISP-SIS, Chair, 2003-2004
 San Diego Area Law Libraries (SANDALL)
 Bylaws Committee, Chair, 2003-2004
 Program Committee, Chair, 2001-2002
 Vice President, 2001-2002

Selected Publications

"A Long Journey...Home? Part II," *SCCLL News*, Spring 2006, vol. 32, no. 2., p. 20-23.
 "A Long Journey...Home?" *SCCLL News*, Winter 2006, vol. 32, no. 1, p. 26-29.
 "5th Circuit Library Pulls Together to Weather Storms," with Jennifer Laws, *SCCLL News*, Winter 2006, vol. 32, no. 1, p. 23-26.
 "Controlling the Confetti: Visual Organization in your Library," *AALL Spectrum*, vol. 8. no. 6, April 2004, p. 4-5.
 "The 'Inside' Information on New Jail Kiosks," *SCCLL News*, Fall 2004, vol. 30, no. 3, p. 12-13.
 "Ensure Safety and Security in the Law Library: Employee Awareness, Early Interventions, are Critical Safety Components," *AALL Spectrum*, vol. 8, no. 1, Sept./Oct. 2003, p. 24, 27.
 "What is Your Library Doing About SRLs? Informal Discussion Proposed in Seattle," *SCCLL News*, Spring 2003, vol. 29, no. 2, p. 7.
 "Public Law Librarian: Life in the Trenches" *InfoEdge*, Spring 2001, vol. 2, p. 5.
 "The Belly Dancing Librarian" *AALL Spectrum*, Feb. 2001, vol. 5, no. 5., p. 32.

Candidate Statement

The State, Court, and County Law Libraries SIS is a vital and active part of AALL, fostering partnerships and connections between state, court, and county law librarians across the nation. Having worked in two of the three types of institutions represented by this SIS, I have seen firsthand how SCCLL members have improved the field of law librarianship while facing challenges such as ever-shrinking budgets, difficult patrons, and even national disasters.

SCCLL members share knowledge, help each other solve problems, and offer technical (and sometimes even emotional) support. I am proud to be a longtime SCCLL member and would like to be allowed to make a larger contribution to SCCLL by serving as the Secretary/Treasurer.



Kim Ositis

Secretary/Treasurer



Employment

Reference Librarian, King County Law Library, Seattle, WA 2001 - Present
 Student Reference Librarian, University of Washington Law Library, Seattle, WA, 1999 - 2001
 Interlibrary Loan Assistant, University of Oregon Law Library, 1995 - 1998
 Junior Fellow, Library of Congress Geography & Map Division, Washington, D.C., June - August 1997

Education

Masters in Library & Information Science, University of Washington, March 2001
 B.S., University of Oregon, December 1998

Selected Professional Activities

American Association of Law Libraries, Member 2001 - present
 Presenter, "Marketing Your Library", New Orleans 2007 (planned)
 Presenter, "How to Build a Legal Research & Training Center", Seattle 2003
 Local Arrangements Committee, Seattle 2003

State, Court and County Law Libraries Special Interest Section, Member 2001 - present

Editor, [SCCLL News](#), 2005 - present
 Technology Committee, 2004 - 2005

WestPAC, Member 2001-present

Local Arrangements Committee, Seattle 2005

Law Librarians of Puget Sound, Member 2001 - present

Chair, Outreach Committee, 2006 - present
 Layout Editor, 2003 - present
 Secretary, 2004-2006
 Internet Special Interest Group 2001 - 2005

Presentations and Publications

"Of Painted Walls and Persistence: King County Law Library's 85th Anniversary Campaign", [SCCLL News](#), Spring '05
 "King County Law Library to Return to the Courthouse", [LLOPSCited](#), Fall 2004, volume 15, issue 1
 "King County Law Library Launches Fundraising Campaign", [LLOPSCited](#), Spring 2004, volume 14, issue 3
 Columnist, [King County Bar Bulletin](#), *Web Notes*, 2001 - present (rotation with two other librarians)
 Presenter, NBI Continuing Legal Education Seminar, *Internet Searching*, January 2006
 Instructor, Legal Secretary Continuing Education Seminar, *Legal Research 101*, October 2006
 Director, "Without Access to Information, There is No Justice", King County Law Library DVD
 Editor, King County Law Library Annual Report, 2001 - Present
 Webmaster, King County Law Library Website, www.kcll.org, 2001 - Present

Candidate Statement

State, court and county libraries play a unique role in their local communities. Everyday I interact with patrons who are thrilled to learn that not only are we open to the public and that we can help them but that we can even do it with a smile. I value each contact I make with other SCCLL librarians who have similar challenges and opportunities.

I have had experience serving on executive boards for professional library associations, such as LLOPS, and also for local organizations. I have been the Board President for an accredited non-profit child development center in Seattle since 2002. Strange though it may sound, I actually like going to meetings and working on committees.

I am thoroughly enjoying my term as editor of SCCLL News and I look forward to the opportunity to continue to serve SCCLL as Secretary/Treasurer.



Fran Jones

Member-at-Large

Employment

Director, Library Services, California Judicial Center Library (CA Supreme Court and Court of Appeal, First Appellate District), San Francisco, 1999-present.
State Law Librarian, California State Library, 1995-1999.
Director, Maricopa County (AZ) Law Library, 1991-1994.
Reference Librarian (temporary), University of Minnesota Law Library, 1990-1991.
Senior Tax Consultant, Deloitte and Touche, 1987-1991.
Reference/Acquisitions Librarian, William Mitchell College of the Law (St. Paul, MN), 1983-1985.
Principal Librarian, Hennepin County (MN) Library, 1970 – 1983.

Education

JD, William Mitchell College of the Law, 1988.
MA (Library Science), University of Minnesota, 1982.
BA (Library Science), College of St. Catherine (St. Paul, MN), 1964.

Selected Professional Affiliations

Member, Minnesota State Bar, 1989-present.
Member, AALL, 1983-1985, 1990-present.
Member, SCCLL, 1990-present.
Member, NOCALL, 1995-present.
Member, Academy of American Archivists, 2006-present.

Selected Professional Activities

Member, AALL Placement Committee, 2004-2006.
SCCLL Awards Committee, Member 2004-2006 (Chair, 2005-2006).
Chair, Education Committee, Northern California Association of Law Libraries, 2004-present.

Selected Publications and Presentations

Bernard E. Witkin Legal Information Symposium, Program Chair (Los Angeles, 1998).
Preserving History: A New Role for the California Judicial Center Library (Autumn/Winter, 2004) The California Supreme Court Historical Society Newsletter.
Leadership for Justice: California's Chief Justices from the 19th to the 20th Century (Spring/Summer, 2004) The California Supreme Court Historical Society Newsletter (with M. Noble).
NOCALL Education Program, February 2006: *A Preview of Coming Distractions* (adapting new technologies), Program Chair.
NOCALL Education Program, February 2007: *Becoming a Value-Added Professional*, Program Chair.

Candidate Statement

Throughout my career in law and public librarianship, facilitating equal access to information for others has been a privilege, a responsibility and a delight. Fiscal, technological and political complexities continue to challenge equal information access. I am proud to share the work of meeting these challenges with skilled and dedicated colleagues, and grateful to SCCLL for the practical and strategic support it provides for all members.

I pledge my support, as an SCCLL member and as a board member if elected, to the strategic directions currently in place for SCCLL, and in particular to the provision of continuing education for our members. The more we know, the more effective we will be in meeting our challenges; and as our effectiveness increases, so will our strength in providing equal access to accurate, timely, and comprehensive legal information.



Karen Quinn

Member-at-Large

Employment

State Law Librarian, Rhode Island State Law Library, Providence, RI, 2004- present
 Deputy State Law Librarian, 1996 – 2004; Head of Research Services, 1988-1996,
 Rhode Island State Law Library, Providence, RI
 Legislative Reference Librarian, Rhode Island State Library, State House,
 Providence, RI, 1985-1988

Education

M.L.I.S – University of Rhode Island, 1985
 L.T.A. – University of Rhode Island, 1982
 B.A. – Emmanuel College, 1967



Selected Professional Affiliations

American Association of Law Libraries; Member since 1988
 Law Librarians of New England
 Nominations Committee, 1990 – 1992; Secretary, 1998 – 2000
 New England Law Librarian's Consortium
 Board of Directors, 2004 – present
 Reference, Interlibrary Loan Committee, 1995 – present
 Rhode Island Library Association
 Board of Directors; Membership Chair; Conference Co- Chair, 1985 - 2000
 Coalition of Library Advocates
 Board of Directors, 1990-1995
 Books Aloud Program; Walk for Literacy, Co-Chair, 1990 - 1994
 Lincoln Public Library
 Board of Trustees, Chairman 2000 – present

Selected Achievements

Basics of Legal Assisting in Rhode Island, Half-moon LLC, 2002
Find it Fast and Free on the Net: Advanced Internet Strategies for the Rhode Island Legal Professional, NBI, 2004
 Excellence in Marketing Award – Best Use of Technology
 New England Law Library Consortium (NELLCO); Resource Sharing Database, 2000; Task Force Member, 1997 -2000
 Rhode Island League of Cities and Towns. “Navigating the Legal Maze”, January 2001
 Rhode Island Library Association – LTV. “Legal Resources at the Rhode Island State Law Library”, February 1996

Candidate Statement

The libraries we call home are often small, understaffed and forced to compete with other worthy agencies for very finite dollars. As we journey toward excellence and attempt to keep pace in this changing world, I turn to SCCLL and its members for guidance and friendship. SCCLL provides its members with educational forums, networking opportunities, moral support and advocacy. To be associated with this organization is an honor.

I have found the SCCLL web page especially helpful and, as a member of the board, would work to expand the tool box and the topical information available at this valuable resource. The possibilities are endless. Topics for inclusion could be the administration of our various libraries, their source of funding, the benefits and status of the Exchange Program, the availability of WiFi, how libraries deal with security concerns, the digitization of briefs, or the issue of donations.

We all agree that access to legal materials is vital to a democratic society and the preservation of print and digital legal materials is another area that is important to me. As an SCCLL board member, I hope I could be part of the solution.

Change is inevitable, progress is pursued. Hopefully, together at SCCLL we can affect change and progress together. ■

Looking Ahead to the 2007 AALL Annual Meeting and Conference: New Orleans and the Legal, Mixological, and Etymological History of the Cocktail

Brian Huddleston, Loyola University New Orleans College of Law Library

A trademark case before the Louisiana Supreme Court in the late nineteenth century involved a New Orleans company that manufactured bitters and is, tangentially, related to several of the city's contributions to the history of alcoholic beverages. Bitters are mixtures of alcohol infused with herbs or other ingredients that are now key components in many mixed drinks but which were originally consumed as health tonics. A dose of bitters was once considered a bracing elixir that helped to stimulate vitality, and so as preventative medicine it was *completely* different than just slugging back a few shots of whiskey. Bitters, aperitifs, and digestives - all similar products - were also conveniently not categorized as liquor for tax purposes.

In the case of *Handy v. Commander*, 22 So. 230 (La. 1897), plaintiff Thomas H. Handy & Co. of New Orleans was the maker of "Handy's Aromatic Cocktail Bitters". Handy's Bitters were represented to be "the most palatable and flavorful ever" and were guaranteed to "stimulate the appetite and invigorate the functions of the stomach, thereby preventing dyspepsia." Defendant Anthony Commander was an employee of Handy's who, after learning the recipe for Handy's Bitters, quit and set up his own company to sell the same formulation under the name "Commander's Aromatic Cocktail Bitters". At issue in *Handy v. Commander* was the trademark that Handy held for the labeling of his bitters and Commander's unauthorized use of a nearly-identical trademark. (The formula of the bitters itself was not patented or protected as a trade secret.) The court noted that "in size, in style and color, in lettering and execution, word for word, there is not a point of difference between the trademark of Handy and the trademark put forth by the defendant, except that the latter is styled 'Commander's Bitters' while the former was styled 'Handy's Bitters'". Because of the similar and confusing labels, the court upheld the judgement of trademark infringement and the \$450 damage award, which was based on the 88% decline in sales that Handy suffered from Commander's illegally competing product.

The bitters central to the dispute in *Handy v. Commander* were from a recipe developed and finessed decades earlier by a New Orleans pharmacist named Antoine Amadée Peychaud, a French Creole immigrant from Haiti. Peychaud had worked on many different types of recipes for bitters and other herbal medicinal aids since arriving in New Orleans in 1793. (His eponymous brand, Peychaud's Bitters, is still manufactured in New Orleans.) In the scholarship of alcohol, the addition of bitters to mixtures of liquor and water or other mixers is seen as both a historic turning point as well as a categorical delineation between cocktails and, in what at one time was a strict distinction, other mixed drinks such as toddies and slings.

In the late 1830s, Peychaud created a pleasing combination of his bitters mixed with brandy and absinthe, and the recipe for this drink spread beyond his friends and customers and became popular throughout the city. One establishment decided to make it only with a particular type of brandy, which also soon became the concoction's name, the Sazerac. Now a signature New Orleans drink, the Sazerac is widely acknowledged to be one of the first true cocktails, if not *the* first. (Modern Sazeracs use Herbsaint or Pernod in place of the absinthe; thank you very much, F.D.A.)

But what about that word, *cocktail*? No definitive derivation of the term has been established, and some of the more colorful stories are considered apocryphal, such as the one about the revolutionary war-era barmaid who decorated the mixed drinks she served with a rooster's tailfeather. History often shows that the more mundane explanation for something is most often correct, and that is likely the case here. Besides creating the first cocktail, Peychaud also deserves some credit in this matter. He served his early mixed

(*Looking Ahead* continued on page 15)

*"Now a signature
New Orleans drink,
the Sazerac is
widely acknowledged
to be one of the first
true cocktails, if not
the first."*

(Looking Ahead from page 14)

drinks in a double ended egg cup, called a coquetier and pronounced *kah-kuh-TYAY*; to the non-French speaking residents of New Orleans, the word was mis-heard, mis-understood, and/or mis-pronounced as “cocktail.” This is less colorful and not really *that* much more likely than other claimed derivations, but one writer on the subject noted that the esteemed lexicographer Dr. Frank H. Vizetelly (go ahead, Google him) has declared that the coquetier origin story is “the oldest and most positive basis for the word cocktail.”

So now that you’ve learned more about New Orleans and the cocktail than you ever wanted to know, if you’re coming to the 2007 AALL Annual Meeting here are some of the best places in the Crescent City to *have* a cocktail, a beer, or a glass of wine.

Napoleon House

500 Chartres Street

The perfect place to have a refreshing Pimm’s Cup after walking around the Quarter on a hot summer day. The café menu has an excellent cheese plate and their muffaletta - a classic New Orleans sandwich of salami, ham, and Provolone topped with olive salad - is one of the best in the city.

Pirate’s Alley Café

622 Pirate’s Alley

Located near Jackson Square adjacent to the St. Louis Cathedral and behind the Cabildo. When you sit on a sidewalk table at this hole in the wall bar and café, you can get a sense of what the quarter was like back in the nineteenth century. They sometimes have live music on the unbelievably tiny stage next to - and smaller than - the rest room.

Peristyle

1041 Dumaine Street

A little too far to walk to, but this is one of the city’s best restaurants, so if you make a reservation for dinner and take a cab, get there early and sit at their gorgeous and very well-stocked bar for a pre-dinner drink or two. The two large murals of New Orleans’ City Park are the inspiration for the restaurant’s name.

Carousel Bar

214 Royal Street

Just off the lobby of the Monteleone Hotel is the Carousel Bar, the centerpiece of which is the circular main bar decorated like a carousel and which revolves in a full circle every fifteen minutes. The Monteleone is one of only three hotels in the country to be designated as a literary landmark, and the Carousel was a New Orleans favorite for writers such as William Faulkner, Tennessee Williams, and Truman Capote.

Johnny White’s Sports Bar

720 Bourbon Street

Many bars in New Orleans are open twenty-four hours a day, but this tiny establishment is worth a stop, if for no other reason than to be able to say you’ve had a drink at the only place in New Orleans that didn’t even close for Katrina. They managed to stay open during the hurricane itself, the subsequent chaos, the extended power outage, and the subsequent weeks of evacuation and curfew and even somehow found a supply of ice to keep the beer cold (those National Guardsmen and state troopers can be very helpful in a scratch-my-back-and-I’ll-scratch-yours sort of way). Of course, they sell t-shirts and other memorabilia to commemorate that accomplishment.

Molly’s at the Market

1107 Decatur Street

The best Irish pub in the Quarter. The decorative wooden urn behind the bar contains the

(Looking Ahead on page 16)



(Looking Ahead from page 15)
ashes of the bar's late owner and founder.

Pat O'Brien's

718 St. Peter Street

Famous since the 1940s for one of New Orleans' signature drinks, The Hurricane, which is just rum added to an overly sweet fruit juice mix that tastes like Hawaiian Punch (which may help explain why Pat O's is the #1 bar *in the world* for customers who only order one drink, though for various reasons). It's definitely a great looking place, with a huge courtyard and four separate bars, so if you order something besides the Hurricane it can be worth a visit.

Lafitte's Blacksmith Shop

941 Bourbon Street

Occupying one of the oldest buildings in the city, dating back at least to 1772 and featuring very little in the decor that seems to have been updated since then, Lafitte's is always included on lists of must-visit bars in the French Quarter, and is one of the few that is definitely deserving of that suggestion. ■

Maryland State Law Library Involved in Historic Maryland High Court Webcast

Rudolf B. Lamy, Maryland State Law Library

The Maryland State Law Library participated in Maryland Judicial history on Monday December 4th, 2006.

The Maryland Court of Appeals, Maryland's highest court, heard arguments that day in a same-sex marriage case (12/04/06, Docket No. 44, Frank Conaway et al. v. Gitanjali Deane et al.). Those arguments were made available to the public via web cast. The library had the oral arguments from the days' entire session projected onto the big screen in our conference room. We also provided overflow seating for those people who could not be accommodated in the Courtroom gallery.

According to the Maryland Judiciary Court Information Office, the total number of accesses of the web cast was 3691. News of the web cast was mentioned in the New York Times and even reached as far as some Australian media news outlets.

Beta testing of the web cast system pilot program began a few days earlier and was attended by members of both print and broadcast media. The Library provided real time projection of the arguments and seating during the beta test.

Web cast arguments from Maryland's highest court are currently being archived on the Maryland Judiciary web site at <http://www.courts.state.md.us/coappeals/webcast.html>. ■



Screenshot of webcast page on Maryland State Law Library website.

SCCLL Programs at AALL New Orleans

Connie Von Der Heidi, Chair, Education Committee

If you're going to AALL this summer, you'll have no less than seven SCCLL-sponsored programs from which to choose. If you're still deciding whether to attend, perhaps this sneak preview will help you get to Yes.

Last August, SCCLL members submitted sixteen AALL program proposals through the Education Committee. The Annual Meeting Program Committee (AMPC) has selected five of them, and the SCCLL Board has approved direct sponsorship of two more. (Note: Members also have the option of submitting proposals directly to AMPC; see *Spectrum* and the forthcoming annual meeting preliminary program booklet for additional programs of interest.)

Many thanks to everyone who submitted proposals. All were excellent and gave the Education Committee a tough but welcome challenge in ranking them. Thanks also to Education Committee members Kelly Browne, Sacramento County (CA) Public Law Library; Ed Carroll (Hennepin County, MN Law Library); and Miriam Childs (Law Library of Louisiana) for their work in reviewing and ranking the proposals, and to Marcus Hochstetler, King County (WA) Law Library and SCCLL representative on the AMPC, for answering the Education Committee's questions throughout the program selection and development process.

The following information is also available on the SCCLL website. <http://www.aallnet.org/sis/sccll/> Click "Programs" in the left sidebar of the homepage, and check there periodically for updates.

Sunday, July 15

Program C-2, 3:15-4:15 p.m. *Access to Online Court Records and the Challenge to Privacy.* Coordinator: Gretchen Van Dam, Circuit Librarian, Library of the U.S. Courts, 7th Circuit Court of Appeals, Chicago.

With the advent of electronic case filing in the state and federal courts, court records are becoming publicly accessible as never before. Internet access to federal and state court records provides wide dissemination of information and transparency of the judicial process for the public. However, such access to court records raises the issue of access to sensitive individual information and its possible misuse. And what are the challenges and opportunities for law librarians in assuring public access to legal information in an era of evolving court technologies? Judy Meadows, Montana State Law Librarian and chair of the Montana Task Force on Privacy and Public Access to Court Records, and Mary Stickney, Chief of the Electronic Public Access Program Office, Administrative Office of the U.S. Courts, will discuss issues surrounding internet access to state and federal court records and the development of access policies. Loretta Mince, a partner in the New Orleans law firm of Correro Fishman Haygood Phelps Walmsley & Casteix, L.L.P., has experience in representing the media and will discuss the media's interest in preserving the public's right to know.

Monday, July 16

Program D-2, 8:45-10:15 a.m. *Networking to Serve Self-Represented Litigants.* Coordinator: Charles Dyer, Consultant and Retired Public Law Library Director, Charles R Dyer Consulting, Bellingham, WA. (Co-sponsored with the Legal Information Services to the Public SIS)

The Self-Represented Litigation Network (SRLN), maintained by the National Center for State Courts (NCSC), is conducting research and collecting best practices from across the nation on serving self-represented litigants. Richard Zorza, consultant to NCSC and SRLN Network

(SCCLL Programs continued on page 18)

"All [programs] were excellent and gave the Education Committee a tough but welcome challenge in ranking them."

(SCCLL Programs continued from page 17)

Coordinator, will explain the network and demonstrate access to its resources. Some sample self-help programs, including partnerships between different agencies, will be demonstrated. Sara Galligan, Manager of the Dakota County (MN) Law Library and chair of the AALL Pro Bono Partnerships Special Committee, will discuss the committee's recommendations for AALL cooperation with the SRLN and other recommendations regarding partnering at the local level.

Program D-3, 8:45-10:15 a.m. *Electronic Preservation: Does Losing the Past Challenge the Future?* Coordinator: Jon Stock, Supervising Law Librarian, Connecticut Judicial Branch Law Library at Stamford. (Co-sponsored with the Micrographics & Audiovisual SIS)

Digital preservation presents the ultimate challenge. Law depends upon precedent as its compass. If precedent perishes, then the law loses its compass. This program will offer a debate between two authorities who advocate conflicting theories about electronic preservation. The first speaker will outline a purely digital approach that places its reliance upon open systems and mass storage devices. The second speaker will present a hybrid approach including analog systems as archival insurance. Both options will be explored for their opportunities and risks. Hybrid preservation is safe; but it is redundant. We can save data securely but, given limited resources, we can save less. Purely digital preservation allows us to save more; but its underlying assumptions are unproven. We risk awakening one morning to find that our computer screens are blank and that we have saved nothing at all. This discussion will help our profession rise to its most important challenge: preserving the human experience.

Program E-2, 10:30-11:30 a.m. *Partnerships, Public Libraries, & the Pro Se Litigant: Expanding County Law Library Services.* Coordinator: Susan Larson, Reference Librarian & CLLP Coordinator, Minnesota State Law Library, St. Paul.

This program describes a successful grassroots project to collectively reduce costs through a cooperative resource sharing program between county law libraries and the public libraries in rural Minnesota. This partnership has provided public librarians with the tools and confidence to provide legal research assistance. Librarians are now partnering with self-help providers to increase services to the pro se litigant. Based upon the success of the initial project, Minnesota is now exploring possible statewide application. The panel presentation will feature Mara Wiggins, Project Librarian for the Minnesota 5th Judicial District Law Library Project; Hon. John R. Rodenberg, 5th Judicial District Court Judge, and Barbara Golden, Minnesota State Law Librarian. These key players in this ongoing partnership will offer first-hand insight into the political process and continuing developments.

SCCLL Directly-Sponsored Program, 2:00-3:15 p.m. *Rising to the Challenge: How Do We Develop a Constructive Response to West's Price Increases and Nondisclosure of Supplementaion Costs?* Coordinator: Kelly Browne, Sacramento County (CA) Public Law Library.

For ten years, Ken Svengalis of the Rhode Island LawPress has produced the annual *Legal Information Buyer's Guide & Reference Manual*. Gathering this information is a time-consuming task. Most legal publishers are very cooperative, providing spreadsheets of supplementation costs in compliance with the Guide to Fair Business Practices for Legal Publishers. West Publishing, however, does not provide this information, claiming that disclosure of the prices paid by individual customers would both violate contractual agreements and reveal proprietary information. Nevertheless, last year Ken made a startling discovery: West Publishing had raised its prices twice between 2005 and 2006, an average 40% price increase for which one would have to go back to the early 1990s to find a parallel. The impact of this harsh reality has been substantial, forcing many law libraries, particularly those which serve the public, to downsize their collections. One county law librarian reports

(SCCLL Programs continued on page 19)

Sunday:

Program C-2

Monday:

Program D-2

Program D-3

Program E-2

Tuesday:

Program J-1

Directly-sponsored:

Monday 2-3:15pm

Tuesday 9-10:30am

(SCCLL Programs continued from page 18)

that her collection is now one-third the size it was prior to the 1996 Thomson-West merger. But is there anything we can do about it? Should we, as law librarians, boycott West? Should we refuse to sign confidentiality clauses? How should we approach West? What would be the antitrust implications of our actions? Join Ken Svengalis and Professor Mark McCabe, Georgia Institute of Technology and an expert on antitrust law, at a "town meeting" to help us figure out exactly what our options are.

Tuesday, July 17

SCCLL Directly-Sponsored Program, 9:00-10:30 a.m. *Marketing Your Public Library - Rising to the Challenge of Reaching the Public and Local Attorneys.* Coordinator: Liz Robb, Law Librarian, Washington County (MN) Law Library, Stillwater.

Public law libraries face unique challenges in marketing their services to their patrons. Unlike law firm and academic law libraries, many public law libraries do not have "inside" patrons. Public law libraries, such as state and county law libraries, are often used by members of the general public and local attorneys. The challenge is how to reach the members of the public and local bar who are not currently aware of the services the local law library can provide for them. Getting support from the community is crucial when many public law libraries face cuts in their budgets, downsizing or closure. Bret Christensen, Riverside County (CA) Law Library; Kim Ositis, King County (WA) Law Library; and Liz Robb, Washington County (MN) Law Library will share strategies they've used to successfully market their libraries to the public and local bar.

Program J-1, 3:30-4:00 p.m. *The Ultimate Challenge: Starting a Library Consulting Business.* Coordinator: Karla Gedell, Research Librarian, Minnesota Office of the Attorney General.

Joelle Gresham is a former Georgia State Law Librarian who left state employment to start her own consulting company, Info-2Go. In her first year in business, Joelle contracted to create county law libraries in Georgia where none existed, served as a consultant to the Law Library of Guam, and performed contract research for an assortment of clients. Join us while we interview Joelle in an informal, interactive format. We'll ask about her first year in business, including setting up her company, finding clients, and experiences as an independent researcher. Librarians who are looking for an alternative career or who would like ideas for part-time employment or volunteer work after retirement are encouraged to attend and benefit from Joelle's experience.

■

Alternate Realities

John Cannan, Montgomery County Circuit Court Library

A year ago, I was finishing up a class on academic libraries in library school and our final assignment was to review “Organizational Projections for Envisioning Research Library Futures” developed by Duane E. Webster, now the Executive Director of the Association of Research Libraries. The point of Webster’s study was to suggest alternative library futures to librarians and have them rank the likelihood of their coming to fruition and their desirability of doing so. The range of futures was from the “low tech” traditional print-focused library to the “hi-tech” electronic-focused library. My class’ task was to give our assessment of which library type we thought was likely to come to pass and which was desirable. The knee-jerk luddite in me argued for the more traditional library (or at least a reasonable facsimile thereof). When I actually interviewed for a job around graduation, I found myself appreciating the alternative views Webster offered.

Webster’s “Projections” were originally compiled in the early 1980s to project different futures in academic libraries. These were updated in 2000 to have relevance for today’s issues. While their focus is academic libraries, most of the possibilities they raise have some relevance for court libraries as well. They provide a means to focus insights on how libraries can and should evolve and hint at a librarian’s place in that change.

The first option could best be described as “Low Tech.” For this library, its centerpiece is its print collections. This is not to say this type of library has failed to enter the modern age of information management and delivery, but its use of new technologies is limited to activities supporting its print collection, e.g. an electronic catalog, and some Internet access. The library is a “late adapter” for other technologies, preferring to take a “wait and see” approach to their implementation. Library use is self directed. This library’s success is defined in “controlling costs and minimizing complaints.”

The second optional future adopts a slightly more high tech approach. This library has dual systems of print and electronic information resources. Its print materials are not centralized; some have been relocated to a remote storage facility. This library encourages technological innovation, especially in the effort to expand its “information capabilities.” It is not passive in its attempt to meet patron demands, striving to understand their needs. Its success is measured in collection development and the adoption of innovation.

Option three is not particularly relevant to court libraries, primarily because it focuses on subject specialization for academic departments.

Option four, is the “super high tech” vision of a library. In this scenario, the library has completely adopted its roles of “information gatekeeper” in a strong web-based environment. Pathfinders and bibliographies are available to assist researchers with navigating information resources. However, the print collection has all but disappeared. Library facilities are now a collection of “small help stations” and information is primarily provided through some electronic media. The library’s success is measured through the provision of new information capabilities.

Again, when we discussed these visions in class I was all for option one. Though I like to have access to print texts when conducting research, I am just as ready as any futurist to follow the trends toward electronic resources. However, I was not yet ready to accept the idea of having texts shoved into remote storage or libraries reduced to a set of terminals.

This view was challenged in one of my first interviews after library school. The job was for managing a county courthouse library which had about as much space as my 1400 s.f.

(Alternate Realities continued on page 21)

“[Webster’s projections] provide a means to focus insights on how libraries can and should evolve and hint at a librarian’s place in that change.”

Nature vs. Nimmer: Access to Scientific Research Sources for Judges

Jacqueline Cantwell, Brooklyn Supreme Court Law Library

A reference question can focus on-going thoughts. I am fascinated with rhetoric, evidence, and authority. Rhetoric is the art of persuasion; it is the essential skill of an effective advocate. Evidence intrigues me because it is about facts and observations. How evidence is represented affects its authority. I was able to pursue these musings within the context of how judges work when a new law secretary asked for a bibliography of materials on how to write a trial court opinion. Reviewing the articles made me reflect upon the purpose of opinion writing and what a judge needs to know in order to write an opinion.

The complexity of judicial decision making was brought out to me when I attended a two-day conference sponsored by the New York State Judicial Institute. The conference, An Examination of Complex Evidence in Cutting Edge Science and Technology Cases, had sessions discussing DNA, shaken baby syndrome and other advanced science developments. The scientists made every effort to explain complex issues in an accessible manner. One scientist even opened his talk with Thomas Hardy's poem "Heredity." It was fascinating to observe judges and scientists interacting. The scientists saw the judges as social policy makers who could assist the scientists in developing public understanding. Unstated, but recognized by the scientists, was the prominent public role of judges and the ease with which the public tracked the courts. One scientist even said that since science was advancing more quickly than legislatures could legislate, the courts, by default, were handling complex issues of science and social policy. As a librarian, I was intrigued to hear questions that never came into my library and also to learn that the judges did want on-going education on science issues, but that they wanted the information available over the Internet and through CLE, not in books.

Coming back into the library, I walked through the stacks and realized that none of our books from West, Lexis, and other legal publishers could handle the questions brought up in the seminar. How should the library change collection development, staff training, and services to support the new demands on the courts? What feedback could I get to assist me in making these decisions? How could I learn about what judges needed?

Getting feedback from judges is difficult. They are rarely in the library. Why? There are many reasons for this and not just the press of work. The nature of our legal process limits the judge's ability to research. The advocates are supposed to research the facts and criticize each other's arguments. The jury is supposed to evaluate facts. The judge's role in a case is to interpret law. The judge should not do independent research. What is considered independent research has been a point of contention, but it is generally agreed that judges may research legislative history or consult a treatise. They can look at almanacs and encyclopedias. A New York state trial court opinion was overturned when the judge researched public records through a state agency web site. A dissent in the opinion by Judge Pesce and a critique by Prof. Hutter criticized the appellate court's decision. We will probably see more discussion on this point.

The ABA has issued a statement titled "Judicial Ethics and the Internet: May Judges Search the Internet in Evaluating and Deciding a Case?" The article, in addition to our library concerns about the reliability of Internet sources and link rot, brings up a unique legal issue, "fairness to the parties." The judge is not supposed to go outside of the record or to verify the submission: "A court displaces the rules, however, by consulting sources outside of the record not proven to be reliable by sworn affidavit or live testimony."

This paper, unfairly I thought, considered Internet sources unreliable and easily tampered with. Print resources are not as reliable as people want to believe. Print resources can be slanted. Typos can misstate a fact and develop a life of their own. Pop Eye and the belief

(Nature vs. Nimmer on page 23)

Heredity

Thomas Hardy

*I am the family face;
Flesh perishes, I live on,
Projecting trait and trace
Through time to times anon,
And leaping from place to place
Over oblivion.*

*The years-beired feature that can
In curve and voice and eye
Despise the human span
Of durance--that is I;
The eternal thing in man,
That heeds no call to die.*

(*Nature vs. Nimmer* continued from page 22)

that spinach can make you strong was due to a typo in a 1920s article misstating the amount of iron in spinach.

What struck me in this ABA article was the emphasis on Internet research. The real concern was that because judges now had desktop access to information resources, they would not evaluate resources appropriately. The authors should have refined their argument to concerns about sloppy searching through unreliable search engines.

Interestingly, this ABA paper included the following statement: "Appellate courts traditionally enjoy greater leeway in the breadth of their considerations because they must set precedent for future decisions and often make policy determinations." While that might be the reason for the majority of articles on opinion writing to favor appellate judges, I thought it slighted trial court judges and their role. Most cases don't get appealed and the lower court decision is final. Allowing appellate courts greater leeway in research resources than trial courts seems unfair to those litigants unable to afford appeal. Appellate courts only get novel or significant cases if a trial court decision is appealed. The novel and significant cases enter the court system through the trial courts. The New York State Court Reporter on his website even states the importance of publishing trial court cases for that reason.

An example of how a lower court case deals with a public policy issue is Judge Ling-Cohan's decision "In the Case of AB." Judge Ling-Cohan was asked to rule on a mother's request to terminate life support for her three-year-old daughter who was in a permanently vegetative state. New York State Public Health Law did not allow parents to terminate life support. In her clearly written opinion Judge Ling-Cohan performs one of the most important tasks of a government official: She speaks for the grieving mother. Judge Ling-Cohan provides the public language to justify a heart-breaking decision.

Judge Ling-Cohan's decision wonderfully exemplifies the issues in ethical conduct discussed in Judge Lebovits "Writing Ethical Judicial Opinions." This thoughtful article covers many topics common to essays on judicial writing, but, uniquely, Judge Lebovits develops the theme of the public's access to decisions in Section III, "The Opinion's Audience." Opinions not only settle private disputes, they apply the law and interpret rights. Accountability of government requires that judicial opinions be accessible to citizens.

Judge Lebovits' article led me to consider what judges must know in order to write an ethical opinion. All the articles on legal writing emphasized that judges needed to know the law and be competent writers, but few dealt with how judges could ethically continue learning. Personal integrity would require admitting to ignorance before stating an opinion, while responsibility to resolve a legal issue would seem to require some education so as to help establish reliable precedent.

Prof. Cheng's articles and Judge Marlow's response brought me up to date on the issue of judicial education and research in scientific evidence. I encourage librarians to read these articles and become familiar with how judges research outside of legal literature.

Scientific evidence in trial relies upon the guidelines established in Daubert and Fry. Much smarter persons than me have gone into these cases, but let me try to summarize. Daubert makes judges "gatekeepers of evidence." Fry requires that judges follow recognized scientific standards. Professor Cheng argues for judges researching science: "... unfamiliarity with scientific concepts and an inability to critically assess expert evidence substantially increase the chance of erroneous decisions, particularly when faced with conflicting expert witnesses." Prof. Cheng emphasizes only by research that judges can only get the background to evaluate the evidence and arguments presented in cases.

"I encourage librarians to read these articles and become familiar with how judges research outside of legal literature."

(*Nature vs. Nimmer* continued on page 24)

(*Nature vs. Nimmer* continued from page 23)

Professor Cheng surveyed judges to get their opinions on research upon scientific issues. The answers showed a divided judiciary. The uncertainty on the appropriateness of judicial research may be among the reasons why judges do not come to the court library for more than legislative history research. Judges may not want to research and become targets for criticism, censure, and appeal.

Judge Marlow's review of Prof. Cheng's article summarizes its main points and emphasizes how easily judges can now retrieve scientific information. Again, like the ABA article, Judge Marlow is concerned that judges will retrieve unreliable information through the Internet. Somehow, Google has become a synonym for the Internet. Librarians are never mentioned as potential gatekeepers of reliable information. None of the authors discuss how court administrations and their libraries could support judicial continuing education in science after a judicial seminar.

Traditionally, we law librarians have assisted the courts by helping attorneys prepare for trial. This contribution has been difficult to measure, but essential. For the judges, we have maintained collections of superseded statutes for legislative histories. We have updated the major treatises. As more legal information has become available through Lexis' and Westlaw's well-designed search engines, fewer judges and attorneys have come to our libraries. Our library use has changed; it may be that the materials judges need has changed also. Until the question of judicial research is better answered, how much we librarians can assist in developing research portals is unclear. At this point, we do not know what scientific research judges are doing. There is concern that judges may be doing googling research. Google is not evil, but it is not comprehensive or reliable. I would argue that it would be better for the courts to face this dilemma openly. The courts are already providing CLE classes. Court libraries should be working with court administrations to develop in-house research sources on science.

It may be that within our association, we have members who do regularly search scientific databases and include scientific announcements in their library newsletters. I hope people respond to this column. Contact me at jfcantwell@earthlink.net ■

The opinions in this column are my own and not those of employer.

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"Google is not evil, but it is not comprehensive or reliable. I would argue that it would be better for the courts to face this dilemma openly."

(*Nature vs. Nimmer* continued on page 25)

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Report from the SRLN

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

“The Self Represented Litigation Network is an open and growing grouping of organizations and working groups dedicated to fulfilling the promise of a justice system that works for all, including those who can not afford lawyers and are therefore forced to go to court on their own. The Network brings together courts and access to justice organizations in support of innovations in services for the self represented.” – Description from the website at <http://www.srln.org/>.

The full notice of the launch of the Self Represented Litigation Network (SRLN) was published in the May 2006 issue of the SCCLL Newsletter, just after its launch in April 2006. On a phone conversation, Richard Zorza, the Network Coordinator, said that the two main tasks of the SRLN are always:

To help people working with self represented litigants to do it as well as possible.

To make sure that people who are not working well with self represented litigants want to.

The SRLN is organized into working groups, several devoted to best practices in various areas of working with self represented litigants, one to research, and one to outreach. Membership in the working groups is by invitation only, so that the groups are small enough to work together successfully. Most of the membership comes from those organizations supporting the SRLN, but a few others have also been invited to participate. The working groups hold monthly conference calls and maintain email lists and a joint document site on the SRLN website, which is operated by Pro Bono Net.

Law Librarians Group

In April 2006, the working group working on outreach, the Information, Marketing and Outreach Group, decided that it needed a special focus on outreach to law librarians and law libraries. So it asked Judy Meadows and me, who were members of other working groups, to join their group and to help organize a sub-group for law librarians. Judy and I drafted a charge for the sub-group, which the Information Group edited and approved. Judy and I compiled a list of candidates from the criteria set up by the parent working group—diversity as to types of libraries, geographical diversity, and diversity as to roles of the members within their our libraries, with a bit of concentration on those who make policy decisions at their libraries. The Information Group made some changes, and we began the recruitment. Melissa Barr, Jane Colwin, Barbara Golden, Marcia J. Koslov, Lisa Rush, Jessica Van Buren, and Gail Warren all kindly accepted the invitation to join the new Law Librarians Working Group. In addition, Liz Keith of Pro Bono Net (San Francisco office), Susan Ledray, Attorney with the Fourth Judicial District of Minnesota Self-Help Center (Minneapolis), and Frances H. Thompson of the Court Assistance Services (Moscow, ID) joined Judy Meadows and me as members of the Law Librarians Group who also serve on the Information Group. The Information Group appointed me chair of the Law Librarians Group. The Law Librarians Group got started in October 2006. We hope to add a few more librarians.

Best Practices Document

In December 2006, the Self Represented Litigation Network released the document *Best Practices in Court-Based Self Help Programs for the Self Represented: Concepts, Attributes and Issues for Exploration* (National Center for State Courts, 2006) at http://www.ncsconline.org/WC/Publications/KIS_ProSeBestPracticesSRLN.pdf.

This document describes 41 best practices in court-based programs for the self-represented. These 41 best practices are grouped into eight broad categories:

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“The SRLN is organized into working groups, several devoted to best practices in various areas of working with self represented litigants, one to research, and one to outreach.”

(SRLN Report continued from page 26)

- 1) Self-help Centers and Services
- 2) Forms, Document Assembly, and E-filing
- 3) Practices in the Courtroom
- 4) Discrete Services, Pro Bono and Volunteer Programs
- 5) Judicial Ethics and Education
- 6) Post-Order Practices
- 7) Court Management and Evaluation Practices
- 8) Jurisdiction-Wide Practices

The best practices described in this document are the product of input and opportunity to comment of the many working groups and participants in the Self Represented Litigation Network.

In a field as fast moving as this, it is understood that these practices are a work in progress. The Network welcomes ongoing feedback on these practices and others that you find successful in improving access for the self-represented and the justice system as a whole. Please don't hesitate to let us know how you are using these best practices and if they are helpful to you. Feedback can be directed to Charles Dyer, at charlesrdyer@clearwire.net, or Richard Zorza, the coordinator of the Self Represented Litigation Network at richard@zorza.net.

Plans are underway to publish a supplement to the document that will tell users where the best practices are now being used, so that others may communicate directly with those experienced in their use. The supplement is some months away from production.

Conferences

The SRLN has been holding regional conferences across the country, bringing the administrators, clerks, judges, self-help center attorneys, legal services attorneys, and law librarians from several contiguous states together to discuss the issues facing them when serving self represented litigants. There is a Southwest Conference scheduled for early February and a Southeast Conference planned for later this spring. Plans for a California conference will be announced soon, probably to be held in June. These conferences are by invitation only. The invitations come from the state court administration offices of each state that is attending the conference. Hopefully, the state court administrative office in your state will alert you to the possibility of attending such a conference. If so, I highly recommend that you do so. Quite a number of law librarians have attended these conferences and have given high praise for them. And they are getting better, as we learn more. (You do not need to be a member of the SRLN to attend a conference, but you do need the invitation from your court administrative office, or whomever is in charge in your state.)

There will also be a national conference contiguous with the California conference still in the planning stage. The national conference will be for members of the SRLN from across the nation. It will be our first formal gathering as a whole.

SRLN and AALL

The AALL Pro Bono Partnerships Special Committee has as one of its charges to recommend how AALL can become involved with the SRLN. The Special Committee is preparing a Member's Briefing to be submitted to *Spectrum* in May, so the Committee is busy exploring possibilities. Since I was appointed to the Special Committee, the Committee Chair, Sara Galligan, has asked me to serve as a liaison between the two groups. There are a number of

(SRLN Report continued on page 28)

“The Network welcomes ongoing feedback on these practices and others that you find successful in improving access for the self-represented and the justice system as a whole.”

(SRLN Report continued from page 27)

ways that AALL might become involved formally with SRLN. Those will need to be run through the AALL Board before any announcement.

Nevertheless, Richard Zorza, the Network Coordinator, has already said to me, "No matter what comes from the possibilities of partnering with AALL, just having the law librarians involved with the Network, that is already a great help."

There will be a program on the SRLN at the July AALL Meeting in New Orleans. ■

Announcing 2007 Grant Opportunities

Katrina Piechnik, Chair, Grants Committee

Once again SCCLL is able to provide financial assistance for those attending the Annual Conference.

Our grants were made possible by the generous contributions to the Silent Auction and matching grant challenges, the hard work of last year's Chair of the Silent Auction Judy Meadows and the Grants Committee under the direction of Barbara Fritschel. Thanks to all of you who contributed to this worthwhile, fun-filled activity.

I have the pleasure of announcing that the SCCLL Executive Board approved five \$850.00 grants to attend AALL in New Orleans. As this year's Chair of the Scholarship and Grants Committee I would like to encourage those of you in need of funding to apply for the SCCLL Grants.

To streamline the grant application process the Grants Committee changed the number of recommendation letters needed to accompany your grant application to only one. We hope that you will find this change helpful.

I wish you good luck in meeting our criteria http://www.aallnet.org/sis/sccll/annual_meeting/scholarships.htm.

Make sure to send 5 copies of the completed applications <http://www.aallnet.org/sis/sccll/docs/sccllgrantapplication.doc> together with your letter of recommendation by **April 1, 2007** to:

SCCLL Grants Committee

c/o Katrina Piechnik
Jenkins Law Library
833 Chestnut St., Suite 1220
Philadelphia, PA 19107-4429

■

*"Make sure to send[in]
5 copies of the completed
applications together
with your letter of
recommendation by
April 1, 2007."*

State Law Library of Montana Website Gets a 21st Century Makeover

Tammy Hinderman, Montana State Law Library

The State Law Library of Montana has been scanning and posting online Montana Supreme Court opinions and the briefs filed by the parties in those cases since 1996. We not only post current documents but also are capturing historical cases as well. Eventually, we hope to provide access to cases dating back to at least the 1972 Constitutional Convention. At this time, our database of scanned documents dates back over 20 years and includes some 30,000 documents.

The decision to move these documents from an in-house server to the State of Montana's document repository and content management system was made over one year ago. This decision was based on a number of factors. First, the Law Library's server was in need of an expensive upgrade as the vendor was no longer supporting the version that we were using. In other words, we needed to buy something new, whether it was an upgrade to the current system or a new server altogether.

The State of Montana's Information Technology Services Division had previously purchased and implemented an imaging and content management solution for agencies throughout the State. This system is considered state-of-the-art and is used by many governmental agencies throughout the country. In fact, other state agencies, including the Departments of Labor, Corrections, and Justice, were already using many of the features of this system. However, no agency had used the system in quite the way that we were proposing; that is, as a document repository that would allow public web users to search the full-text of documents held in the repository.

At the same time, the Court Administrator's Office was rolling out electronic case management systems throughout the branch. Montana's courts are moving toward having the ability to not only electronically access the docket for a case, but also to immediately access any *document* associated with a docket entry. Pilot projects involving scanning all documents associated with a case file are underway. This is a huge undertaking, but one that will have enormous effects on judicial efficiency and data sharing amongst criminal justice providers.

The next logical step would be to provide public access to this same public information. In fact, one of the action items in the Judicial Branch's draft Information Technology Strategic Plan is the deployment of a standard court document search application for the public.¹ The Law Library opinions and briefs database was seen as a possible pilot project or first phase of this larger court-wide project.

In addition, moving to the State's document management system would provide us and our users with additional capabilities that our old system just could not provide. First, we could provide additional indexing for the documents using multiple characteristics. In our old database, our patrons really only had two options for finding an opinion: browse by the date of the opinion in a case, or search the full text of every document available for a specific word or phrase. The new system allows us to add numerous additional indexes, such as the docket number, the vendor neutral case citation, the parties' names, and the author of the opinion, among others. In time, this will allow our patrons to then search these indexes separately or in combination, providing faster more accurate results.

Furthermore, by moving to the State's repository, we would have access to web programmers who could create custom search screens and results display for us. Because we do not have such personnel within the Judicial Branch, we were forced to use the out-of-the-box search mechanism that came with our previous document management system. With the new system, we would have more control over the look and feel of the search screen and the options for advanced searching, as well as how the results would be

"The State Law Library of Montana has been scanning and posting online Montana Supreme Court opinions and the briefs filed by the parties in those cases since 1996."

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presented.

Finally, we were assured that the move from our old server to the new system would be seamless and no downtime would be required. Based on these and other factors, the decision was made to move to the State's document management system, and work on the project began in earnest last spring.

The Best Laid Plans . . .

As you are probably well aware, identity theft has been a very hot topic in legal circles as of late. During the 2005 session, the Montana Legislature passed a joint resolution requiring the Economic Affairs Interim Committee to study the issue of identify theft and to make recommendations to the upcoming legislature regarding ways to address the problem.² In November of 2005, the Supreme Court's Commission on Technology established a task force to recommend to the Court proposed rules on public access to electronic court records. After a series of public meetings, the task force presented those draft rules to the Supreme Court in May 2006.³ Those rules are still pending before the Court.

At this time, the Law Library became aware that certain private, personally-identifiable information was present in our documents database. In nearly all cases, this information appeared in "exhibits" or "appendices" to the parties' briefs, which often included copies of documents offered as evidence at the trial court level. Especially troublesome were family law cases, where it was not uncommon to find within the exhibits social security numbers, minors' names, dates of birth, home addresses, financial account numbers, and tax returns – often all within a single case and pertaining to a single family. However, the revelation of private information was not limited to such cases. Personal injury cases involving disputed damages often contained medical records. These medical records, in turn, contained not only private health information, but also other personally identifiable information such as social security numbers and dates of birth. Likewise, some business disputes involved trade secrets and other intellectual property. This information also appeared in exhibits on occasion.

All of this information attached to the briefs is part of the public record and always has been. However, in the past, such information was protected by the "practical obscurity" of the courthouse.⁴ Although it may have been available, who knew that it was there or how to find it? With the advent of the internet and popular search engines, practical obscurity has been all but eliminated. If personally identifiable information is contained in a document that is posted online, it can be found easily and quickly.

Once this discovery was made, the website was temporarily shut down while a solution was found. Internally, we debated the importance of providing public access to useful research materials (all of which are public records themselves) versus the breach of privacy rights and threat of identity theft that this access could enable. We also considered the fact that the Law Library is not the official record holder of these documents, and that the ultimate responsibility for providing public access lies with the Clerk of the Supreme Court.

Ultimately, we decided to remove all exhibits and appendices from the electronic version of the documents. This process required staff to open each brief and individually delete each page of exhibits or appendices, one at a time. Fortunately, the Court Administrator's Office hired two temporary employees to complete this project. We owe a huge debt of gratitude to our two student employees, Becky and Rich, for their assistance with this project. Nonetheless, this process still took a very long time and resulted in the database being unavailable for several months this summer.

(Montana State Law Library continued on page 31)

"[T]he Law Library became aware that certain private, personally-identifiable information was present in our documents database."

(Montana State Law Library continued from page 30)

In an abundance of caution, we also have run several searches through the text of the briefs in an attempt to find any other *obviously* private information that was incorporated into the briefs themselves (e.g., SSNs, DOBs, etc.). That information has been redacted and all future briefs will be similarly redacted by hand from both the online and print versions in the Law Library. However, it is not possible for us to identify, find, and redact every piece of private (or potentially private) information from the briefs submitted to us. The primary responsibility for the protection of this information still lies with the parties and their attorneys.

Welcome to www.searchcourts.mt.gov

After the database was scrubbed, we moved the documents to the State's document management system and launched our new basic search screen. The basic search function can be accessed at www.searchcourts.mt.gov or by clicking on the Opinions or Cases buttons at the top of the Law Library's homepage, www.lawlibrary.mt.gov.

The database includes the following documents:

- Opinions issued by the Montana Supreme Court
- Selected Orders of the Montana Supreme Court (including Orders affecting the rules of practice and procedure)
- Special Writs issued by the Montana Supreme Court
- Briefs filed by the parties in the above cases and recently filed briefs

As explained above, the database no longer includes any exhibits or appendices to the briefs. Also excluded are any orders denying special writs and the briefs in those cases.⁵

Currently, the Montana Supreme Court Cases database can be searched in three ways:

- Supreme Court Case Number Search
If you know the docket number of the case that you are looking for, choose this search.
- All Cases Decided within the Past 30 Days
If you are looking for a recent decision, choose this search.
- Full Text/Document Contains Search
For all other searches, use the full text search to search for a particular word or phrase.

The initial results list includes a list of all cases that contain at least one document that meets the selected criteria, in reverse chronological order. By clicking on the name of a particular case, the patron can view a secondary results list of all of the documents associated with a case. The final column in the document list display indicates whether a particular document contains the patron's search terms. To view an individual document, the patron simply clicks on the document type in the list.

We are currently working on an advanced search page, which will allow our patrons to search by any combination of the following characteristics of a case:

- Combination of 3 words or phrases, using AND or OR to connect them



Screenshot of the search page on the Montana State Law Library website.

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- Supreme Court Docket Number
- Vendor neutral citation format (MT citation format)
- Party Name (1 or 2 parties)
- Attorney Name (1 or 2 attorneys)
- Trial Court Docket Number
- Trial Court Judge
- Author of Majority Opinion
- Case Type (e.g., Direct Appeal – Civil; Direct Appeal – Criminal; Professional Regulation – Attorney, etc.)
- Document Type (e.g., Opinion/Order, Appellant Brief, Respondent Brief, Amicus Brief, etc.)
- Issues (provided by the attorneys pursuant to Supreme Court Order – only applicable to cases filed on 1/1/06 and after)
- Advanced Date Searching (i.e., from ___ to ___)

In order to facilitate this advanced searching, law library staff are manually inputting all of the above data for the past 20 years of cases at this time. Again, we were lucky to have a jump start on this advanced indexing project with the assistance of our two temporary employees this summer. Each staff member, including our Director, devotes an hour per day to indexing our historical collection. We hope to have this completed by next spring. So stay tuned!

Welcome to the State Law Library Newsfeed

The Law Library also recently launched a Newsfeed, available at www.mtlawlibrary.wordpress.com. Although this feed was not publicized until October, we have been regularly posting to this feed since May 2006.

The Newsfeed is our first foray into the world of RSS. The primary purpose for creating the Law Library's Newsfeed was to provide a current awareness tool that would allow members of the Judicial Branch, the State Bar, the media, and the general public to receive up-to-date information about what is happening in the Montana Supreme Court and the State Law Library in one convenient place.

Most of our posts will consist of notices of new Montana Supreme Court opinions and recently filed briefs in the Montana Supreme Court. Each post regarding an opinion includes a link to the .pdf version of the opinion in the case (accessed by simply clicking on the docket number in the post). To help our patrons find cases on particular subjects, all *published* opinions are being subject-indexed or "tagged" by reference staff. The tags provide a handy way to quickly see what a case is about without having to read the entire opinion. In addition, subject-tagging allows our patrons to see all of the cases that have been decided since May 2006 which address the selected subject by clicking on one of the categories on the left-hand navigation bar. For example, if you click on DUI, you will find references to 12 cases on that subject and links to those particular opinions.⁶

At the end of each week, we are adding a post titled, "Recent Briefs," which collects links to all of the current briefs added to the database in the past week. This will allow our patrons to keep track of their own cases, and to see what other new cases have been filed in the Supreme Court.



Screenshot of the Newsfeed page on the Montana State Law Library website.

(Montana State Law Library continued from page 32)

We will also use this forum occasionally to highlight new and interesting books and other materials found in the State Law Library. Legal research tips will also be included on an ad hoc basis. Finally, we will post announcements about important legal events in the Montana Supreme Court and the State Law Library as they arise.

There are several different ways to access the Newsfeed. First, you can access it directly from the Newsfeed page, www.mtlawlibrary.wordpress.com. You can also read the seven most recent feed posts at the bottom of our homepage, www.lawlibrary.mt.gov, and then access the posts themselves by clicking on any of the links found there.⁷

However, the most effective way to use the Newsfeed is through the use of RSS. There are currently two ways to use the RSS feed to receive updates when new material is added to our Newsfeed. First, you can subscribe to receive emails that contain new posts. To subscribe by email, go to the Newsfeed page, www.mtlawlibrary.wordpress.com, and click on the envelope icon on the right-hand navigation bar. You will be required to set up a Feedblitz account, which is the name of the free service that we use for email subscriptions. Alternatively, you can subscribe to receive updates about the Newsfeed via a newsreader. We have a rss feed button available on our website, or the URL of the Newsfeed page itself will also serve as a feed.

If you have any questions about the Newsfeed or the new cases search page, please contact me at 406-444-3636 or mtlawlibrary@mt.gov. ■

¹Montana Judicial Branch, *Information Technology Strategic Plan 2006 – Draft*, Action Item 2.4.1.

²S.J. Res. 38, 59th Leg. (Mont. 2005).

³*Matter of Rules for Public Access to Court Records*, No. AF 06-0377 (Mont. May 23, 2006) (order inviting public comment on proposed rules), available at <http://www.courts.mt.gov/orders/AF%2006-0377.pdf>. The proposed rules can be found at: http://www.courts.mt.gov/supreme/rules/proposedrules/Final_Draft_Commentary.pdf.

⁴See, e.g., Arminda Bradford Bepko, *Public Availability or Practical Obscurity: The Debate Over Public Access to Court Records on the Internet*, 49 N.Y.L. Sch. L. Rev. 967 (2004-2005).

⁵Due to space concerns and the sheer number of these types of cases, it has long been the Law Library's policy to remove these documents after a writ has been denied by order. If the Court writes a full published opinion that denies a Writ, however, will not be removed.

⁶12 cases have been indexed with that topic as of the writing of this article, November 21, 2006.

⁷Please note that the information at the bottom of our homepage may not be as current as the information on the Newsfeed page. Each document will appear first on the Newsfeed

The Back Page



Member News

New Associate Director at the Law Library of Louisiana

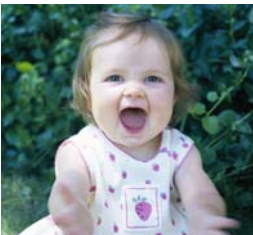
Georgia Chadwick is the new Associate Director of the Law Library of Louisiana, having assumed the position formerly held by Catherine Lemann, who became Director of the Alaska State Law Library in September. Miriam Childs is now the library's Head of Technical Services.

Joining Miriam in the Technical Services Department is new law librarian Charles Gaudin, who previously worked at the Jefferson Parish Public Library and Northwestern Louisiana State University. In early December Katie Nachod, formerly of Tulane Law School, became the library's new Reference/Electronic Resources Librarian.

New Contact Information for Barbara Fritschel

Congratulations to Barbara Fritschel who recently started a new job with the 7th Circuit Courts library. Her new contact information is:

Barbara L. Fritschel
US Courts Library
517 E. Wisconsin Room 516
Milwaukee, WI 53228
Barbara_Fritschel@ca7.uscourts.gov
414-297-1698



View from Your Library

Aren't these girls cute? Rita has many pictures of Melody so if you don't want to have to see more pictures of King County Law Library kids, send me your funny stories and anecdotes instead!



Natalie, age 4, daughter of SCCLL News Editor Kim Ositis.



Melody, age 3½, granddaughter of Rita Kaiser.