

Update- LISP Co-Sponsors an Amicus Brief with the Social Responsibilities Section  
by  
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LISP and SR-SIS are sad to report that our application to file an amicus brief in a Florida prison law library case, Henderson v. Crosby, was rejected.

In an order dated Sept. 23, 2003, the First District Court of Appeal in Tallahassee, FL. said “This court exercised its discretion to deny the motion in light of the number of amici curiae which have previously been granted leave to appear in this cause.”

We were not the only group seeking to submit an amicus who were denied. Other interested parties who asked for leave to file amici briefs and were turned down include the Florida Public Interest Law Section of the Florida Bar and the Florida Institutional Legal Services. We thank all who supported this effort, including the members and board of both LISP and the SR-SIS. Alison Alifano and Ann Hemmons, chair and vice chair of the SR-SIS respectively, were both instrumental in finding funding and lobbying for support of this effort. Thanks also to Michael Kaye, who wrote the brief, Bob Oakley, who helped edit it, and to AALL President Janis Johnston, who approved the submission of the brief.

We are not giving up, though. If the case Henderson v. Crosby case makes it to the Florida Supreme Court, we will consider petitioning again for leave to submit an amicus on behalf of the prisoners.

On the positive side, the decision to pursue this project has brought to light the fact that our organization (AALL) can respond and become involved in cases that affect the right of access to legal materials. We as an organization have a lot of knowledge and experience to contribute to the discussion of these rights in the courts and it is important that we pursue all avenues of advocacy. Special Interest Sections can help by being on the lookout for various cases that may be good candidates for filing an amicus brief. As a professional organization, we need to make sure that opportunities to advocate our ideals are not missed.

For example, in the pivotal federal case regarding prisoners’ access to materials, Lewis v. Casey, 518 U.S. 343, *not one* library organization filed an amicus brief supporting adequate prison law libraries.

To promote the filing of amici briefs in the future, I have proposed an amicus curiae policy to the AALL Executive Board which will be on the November meeting agenda. This policy outlines a procedure for requesting AALL approval for filing an amicus brief and gives specific time deadlines. I hope this policy will be adopted and used to promote AALL’s interests in keeping legal information accessible.

Thanks-

Amy