For many years, the start of the fall semester at law schools across the country followed a familiar pattern. The relative quiet of the summer was replaced with the excitement and nervousness of incoming students during first year orientation, and second year students returned full of stories of their summer jobs while vying to land positions for next summer. Third year students became aware that their time at law school would be over before they knew it, and soon, they would be starting their professional careers. As we all know, this cycle was disrupted by the COVID-19 pandemic.

For some institutions, this fall will be the first since fall since 2019 in which students return fully in person. Other institutions, like mine, have been back in person, at least partially, since fall 2020. That fall, I looked out over a half-filled lecture hall, with each socially distanced student surrounded by three-sided clear plexiglass and their masks leaving the bottom half of their faces a mystery to be revealed during Zoom office hours. In addition to my 25 in-class students, I tried to actively engage my 10 remote students in Zoom boxes on a large monitor on the ground before me. I attempted to bring my energy and enthusiasm to every class session but could never fully tell if the students were engaged or even enjoying my corny jokes. While a large number of first year students opted to attend classes in

“That fall, I looked out over a half-filled lecture hall, with each socially distanced student surrounded by three-sided clear plexiglass...”

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I am so excited to present for you the fall 2022 issue of the ALL-SIS Newsletter. In this issue you will find Chelsea McKimmy’s perspective on attending the AALL Leadership Academy. You’ll also be able to read the annual program reviews to decide which ones might worth rewatching or viewing for the first time. Finally, thanks to Marlene Harmon and Nina Scholtz for compiling this issue’s member news. There was a lot to report! I want to thank yo

As you peruse this newsletter, please remember that we are always looking for content. The newsletter would not exist without interesting submissions from readers like you. We want to hear from you, so if you have any questions, suggestions, ideas or articles you would like to submit, please contact me, the Editor, at katie.hanschke@vanderbilt.edu. //

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person, most of our second- and third-year students stayed remote, and the library, like the rest of the campus, was disconcertingly empty.

Last week, my library was filled with the sound of first year students laughing and getting to know each other as they tried to find the reference desk as part of an orientation treasure hunt. As I write this, the second- and third-year students are arriving this week. It might seem like things are almost back to normal, but all of us have been changed over the past few years. Some of us have lost loved ones; some of us have struggled with our own health. Some of us have attempted to balance remote learning for our children with our work responsibilities; some of us have lost jobs or decided to leave positions. Some of us have started new positions completely remotely; some of us have thrived with remote work. Finally, some of us have missed the comradery of in person work. While our individual struggles have been unique, we have all struggled.

As we enter this new academic year, the role that ALL-SIS plays in connecting us with our colleagues across the country has never seemed more vital. For those who were able and felt comfortable attending the Annual Meeting in Denver, we were able to reconnect with our old friends and meet new colleagues. We commiserated over the challenges of the last few years but were also focused on the new opportunities in our future. And this is the landscape we currently inhabit. What events are worth bringing back? What things did we stop doing that we don’t need to ever do again? How do we leverage technology to meet the demands of our positions and the needs of our patrons? To navigate this new landscape, we need the support that ALL-SIS provides to exchange ideas and experiences now more than ever before.

Over the past month, I’ve had the opportunity to meet with the incoming chairs of our committees and discuss their plans for their chair year. As information professionals, we depend upon websites to provide accurate information. One focus for my chair year will be ensuring that information resources created by our committees and hosted on the ALL-SIS website are accurate, current, and up to date. For some committees, this will require a bit of cleanup; for other committees, this year will focus on developing a multi-year plan to revise major resources. Another focus will be supporting on-going education efforts throughout the year. The Annual Meeting is always hectic with conflicting panels, roundtables, and social events. There is just too much to do! Additionally, the programming is selected well in advance of the Annual Meeting. We can use our comfort with virtual meeting platforms to expand learning opportunities with a focus not only panels but also on virtual roundtables that allow for more informal sharing of ideas year-round. Use of virtual roundtables will also allow us to respond quickly to events that impact our community. While I’ve always valued the ALL-SIS community, my ALL-SIS colleagues have been an integral part of navigating the past few years.

On that theme, I want to take this opportunity to thank Sabrina Sondhi and Shira Megerman, who recently completed their terms of service on the Executive Board. They are active, engaged members of ALL-SIS who bring enthusiasm and kindness to their daily interactions. Working with them was a pleasure, and I hope to live up to the high standards that they set. I want to thank the continuing and new Executive Board members – I-Wei Wang, TJ Striepe, Ariel Scotese and Benjamin Keele. I look forward to the challenges and opportunities this year will bring! //
Chelsey Mckimmy
Duke Law School

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MEMBER NEWS

PROMOTIONS, NEW HIRES, NEW POSITIONS

Madeline Cohen, Assistant Director, Westminster Law Library of Denver Sturm College of Law reports that they recently hired Marla Morris as a new reference librarian. Before joining DU Law, Marla worked as a legal research attorney and family court facilitator for the Colorado State Judicial Branch. She holds a MLS from Emporia State University, a JD from the University of Colorado-Boulder, and a BA in History and Political Science from the University of Wisconsin-Madison.

The Goodson Law Library at Duke University has had a busy summer. They welcomed two new Research Services Librarians:

- **Chelsey McKimmy** began work at the Goodson Law Library on July 1. Chelsey most recently was the Student Services Librarian at Lincoln Memorial University’s Duncan School of Law. She previously worked in the University of Iowa’s Law Library as a Student Circulation Assistant and Law Librarian while completing her JD and MLIS.

- **Julie Wooldridge** began working full-time at Duke on July 11, after working as a student reference intern in the 2021-22 academic year. Julie recently completed her MLS from UNC-Chapel Hill, where she also worked as a Reference Assistant in the Kathrine R. Everett Law Library. She received a BA in Political Science and a JD from Southern Illinois University and practiced law in Atlanta prior to enrolling at UNC.

In addition, Cassandra Patterson has joined Duke Law as a Lecturing Fellow in the first-year Legal Analysis, Research & Writing program, where she will teach two sections of legal research. She received her JD and MLS from North Carolina Central University and most recently worked as a Reference & Outreach Librarian and Assistant Professor at Georgia State University.

Don Hopkins also joined the Goodson Law Library in February 2022 as their Data Scientist for Empirical Research and Data Support Services. Before joining Duke, Don was a statistical programmer and software engineer for many years. He holds a PhD in Psychology from the University of North Carolina at Chapel Hill as well as a BA in Music from Jacksonville University.

more Member News
MEMBER NEWS

Following an organizational restructuring at Goodson Law Library, **Michael McArthur** is now the Assistant Director for Access and Collection and FCIL Librarian. **Jane Bahnson** is the Assistant Director for Research and Instruction. **Laura Scott** is the Assistant Director for Reference, Clinics, and Outreach. **Sean Chen** is now Head of Cataloging and Metadata Services and Data Services Librarian. **Wickliffe Shreve** is the Head of Scholarly Services and Journals Advisor.

**Julie Tedjeske Crane** reports that as of July 1st, she is the Reference Librarian and Professor of Legal Research at Penn-State Dickinson Law Library.

Beth Adelman at the University at Buffalo Law Library is delighted to announce that **Austin Waters** is now a member of their library faculty as the Student Services Librarian. Austin began on July 15, 2022, on her way to the AALL annual meeting in Denver. She holds a JD from the University of Arkansas Little Rock where she served as a member of the editorial board for the UALR Law Review and worked as a Reference Assistant in the UALR Law Library. She also holds an MLIS from Syracuse University where she worked as an Information Literacy Scholar and held a graduate assistantship in the SU library. Her most recent position was a Reference Librarian at Touro Law School.

**Sylvia Yanes** has joined the University of Richmond Law Library staff as the Research & Faculty Services Librarian. Sylvia is a recent graduate of the University of Washington I-School. While earning her degree, she worked as an intern in the Gallagher Law Library. Sylvia received her law degree from the University of Miami and worked for several years as an attorney at MasTech, Inc.

News from the University of Wisconsin Law Library:

- **Elizabeth Manriquez** was recently promoted to Head of Reference and Scholarly Services at the University of Wisconsin Law Library. In this role she will take over supervision of a reference department of 3.5 librarians and continue working with the faculty to increase the discoverability of their scholarship. Liz has also been elected Vice President of the Law Librarians Association of Wisconsin (LLAW).

- **BJ Ramsay**, formerly the Law Library’s Evening/Weekend Circulation Supervisor is now their Circulation Librarian. In this new role, BJ will oversee the day-to-day management of the Law Library Circulation department, including circulating library materials, formulating and administering circulation policies and procedures in collaboration with campus libraries, and facilitating access to study, collaboration, and wellness spaces in the Law Library.
**MEMBER NEWS**

Anne Klinefelter, Director of the Law Library at the University of North Carolina reports that **Katherine Orth** has accepted the position of Content Management Librarian at the Katherine R. Everett Law Library starting September 6. Katherine brings nine years of experience as Acquisitions Assistant at the UNC law library. In that role she worked with vendors, participated in budgeting for collections, and contributed to a variety of other services including reference. Katherine will be instrumental in the UNC law library's ability to continue to adapt to new information technologies and research habits. Her BA in History and MLS are from UNC-Chapel Hill. She has an MS in Development Studies from the School of Oriental and African Studies, an MS in International Relations from the London School of Economics and Political Science, and a JD from Loyola University New Orleans.

Ariel Scotese, Associate Director for User Services, University of Chicago, D'Angelo Law Library is pleased to announce that **Jon Hawkins** is their new Access Services and Reference Librarian. Jon joined the Law Library in June, and in a short time has shown himself to be a fabulous colleague and thoughtful leader. Jon served in the United States Navy Judge Advocate General Corps for over a decade.

**Julia Mizutani** is Cornell Law Library's newest Law Research, Instruction, and Liaison Librarian. At Cornell Law, Julia will be teaching legal research in the Lawyering program in addition to contributing to the Law Library's research and reference services, faculty liaison services, law materials selection, and Law Library outreach and instruction services. Before joining Cornell Law Library, Julia was an attorney with the ACLU of Washington in Seattle where she worked on cases that challenged the criminalization of homelessness and poverty. Julia is excited to teach in the Lawyering course and is interested in working with the Cornell Prison Education Program to teach legal research in Prison Law Libraries in the near future.

**Jordan Jefferson** recently joined the Quinnipiac University School of Law as their newly appointed Director of the Lynne L. Pantalena Law Library. Jordan was previously the Associate Director for Operations, Outreach, and Engagement at the Lillian Goldman Law Library at Yale Law School.

Leslie A. Lee, Assistant Director for Administration, George Washington University Law Library Reports that **Andrew Winstone** joined the Jacob Burns Law Library at The George Washington University Law School in August 2022 as Assistant Director for Public Services. He previously served as Chief of the Public Services Division at the Law Library of Congress and as Acting Section Research Manager, Research and Library Services, in the American Law Division of the Congressional Research Service.

Liz S. Graham, Executive Director, Thurgood Marshall Law Library reports that **Chi Song** will join the Law Library at the University of Maryland, Francis King Carey School of Law in September 2022 as the new Systems and Instruction Librarian. Chi will manage information systems, such as the integrated library system, and electronic resources. In addition, Chi will provide reference services and teach in the law school's legal research program. Prior to joining the UM Law Library, Chi was the Web Services Librarian at the Maryland Thurgood Marshall State Law Library. Chi received her MLS from the University of Maryland College of Information Studies, her JD from the University of Illinois College of Law, and a BA from Wellesley College.
MEMBER NEWS

Austin Martin Williams, Interim Director at Georgetown University Law Library, reports on three recent hires:

- **Alyssa Koclanes** was hired as the Head of Cataloging & Metadata in June 2022. Prior to arriving at Georgetown, Alyssa was a tenured Associate Professor and Technical Services, Serials, and Instruction Librarian at Eckerd College in St. Petersburg, Florida.
- **Sabrina Zator** joined as a Reference Librarian in August 2022. Sabrina graduated from UNC Chapel Hill in 2019 with her law degree and her MLS degree in 2021.
- **David Isom** was hired as an International & Foreign Law Reference Librarian in August 2022. Previously David was the Faculty Services Librarian at the University of San Diego.

PUBLICATIONS

**Tom Kimbrough**, Associate Director for Collection Development and Adjunct Professor of Law at Underwood Law Library, Southern Methodist University has written *Law Firm Dynamics: Don’t Hate the Player, Hate the Game* published in the SMU Law Review Forum: 75 SMU L. Rev. F. 241 (2022), https://doi.org/10.25172/slrf.75.1.8.

AWARDS

**D.R. Jones**, Associate Professor of Law & Director of the University of Memphis School of Law Library, received the Patricia and Dan Murrell Ethics and Professionalism Teaching Award in Spring 2022. This award honors “the professor who most effectively incorporates creative and innovative methods for including ethics and professionalism into their teaching.” Professor Jones was selected as the winner of the award for her “intentional and consistent coverage of ethics” in her Information Privacy Law course.

OTHER NEWS

**Dana Neacșu**, LLM, MLS, PhD, Director, Duquesne Center for Legal Information (DCLI) & Allegheny County Law Library (ACLL), and Associate Professor of Legal Skills at Duquesne University School of Law reports that she is also the new Director of the Boulder Conference on Legal Information, Scholarship and Teaching - now in its 14th year. She is organizing a first ever October meeting of the conference on October 14, 2022 (on Zoom). Dana hopes to emulate Barbara Bintliff and Susan Nevelow Mart, the amazing past directors of the conference. Together with Paul Callister, Dana received an AALL Research and Scholarship Grant. She has also achieved a milestone in her career with her translation of Katharina Pistor’s *The Code of Capital* (Princeton, 2019) into Romanian - *Codul Capitalului* (Hamangiu, 2022).

Have something to share with your fellow ALL-SIS members? Send your news along to Marlene (mhamon@law.berkeley.edu) or Nina (nes78@cornell.edu) at any time.
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PROGRAM REVIEWS

HIGHLIGHTS FROM THE 2022 ANNUAL MEETING

OPENING GENERAL SESSION

Ramona Collins
Berkeley Law Library

I was glad to be in Denver (in person!) for the opening session of the annual meeting. Not only was it exciting to see folks I haven’t seen for so long, but it was a thrill to hear from AALL president and rock star NOCALL member, Diane Rodriguez. Diane started with a very thoughtful land acknowledgement that I heard in several other sessions during the conference.

Next up was the keynote speaker, Chief Justice of California, Tani Cantil-Sakauye, who spoke for about 20 minutes. Among other things, she highlighted the fact that there are 4.3 million pro se litigants in California courts. Stated differently, in 75% of the civil case load at least one side is unrepresented. That is a staggering statistic. She explained how judges can try to guide people to the information they need by asking questions during hearings. She equated this questioning to the interactions librarians have with patrons. It was a new perspective on the reference interview for me.

She also spoke about her civics education initiative in K-12 schools. Based on some of the questions legislators have asked her, she believes that more civics education is needed. For example, she was asked what agency she worked for. While I found it stunning to think that a member of the Legislative branch would not know the answer to that question, it tells me that we shouldn’t assume basic knowledge. Rather, we should share with our patrons what we have come to think of as a given.

Following the Chief Justice’s talk, she and Diane sat down for a “fireside chat.” Diane asked about the Chief’s journey to the California Supreme Court. The Chief’s parents were immigrants who worked in agriculture, and they stressed the importance of education. The Chief recalled a family trip to see the first Filipino lawyer. She also told the story of her family home being moved via the eminent domain process. Her mother tried to fight the move in pro per since they couldn’t afford a lawyer. These early influences inspired the Chief to pursue law as a career and to seek justice for disenfranchised communities. Diane also asked about the Court’s decision-making process. The Chief spoke about working collaboratively and, when interpreting a statute, toward a decision that aligns with the legislative intent while also being based on the text. She gave a shout-out to the California Judicial Center library with its rich legislative history collection and fabulous staff of NOCALL members. Diane and the Chief also talked about opportunities for law libraries to partner with courts. The Chief suggested more publicity for law libraries, e.g., op-eds, speaking at schools and to organizations about all the resources available at the library.

I would highly recommend listening to the recording of this session if you missed it. //

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With their neatly numbered titles, chapters, and sections, statutory codes may seem to occupy the most orderly realm of primary legal materials. In fact, though, they are idiosyncratic creatures, with counterintuitive nuances that can befuddle even experienced researchers.

This session delved into the challenges of statutory research and highlighted the places researchers should check to be confident their work is thorough.

According to the presenters, the first major interpretive issue is determining whether the statutes one is researching are in a code that was itself enacted by the legislature (known as positive law) or in a compilation that was assembled by someone other than the legislature, like the U.S. House Office of Law Revision Counsel or a state revisor of statutes. These compilations are prima facie evidence of enacted legislation but may not be complete, and the enacted session laws would prevail if there were an inconsistency between the session laws and the compilation.

The federal government is reasonably clear about marking which titles of the U.S. Code have been enacted as positive law (about half the titles are positive law, but that comprises only about a quarter of the text in the U.S. Code), but many states are not explicit about whether the legislature has enacted the code provisions or merely enacted session laws that are then rearranged into a compilation. Some states have authorized private vendors to assemble their statutes, which means the compilation would be official in the sense that the government has authorized it, but not positive law because the legislature did not enact the text of the compilation.

The second major issue the presenters discussed is the use of statutory notes, which are enacted language that does not fit for some reason into the statutory numbering system and instead is attached to a section as a note. Some of these provisions are as simple as effective dates, but sometimes entire statutes are relegated to notes. For example, the entirety of the Torture Victim Protection Act of 1991 is a note to 28 U.S.C. § 1350. Statutory notes can be harder to find because they do not have the typical code section number researchers expect, and some digital research databases do not display statutory notes with as much prominence as code sections.

Librarians teaching statutory research should consider how to address positive law and statutory notes in their teaching. This session is an excellent introduction. For further information, I recommend Frederick W. Dingledy, From Stele to Silicon: Publication of Statutes, Public Access to the Law, and the Uniform Electronic Legal Material Act, 111 Law Libr. J. 9 (2019) and Shawn G. Nevers and Julie Graves Krishnaswami, The Shadow Code: Statutory Notes in the United States Code, 112 Law Libr. J. 213 (2020). //
Walking into the meeting room, the importance and relevance of the topic was evident; it was standing room only. Susan Nevelow Mart, author of the groundbreaking article *The Algorithm as a Human Artifact: Implications for Legal [Re]Search*¹ and frequent speaker on the topic of algorithms in legal research, was one of the listed panelists for the program. Unfortunately, Ms. Mart was not able to take part in the panel. Panelists Prof. Sarah Lamdan, CUNY School of Law (wearing a “Rage Against the Machine Learning” shirt), and Sarah Sutherland, President and CEO of CanLII, along with Moderator Kim Nayyer, Edward Cornell Law Librarian at Cornell Law School, endeavored to cover this important and complex topic.

**Skepticism is Not About Avoiding Technology**

According to the presenters, it is important to note the limitations of technology but not avoid technology in legal research. Algorithms are designed by humans and carry human flaws into their functionality; therefore, researchers need to be critical of research systems and aware of their limitations. Further, algorithms are employed with natural language processing, as opposed to terms and connectors searching. With terms and connectors, the database typically will provide information in the order in which it processed the connectors. The researcher controls how a search is conducted. However, the same cannot be said for natural language searching, which is what Mart terms the “black box”.

**How to Help Law Students**

The presenters then discussed how to navigate this issue in the classroom. As law librarians instructing how to navigate legal research platform algorithms, it is vital to teach students that the database search functions are a “black box”. Because they are proprietary technology, researchers do not know how search terms are ordered, how results are sorted, etc. Law students need to employ critical reasoning skills when examining search results. To counter the unknown aspect of these search algorithms, one approach the presenters suggested is to demonstrate to the students the different results from the same search conducted in more than one platform. Further, the presenters emphasized that students need to understand the underlying law involved in their research project and not simply rely on the database’s algorithm to identify relevant legal materials. They should think about what they learned in law school and in practice, step back and critically evaluate search results. Throughout the presentation, information literacy, particularly critical information literacy, was emphasized as an important tool for students to utilize while relying on the results generated by research algorithms.

**Bias is Not the Sole Reason to be Skeptical**

Information vendors are no longer publishers but are analytics companies, Prof. Lamdan pointed out. She has a book coming out about information cartels, where she points out the ethical issues of one company running information platforms, news engines, databases of scholarship, etc. The panel highlighted the need for vendor transparency. Researchers, librarians and vendors must work together to move forward in an ethical, fair and transparent way. By working together, we can build awareness of algorithms.

Fitting with the conference's theme of “Advancing Justice for All,” I attended a great program called “Bringing the Law Library to the Community: Access to Justice with Remote Services.” This program was moderated by Catherine McGuire from the Thurgood Marshall State Law Library. The two speakers were Cathryn Bowie from the State of Oregon Law Library and Karen Westwood from the Hennepin County Law Library in Minnesota.

The program was about two successful initiatives in Oregon and Minnesota that provided their patrons remote access to legal materials. It began with a detailed description of each program, followed with a short Q&A, and then closed with a group discussion.

First, the Oregon initiative focused on unstacking barriers to justice for those in custody. Bowie found that their library’s contact with adults in custody (AIC) through letters was slow, inefficient, and ineffective, so she proposed bringing more resources directly to prisons. After reaching out to Oregon Corrections, library staff were able to tour a few facilities and solicit AIC feedback. Bowie noted that the AIC feedback was invaluable to the project.

Based on the tours of correctional facilities and AIC feedback, the library decided to cover the fee for access to internet legal resources at the corrections facilities. The State created a safe, online web-based program that AICs could access in their libraries. These programs have seen heavy use and have been a big success. In the future, the library is hoping to expand into giving virtual trainings and providing one-on-one reference assistance through the virtual portal.

Meanwhile, the Minnesota initiative focused on using CARES Act funding to purchase computer kiosks for pro se patrons to use for: (1) legal research; and (2) Zoom functionality to meet with legal aid attorneys and attend court meetings. This program was spearheaded by Minnesota Legal Aid, and Westwood’s library accepted a kiosk that included a camera and microphone, allowing patrons to meet with their attorneys remotely.

The kiosk was a big success, despite Westwood initially thinking it was “a terrible idea.” The kiosk has become one of the most used resources at the library, and they have also helped Minnesota Legal Aid save money because virtual meetings allow them to avoid expensive travel costs. The State plans on expanding the kiosk program to more parts of the state.

Next, the program moved to a question-and-answer portion that highlighted a few key lessons:

1. Westwood pitched her program as a story about “suppressing your inner skeptic.” She assumed the kiosk program would be difficult to maintain and resource intensive. Instead, she was surprised at the effectiveness of the kiosks and how they freed up staff time at the library.

2. Both Bowie and Westwood learned to put more trust in their patrons. For Bowie, she was surprised at the excitement and investment the AIC showed towards the program, especially after their feedback was genuinely solicited. They both stressed that you shouldn’t underestimate your public patrons; “we should give people a chance to be successful.”

Finally, the program closed with small group discussions about how we might implement similar programs in our states. My group discussed the different barriers we might run into, such as less supportive state governments or geographical challenges like mountainous rural areas.

Overall, this was a fascinating and informative program. It was inspiring to hear about two statewide programs that managed to improve access to justice for public patrons despite the challenges of the pandemic and tight budgets. //

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CRYPTOCURRENCIES, BLOCKCHAIN, AND THE LAW

Benjamin J. Keele
Indiana University McKinney Law

Blockchain technologies and the cryptocurrencies that operate on them have attracted a great deal of attention from the popular media, lawmakers, and regulators. This session provides an excellent introduction to these technologies and the major issues legal researchers should keep in mind.

Blockchain is essentially an avenue for sharing information in a way that does not depend on trusting a third party. Every computer in a network keeps its own copy of the shared information, and fraud is prevented through cryptography. Blockchains can and are used to track all sorts of information—WalMart has used blockchain to help track some of its produce—but the most well-known information sets maintained on blockchain are transaction logs detailing who owns what cryptographic tokens. Bitcoin and Ethereum are the two most widely used tokens, but there are thousands of others.

The panelists identified several key areas of law that are likely to raise legal questions for blockchain projects. First, since blockchain is often used to store and send value in financial transactions, the federal Securities Act, Bank Secrecy Act, Commodities Act, and state money transmitters laws are important, relevant primary sources. Blockchain projects may create tokens that qualify as securities that must be registered with the Securities and Exchange Commission, or their tools to transfer tokens may count as money transmitters under state law.

A second field of law identified by the panelists as affected by blockchain is intellectual property. Non-fungible tokens (NFTs) are tokens that are cryptographically unique and have been issued as digital artwork and collectibles. This can raise novel trademark and copyright issues, especially since major artists and luxury brands have begun issuing NFTs as part of their marketing and customer engagement efforts.

Finally, according to the panelists, blockchain may be used by central government banks to issue central bank digital currencies (CBDCs). While most US dollars are transacted electronically used credit card systems, the ACH Network, and wire transfers, a US dollar in the form of a CBDC issued by the Federal Reserve would operate on a network that does not depend as much on private banks. While the Federal Reserve is investigating a CBDC for the US dollar, none of the panelists expected major developments in the near future.

For librarians wanting to learn about the basics of blockchain and cryptocurrencies, and legal issues surrounding them, this session is an excellent introduction.
requests arise; and 4) a hybrid model of some combinations of the foregoing. Typically, faculty services include research requests, book or article requests, training, and current awareness.

Data analytics for faculty services are important to analyze trends both in types of research and time used. These statistics can be used to determine staffing needs, scholarly needs, and the value of the law library to the law school’s overall mission. The panelists emphasized that many of these tools may exist already (e.g. timesheets) or are simple to use. Examples of these resources include the spreadsheets or author profile services available through SSRN, HeinOnline, or Clarivate/Web of Science and simple to use programs like Viva or PlumX Metrics. More advanced analytics, such as OpenRefine, PowerBI, tableau and RStudio, allow librarians to refine and clean up data to create useful visualizations such as bar and pie charts.

The panelists also discussed how faculty may want data from the law library to determine their scholarly impact. The 3 most common methods used for this are the Leiter-Sisk Scholarly Impact Score, Google Scholar h-index, and SSRN downloads. However, each of these methods has drawbacks, including not finding non-law publications and authors in “et al.” citations, overstating publication metrics from a database that picks up works in progress as well as in published form, and, in the case of SSRN, the possibility of manipulating download counts.

The Vanderbilt Law School faculty services librarian then discussed their data program Infostats (a home grown product) as an example of how a library data analytics program works. Infostats is a centralized program that captures all the campus libraries. It collects data on patron type, question type, question format and duration, and it includes an open field for more descriptive information. Information is web-based and can be easily exported to Excel and used in university assessment. Drawbacks include a lack of readily available visualization tools and inconsistency in reporting across libraries (e.g. question classification, controlled vocabulary and time lags in reporting).

The program then turned to roundtable discussions among attendees. In reporting back to the group, a few trends emerged. Most libraries use a hybrid approach in delivery of faculty services because it best allocates staff time to address questions as they arise. Many libraries have found these data analytics useful internally to plan workflow and, in larger budget discussions with law school administration, to demonstrate the need for additional hiring of student research assistants as well as creating staff positions. Several librarians noted that a number of data analytics tools have free programs that can still get the job done or offer educational discounts, so the costs need not impede using data analytics in your library. //

STOP REPEATING HISTORY: APPLYING THE LESSONS OF KOREMATSU IN THE 21ST CENTURY TO ADVANCE JUSTICE FOR ALL

Matt Timko
Northern Illinois University
College of Law

Jon Osaki’s documentary Alternative Facts: the Lies of Executive Order 9066 takes viewers through the racist and dishonest intentions of Executive Order 9066 (hereafter EO 9066) that interred millions of Americans of Japanese descent during World War II. The documentary covers the Korematsu case challenging EO 9066 and the decades of research and advocacy focusing on publicizing the true intentions of it. Comparing the rhetoric and rationale that led to EO 9066 to the policies and rhetoric of today, Jon Osaki makes a broader call for Americans to stop repeating history through racist, discriminatory, and traumatic policymaking by the American federal and state governments.

With this backdrop, the panel at AALL, consisting of Osaki, Lorraine Bannai and Jenny Silbiger, the State Law Librarian & Access to Justice Coordinator of Hawai‘i, addressed how political racism directed at one group of people...
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PROGRAM REVIEWS

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has a deleterious effect on the body politic. Lorraine Bannai served on the legal team which successfully represented Fred Korematsu in challenging his conviction for refusing to comply with the EO 9066. Her description of the process by which the team, through the help of researchers in the National Archives, uncovered (basically by accident) documents that proved the racist intentions in the drafting and enactment of the order. While this success was long sought, even Fred Korematsu at the time both applauded his legal team yet also asked them to never stop fighting to ensure justice for other Americans discriminated against by their country.

The panel was both inspirational and discouraging when comparing the fight of Korematsu and the morals of his ultimate success to present day anti-Muslim and migrant family separation policies. To make matters worse, Bannai quoted Chief Justice John Roberts in Trump v. Hawaii that “Korematsu has nothing to do with this case.” This statement, at odds with reality and common sense, means that advocates for fairness and anti-discriminatory policies must fight all the harder to ensure that discriminatory policies never go unchallenged and continue to face legal opposition.

The panel showed that successes can be achieved through hard work, patience and persistence. The work of the panelists to further these aims is heroic and commendable, and it is well worth visiting the session page for helpful resources and access to documentary.  


**INCORPORATING USER EXPERIENCE DESIGN AND DESIGN THINKING INTO RESEARCH GUIDE DEVELOPMENT**

This long-named program was clear, practical, and engaging. I enjoyed every minute of it. Coincidentally, it was about composing research guides that are clear, practical, and engaging.

Before I comment further on the program, I must unpack the title. “User experience design,” abbreviated as UX, ensures that visual information sources engage viewers and satisfy their information needs. “Instructional design” is the educational variety of “design thinking,” and it incorporates three steps in teaching a lesson: establishing objectives, providing practice, and assessing mastery. When a librarian combines these two design systems to compose research guides, the research guides are sure to be easy to navigate and filled with useful sources.

Moderator Julie Tedjeske Crane graciously met attendees as they entered the room and, in welcoming each person, handed over print materials to be sure that everyone had them. With continued hospitality, she opened the program with a “roadmap” outlining the program goals and introducing each of the speakers to come.

The first panelist, Courtney McDonald explained, in a wonderful conversational style, the fundamental aspects of using design systems to plan research guides. She demonstrated the concept of “user experience” and gave some very sensible “top tips” for incorporating the user perspective and assessing the clarity of research guides before publishing them. My favorite line from her presentation, “I want my user to see their paper and not lose hope!” referenced the frustration of going astray in a trail of clicks through a website.

Next up was AJ Blechner, whose insightful presentation used hands-on tasks to help participants understand how to minimize sentences, clearly and efficiently name links and describe images, and discern how people with visual impairments perceive online visual content. I especially appreciated two aspects of AJ’s presentation: They provided

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PROGRAM REVIEWS

very sensitive explanations about why and how to compose alt text to communicate the same content to people with visual impairments that is available to non-visualy impaired readers, and they offered pleasant and efficient responses to participants’ many questions and comments.

Savanna Nolan brought the program home with a terrific demonstration of how her library’s website evolved through three transitions. I think I laughed out loud when she recalled being a law student in need of librarian assistance even to find the research guides within the library’s website. She provided several handy tips for using LibGuides software to its best advantage and generously shared thoughtful details about planning her usability study—which involved setting up a physical kiosk to be sure and catch representatives of all of the library’s various constituent groups!

This was truly a well-planned and well-presented program that was much appreciated by its large audience.

UNMASKING BIAS IN CASEBOOKS: FROM THEORY TO PRACTICE

Stephanie Farne
Boston College Law School

While we all well know that casebooks contain edited versions of cases, have you ever stopped to think about how those cases are edited and the impact of the edits on law students’ interpretation of the cases? Kathy Fletcher, Yasmin Sokkar Harker and Nicholas Mignanelli lead a thought provoking discussion about casebooks in their program “Unmasking Bias in Casebooks: From Theory to Praxis.”

In her 2021 article, Casebooks, Bias, and Information Literacy—Do Law Librarians Have a Duty?, Ms. Fletcher reviewed several different casebooks and compared how the same case was edited by different authors. For example, the treatment of Kelo v. New London varied substantially across four different casebooks. One casebook did not include this case, and the other three contained very different edited facts. The comparison is pretty eye opening, and you can review the different versions by accessing the article.

During her presentation, Ms. Fletcher tied the choice of facts to bias. She emphasized in the presentation that bias in casebooks is particularly troubling because law students, in particular 1Ls, are notoriously nervous and overwhelmed. The law is new to them, and these new students are not able to evaluate or to note bias. Nor could students compare an edited case with the original version without accessing the full text of the case from an alternate source. With their workload and new legal research database skills, law students are not well positioned to make critical judgments about the edited versions of cases in their casebooks.

With that limitation in mind, is teaching critical information literacy a key tool to assist students to identify bias in casebooks? AALL Principles and Standards for Legal Research Competency Standard III states that, “A Successful Legal Researcher Critically Evaluates Information.” However, Ms. Fletcher noted that identifying bias is not currently explicitly included in the AALL standard. During the presentations, whether it is the duty of law librarians to teach critical evaluation of information, such as in casebooks, was discussed. The timeframe of the program did not afford sufficient opportunity to dig into the issue; however, the debate about how best to equip law students with skills to see bias in their studies will continue to be important into the future.

The speakers then moved on to the “praxis” section of the presentation. How can law librarians help students identify any bias in their casebooks? One interesting approach used at Yale Law School was shared by Nicholas Mignanelli. As part of introducing students to case briefing, the YLS librarians share versions of a case, Stambosky v. Ackley from a

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1 545 U.S. 469 (2005).
reporter and from a casebook. Students are first asked whether they agree with the majority or dissent after seeing the casebook version. Next, students read the full version from the reporter and are asked again about the side with whom they agree. Many students change their minds based upon the version of the case they read. Mr. Mignanelli noted that this exercise demonstrates how bias in case editing can fundamentally impact a student’s understanding of the case. This approach plants the seed, and students begin to think critically about legal information.

Further, according to the presenters, comparing versions of a case and discussing how a case is edited is also useful to teach the principle that cases may address several points of law, rather than just one. Understanding this principle makes it much easier for students to decipher citators, which reference different points of law in the same case. During this discussion, one attendee asked if Open Educational Resources (OER) casebooks are a solution to address issues of bias. Ms. Fletcher pointed out that even if you are editing your own casebook, there is bias, and it could be even worse because of the lack of editorial review.

By exposing bias in casebooks, Ms. Fletcher said that she is hoping to “widen the tent,” so more students feel like they belong at law schools. With edited cases, students may not see themselves in the case and therefore in the law. Mr. Mignalli pointed out that it is almost impossible to get rid of all bias, but by using critical information literacy skills, students can begin to unmask the bias. One attendee observed that students may not even know casebooks contain edited versions of cases. So, the job of educating students about casebook bias has to start with what a casebook is.

This program raised important questions about a fundamental law school tool: the casebook. Attendees stayed to continue the discussion well beyond the time set for the program, showing a keen interest in the topic. Moving forward, examining bias in casebooks is an area where law librarians can have an impact, both working with each other and with departments and professors across the law school campus. Hopefully, discussion of bias in casebooks will continue within the law librarian community. //

ILLUMINATING ROBERT MORRIS: CREATING A DIGITAL EXHIBIT TO CELEBRATE AMERICA'S SECOND BLACK LAWYER

Stephanie Farne
Boston College Law School

If you are unfamiliar with Robert Morris, Laurel Davis, along with Avi Bauer and Nick Szydlowski, shared the story of the second black lawyer in the United States. The presenters, who together created a digital exhibit about Robert Morris’ life at Boston College Law Library, shared the genesis of this fascinating project in their presentation.

Who Was Robert Morris?

The program began with an overview of Robert Morris and his library. While he is the second African American to become a bar member in the United States, Laurel Davis explained that Mr. Morris is not well known outside of early civil rights and antislavery historical circles. In fact, there has been no full biography of him. In his practice, Mr. Morris represented the plaintiff Sarah Roberts in the first major school desegregation case in the country, Roberts v. City of Boston.1

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1 59 Mass. 198 (1849).
While the case did not succeed, it did contribute to the passage of an 1855 statute in Massachusetts prohibiting discrimination based on color, race or religion in admission to a public school.

Additionally, Attorney Morris represented a man who escaped slavery in Virginia, Shadrach Minkins. He was rescued from his court appearance by a group of abolitionists and eventually made his way to Canada on the Underground Railroad. Mr. Morris was charged with aiding Mr. Minkins in his escape but was found not guilty. Undeterred, Robert Morris continued to work with organizations that were dedicated to rescuing enslaved persons.

**ROBERT MORRIS' LIBRARY**

Attorney Robert Morris’ diverse library, including poetry, novels, books by his contemporary black writers and more, is the only known extant, antebellum African American-owned library. One might ask, since Attorney Morris did not attend Boston College Law School, why were his books at BC? After much research, the team learned that Mr. Morris had a Boston College YMCA membership card and was called “The Irish Lawyer” because 75% of his clients were Irish. Mr. Morris’ wife was Catholic, and Mr. Morris also joined the Catholic church in 1870. In addition to his ties to the Catholic church and the Irish community in Boston, Mr. Morris was an early benefactor of Boston College. So, his personal ties to Boston College forged his connection to the school.

**WHY A DIGITAL EXHIBIT?**

Avi Bauer explained why the digital format worked so well for this exhibit. He pointed out the advantages of an online exhibit:

- **Physical accessibility:** The length of the exhibit, which unlike a physical exhibit, is not limited by the need to rotate content. Additionally, people outside of Boston College’s geographic area can view and learn from the exhibit.
- **Content accessibility:** The audience for a digital exhibit is much larger than for a physical exhibit, increasing the number of people who can learn about Robert Morris. The exhibit also intends to reach secondary school students, who can view the exhibit from any location.
- **Content breadth:** An online exhibit is not limited to the physical items which Boston College Law Library owns. Collaborating with a broad set of institutions, the exhibit draws upon items owned by the Massachusetts Supreme Judicial Court, Boston Athenaeum, Library of Congress and more. Incorporating these materials from beyond Boston College’s collection means that the story becomes so much richer.

**HOW THE EXHIBIT CAME TOGETHER**

Nick Szydlowski outlined how the group built the exhibit team. The skills they needed, present in many libraries, included specific content expertise, project management abilities, writing for the web familiarity, proficiency with building information architecture and user-centered design (UX) and graphic design experience.

In order to accomplish everything required, the team took on and assigned projects to build skills and provide opportunities for cross training. Utilizing tools such as Github, the team kept on track, even with staff turnover. Project management was almost fully remote, and the team regularly employed Zoom meetings. The team leveraged familiar tools such as Google Docs for drafting, spreadsheets for organizing tasks and Google Drive for temporary file sharing and storage. The project team was small, so some tasks were tackled by the group, while others were assigned to a single team member.

Avi Bauer outlined the tech tools the group used, which include AEM Adobe Experience Manager along with several
open-source components (Knight Lab Timeline JS and Knight Lab StoryMap JS), which had the advantage of offering a low entry barrier for this academic based team.

TRANSLATING THE PROJECT TO OTHER INSTITUTIONS

A project like this can be part of organizational change and increasing inclusivity. Avi Bauer suggested appraising the campus climate and culture and trying to incorporate the cultural and institutional history. Look at whose voice is centered, who has been overlooked and how to expand the narrative. Historic photos and newspapers can help identify those overlooked voices.

For additional inspiration, take a look at other project examples, which are linked from the Robert Morris exhibit. The speakers pointed out that there is a growing momentum for this type of work and offered lots of examples and inspiration. The group of presenters emphasized their willingness to answer questions about their project, if you decide to try a similar effort at your own institution.

This program not only highlighted an important figure in legal history, but also walked attendees through the process of tackling a similar project at their workplaces. //

USING OPEN EDUCATIONAL RESOURCES TO MAKE THE LAW AND LAW SCHOOL MORE ACCESSIBLE AND AFFORDABLE

This session was presented by the University of Georgia’s Amy Taylor, Stephen Wolfson, and TJ Striepe. Open educational resources (OER) are materials made available under an open license, allowing authors to grant permission for their works to be used with certain restrictions. To start, the presenters explained the available Creative Commons (CC) licenses, which are often used for OER. But CC licenses are not required when creating OER; in fact, you can create your own license if you wish.

While focusing on “true” OER, the presenters briefly acknowledged some closely related alternatives. For example, by selecting chapters from Wolters Kluwer or Aspen Publishing textbooks, you can create your own book that your students can purchase at a reduced price. Courses can also use library-licensed content, such as West Academic Study Aids collection materials.

WHAT THE PRESENTERS ARE DOING

According to the presenters, when faculty create open casebooks, they usually begin with a list of cases in mind. They may revise that list after reviewing the tables of contents of several casebooks on the subject, and once they have selected the cases to cover, the faculty member will arrange and edit them. Finally, they can add questions for discussion. Of course, faculty must avoid copying others’ work in this process. The presenters said this was the most common approach to creating OER at their institution.

As an example of another approach, Amy Taylor discussed using Pressbooks to create a textbook for her Georgia Legal Research class. She easily incorporated her text and videos into the platform. She released her book under a Creative Commons license.
The panelists stressed that administrative support has been crucial to the library’s success in promoting OER. For example, the Dean sends out an email every year encouraging faculty members to use OER, which includes a link to the library’s OER LibGuide. The email also contains a one-page document explaining how much money students can save.

**RESOURCES FOR FINDING AND CREATING OER**

A significant portion of the presentation was spent covering various resources relating to OER, which are listed below.

**Platforms for Finding and Creating OER**
- **Pressbooks** – This platform has a low barrier to entry. You can clone books on Pressbooks to put on your own platform.
- **OER Commons** – This is a good place to search for OER.
- **George Mason OER Finder** – This was described as the “Google” of OER. It searches 22 databases, which is good if you need a comprehensive search. There are filters by type for books, modules, exercises, etc.
- **Merlot** – This is an older resource that was highly recommended by the presenters. It is not peer-reviewed, but materials are screened before being included. You can search by material type (assessments, syllabi, books, modules, etc.).
- **Open Textbook Library** – This provides a basic Google box search.
- **CALI’s eLangdell Bookstore** – CALI’s online textbooks are limited to law, are peer-reviewed, and use Creative Commons licenses.
- **Harvard’s H2O Platform** – This platform is targeted at law. It allows for the creation of free textbooks. You can repurpose materials that you find there.

**Resources for Finding Images and Videos**
- **OpenVerse** – This is a WordPress resource. It was recommended as a good place for finding royalty-free content. The content is largely photos, but it contains other materials.
- **Photos for Class** – This is specifically for education. It might have unique content that is not found in other resources.
- **Pixabay** – This is a huge collection of resources. The presenters warned that not everything you find there is royalty-free.

**Tools for Testing Accessibility and Inclusive Design**
- **Accessibility Toolkit** – This is part of a larger project from Boston College. The presenters noted that it contains a helpful checklist.
- **Module 9 Accessibility** – This is from the University of Washington. It gives you links to tools that can help you fix accessibility issues.
- **WAVE** – This allows you to test your work for problems. Put the URL for your product into WAVE, and it will evaluate it. Wave was highly recommended by the presenters.

**AUDIENCE PARTICIPATION**

Audience members made several important contributions to the program. One person admitted having concerns about whether his legal research materials were suitable for release as OER under a CC license. In response, the presenters noted...
that as more OER become available, the overall quality can be improved because these materials can be modified and remixed. One of the underlying purposes of OER is to provide a pool of works others can build upon.

Another audience member suggested that faculty are not interested in OER because they lack incentives and are worried about violating copyright. Despite suggesting that copyright concerns seem somewhat “thin” in the context of editing cases, the presenters emphasized that when creating open casebooks, faculty should edit cases themselves. In addition, they noted that the incentive structures within academia are changing to encourage the creation and use of OER.

The presenters asked if anyone had used OER for access to justice initiatives or had experienced barriers to using OER this way. In response, an audience member expressed concern about the potential for unauthorized practice of law claims based on detailed information in OER. Sometimes, it is hard to tell the difference between conveying legal information and offering legal advice.

One of the key takeaways from the program was that OER are not meant to be used only in their current form. Instead, many OER come with a license that allows them to be remixed and adapted.

Another key takeaway was that electronic OER can be extended “beyond the book.” OER often exist in online environments where video, audio, and graphics can be embedded. If done correctly, this can make your materials more engaging and interactive. Hypertext links, for example, allow users to explore materials nonlinearly. Although Wikipedia-like OER are still primarily experimental, the presenters believe that they will become more popular. As mentioned above, another area for growth is using OER to promote access to justice.

Finally, grant funding may be available for those interested in creating or promoting OER. Some academic institutions provide small grants of $3,000 to $5,000 to faculty members, so they can create OER. State grants might also be available. One way the presenters promote OER is by forwarding information about available grants to faculty members.

CONCLUSION

The session was informative and engaging. Having attended, I hope to integrate OER into my courses using some of the suggested resources. Furthermore, I feel better equipped to advocate for the broader use of OER at my institution. //
The presenters for this session were Jordan Jefferson of Yale University, Annie Robbins of the University of Illinois, Ana Ramirez Toft-Nielsen of Greenberg Traurig, and Michelle Hook Dewey of Mercer University. In addition to the formal presentation, which is summarized below, the session included an interactive component in which participants in small breakout groups were given several scenarios to discuss.

The session started with the panel defining the term “profession.” They identified four consistently referenced characteristics of professions that also aligned with the duties of a law librarian. These characteristics are specialized knowledge and skills; autonomy and control over one’s work; an organized body of ethics and standards; and a high level of training or focused education.

The panel then explored the meaning of specialized knowledge. According to the panelists, specialized knowledge “includes a range of factual, theoretical, and practical knowledge as well as competencies or skills in a particular field or profession.” Law librarians possess specialized knowledge about research and industry. This means, for example, knowing the right resource or platform for a particular situation. We also usually have institutional knowledge; we know where to find certain types of information.

The panel also briefly discussed the history of the profession. They explained that modern law librarianship is relatively new, having been established after World War II, and the first law libraries were small private collections. They evolved into more extensive collections that provided resources and services to paying members of bar associations.

Working in the library at that time generally meant fetching books and maintaining an orderly collection. There was no degree program in librarianship, so these custodian-librarians aligned themselves with the legal profession. At this time, academic law libraries were an afterthought, with collections based on donations of personal materials. According to the panel, they were often staffed by “a student, janitor, or old man, usually someone leaving the faculty.”

Eventually, modern law librarianship developed with specialized training programs and the support of AALL. However, program reviews
after the financial crisis of 2008, budget cuts combined with a lack of understanding about what we do created a servient “culture of yes,” which encouraged agreeing to clerical and administrative tasks without considering whether they were appropriate. This has eroded the status of the professional law librarian.

SERVICE AS A PRODUCT VS. SERVICE AS A DELIVERY MECHANISM

The presentation next focused on how to best work together with our patrons. Typically, reference interviews provide an opportunity to educate the other party, and the discussion can be guided by questions that help you pair your specialized knowledge with the patron’s specialized knowledge. By stating what you can and cannot do in a reference interview, you can set expectations and establish boundaries.

Boundaries are hard because part of being a professional librarian is service, but the panel emphasized that we need to offer services that are appropriate to our education and skills. We need to learn to say “no” to some things while still being helpful. For example, if you are asked to do a purely administrative task, suggest helping to train someone else to do the work. Often people will be understanding, especially if you offer an alternative way of accomplishing their goal. And look for win-win solutions. One audience member suggested seeing if paralegals who have billable hours requirements could help with administrative tasks such as case pulls.

REFRAMING THE WAY WE PRESENT OURSELVES

The discussion then turned to the proper terminology for describing what we do. We must use the right words in our conversations, mission statements, and job descriptions. The panel suggested to try using words like “collaborate” and “partner” rather than “support.” Instead of being viewed as “assistants,” we should assert our status as “experts” and “peers.”

Further, rather than claiming to be precisely equivalent to law professors, for example, we should work to establish ourselves as peer professionals, like doctors and architects. Or, as an audience member suggested, we can frame our position with respect to our patrons as one of consultants. Attorneys are familiar with working with consultants who have specialized expertise that they do not possess.

TAKEAWAYS AND CONCLUSION

You don’t have to approach efforts to align your work and expertise with an all-or-nothing mindset. If librarians at your institution have been doing administrative tasks for years, you probably won’t be able to change that overnight, and occasional time-limited situations may require you to do non-professional work. Finally, most organizations have at least one person you can’t refuse. That’s okay; the conclusion of the members of the panel was that it’s just “the political nature of life.”

In closing, the following line from the presentation has stuck with me: “Service is a mechanism for our expertise, but it is not what we do.” I think that’s something we should take the time to consider more fully. The presenters suggested that this session should be the start of a larger conversation. Along those lines, the program provided a good framework for thinking more strategically about our professional identity. //
This program was presented by Aamir Abdullah of the University of Colorado School of Law, Jason Tubinis of the University of Georgia School of Law and Valerie Horton and Havilah Bakken, both of the San Diego Public Law Library. The panel, comprised of two academic and two public law librarians, provided a nice diversity of ideas, and the panelists’ unique perspectives and experiences helped highlight the versatility of YouTube as an outreach tool.

To begin, each panelist discussed how their respective institutions originally established their YouTube channel and the content of their videos. Aamir's institution used YouTube as an orientation tool to reintroduce incoming 2L and 3L students to the library after a year of being remote. Valerie and Havilah used YouTube to record videos that answered common patron questions. Jason’s institution used YouTube to deliver both informational and fun videos, including a video on how to make origami.

The panelists then dug into the nuts and bolts of creating YouTube videos. Luckily, all you need is Zoom in order to effectively record them. Using the screen capture function in Zoom allowed the panelists to record their narration as well as their on-screen activity into a video. For editing videos, the panelists recommended both the free software OpenShot and the built-in video editing functions available on YouTube. One piece of good advice the panelists offered was that having poor video quality is okay but having clear audio is a necessity. So, when starting a YouTube channel, the panelists recommended investing in a good quality microphone.

Next, the panelists talked about how to choose content for YouTube. To come up with content ideas, they recommended focusing on the needs of the patrons and using opportunities that already exist. For example, the San Diego Public Law Library published some of their recordings that they did for CLEs. If your library is getting the same reference question repeatedly, that topic might make a great YouTube video as well.

When creating videos, the panelists recommended being aware of the library’s brand. Jason mentioned that most universities have official fonts and colors that are available and can be used in your videos. Aamir explained how his library uses owls in a lot of their videos because owls are the unofficial mascot for his library. Valerie and Havilah described how each of their videos contained the same opening and the same closing. Having a consistent brand can help with the outreach component of using YouTube.

The panelists also discussed how to evaluate the effectiveness of YouTube videos. They did this by pulling monthly user statistics on user views. YouTube tracks this information, and you can obtain it directly from the website. They also warned about becoming too preoccupied on user views when creating videos. If you end up overanalyzing whether the video is a good idea, it can stall the entire project, and you never know what a hit will be. Sometimes videos that the panelists thought would not be popular turned out to be very popular!

Overall, this was a great presentation that blended real world experiences with practical advice on how any law library can establish their own YouTube channel.
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Most readers will have a basic knowledge of or understanding about the case *Georgia v. Public.Resource.Org* (hereafter referred to as PRO). This session gave an overview of the aftermath of that decision. The decision, relying on the government edicts doctrine, required Georgia to provide their state code, including the LexisNexis annotations, to the public free of any copyright restrictions; the doctrine requires that material published under the authority of the government not be copyrighted. However, Georgia and a myriad of other states, including Tennessee, Mississippi, and Vermont among others, have begun using contract law to apply many of the same restrictions sought under the original copyright claims.

According to the panelists, in many situations, the contractual obligations forced on users of the Code create restrictions that are essentially the same as the copyright restrictions present in PRO. What is more problematic though, which both speakers David Hansen and Leslie Street addressed, is that historically the United States courts have been much more accepting of contractual protection arguments than copyright protection arguments. Meaning that the current practice is on a more solid ground against challenges than the previous regime.

The panelists also discussed another approach to bypassing the copyright issue. Some states have included “disclaimers” on their digital codes that identify certain elements as non-binding and therefore not required to be published online by the states. This has meant that important information, like the session law history, is either removed completely or limited to the most recent amendments, resulting in the loss of swaths of legislative historical material. Further compounding the problem, according to the panelists, is that even under the PRO ruling, courts generally are more inclined to punt on copyright issues, identifying Fair Use as a potential remedy that does not require a resolution.

These three legal realities have revealed a treacherous future for proponents of open and free access to primary legal materials. This also goes far beyond the legal codes of states and raises questions about accessibility under the government edicts doctrine for materials like jury instructions (written by judges), dockets (published by the court), and other materials currently monetized but published entirely under the authority of the government.

While this may all sound dire (and it is), the session was quite hopeful; the panelists concluded the session by identifying current librarian and other actors’ efforts at advocating for open resources. At the end of the session, librarians gave their experiences and advice to the audience of ways to get involved and work locally to make resources more open. While not primarily a call for advocacy, the conclusion of the session gave the clear impression that librarians have a tremendous amount of power and knowledge and can use both to impact this issue locally and nationally. //

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1 140 S. Ct. 1498 (2020).
2 If not, review the syllabus here.
SPEAKING A NEW LANGUAGE: THE WHATS, WHYS, AND HOWS OF TEACHING LITIGATION ANALYTICS

Meredith Capps
Vanderbilt University

This panel helpfully included speakers who both currently and previously worked in a variety of legal information environments, including law schools, law firms, and both state and federal courts (Peter Hook, currently at Notre Dame; Diana Koppang at Neal, Gerber & Eisenberg LLP; Anna Russell, Alaska United States Courts Library for the Ninth Circuit; Ann Walsh Long at the Nevada Supreme Court; and Iantha Haight, Brigham Young).

The panel began by introducing attendees to the different types of litigation analytics, including data and metrics derived from court dockets (ex. representation) and information derived from judicial opinions (ex. words and phrases). Citing Katy Borner’s “insight need types” offered in Atlas of Knowledge, the panel discussed several different “need types” that can be addressed using different analytic tools. Categorizing and clustering tools, for example, categorize case types and claims for matters involving particular litigants; ordering, ranking, and sorting tools identify which courts hear more of particular claim types and the case volume of particular judges. Distribution graphs depict the number of opinions a particular judge has issued dealing with different areas of law, and comparison tools may examine the typical matter duration of cases assigned to different judges. Finally, geographic data tools may map the courts in which particular attorneys most routinely appear.

In discussing what lawyers and law students should know about analytics tools, the panel first compared several commonly used tools – Bloomberg, LexisNexis Context, Lex Machina (owned by Lexis), and Westlaw Edge – focusing on their differing scopes of coverage. (One speaker suggested that instructors ask students to fill out a coverage comparison table for these tools on their own.) When evaluating analytics, users should first determine whether a tool has content from the court(s) they need; further, if relevant, they should also consider date coverage, availability of opinions and underlying documents beyond the docket, inclusion of attorneys appearing pro hac vice, whether the platform distinguishes between denials based on the merits or denials based on mootness, and other available data points. Users should also understand that results are dynamic and may change over time.

The presenters also discussed the limitations of analytics given the data provided. For example, the “nature of suit” field used in PACER allows for only one selection and selections are not always accurate. Further, lawyers and students should also understand that correlation is not causation, and since the data do not often reveal a cause underlying a relationship, they should be cautious in assigning predictive value to litigation analytics data. Having addressed some limitations of litigation analytics, the panel then discussed how analytics are nevertheless used in practice, including some real-world examples of requests from attorneys. Though litigation strategy is one of the more obvious uses, others include competitive intelligence research, researching potential employers and clients, and use in alternative dispute resolution. A panelist working in courts noted that these tools have generally not been embraced by judges, at least some of whom feel that the data often misrepresents their work.

In incorporating litigation analytics into a legal research course, the panel recommends that instructors discuss the basic features and limitations of the platforms as noted above but also encourage students to consider the practical and ethical implications of adopting this technology. Questions that the instructor might ask students to consider include what types of courts are missing in a particular tool and why the selection of certain data points as pivots (ex. nature of suit) matters. When pitching a course including or focusing on analytics, consider the ABA standards for simulation courses, how such a course might meet student needs in gaining experiential credit, as well as student preferences regarding format, including online and asynchronous options, in designing a proposal. One panelist suggested that litigation analytics would pair well with dockets instruction in a broader legal research course or in a module discussing competitive intelligence.

Annual meeting attendees will find a good deal of content provided by the speakers in their conference app, including syllabi and lesson plans. //
ALL-SIS was established in 1979 to promote interest in and to address issues of common concern to those employed in academic law libraries. The SIS serves as the umbrella organization for all interests—administration, collection development, consortia, directors, fees for service, interlibrary loan, public services, technical services, middle management, etc.

ALL-SIS provides opportunities for all librarians to contribute to the overall betterment of the entire academic law community. ALL-SIS has grown to approximately 1,200 members and is the largest SIS in AALL. Our members come from all aspects of academic law librarianship. Because of the SIS’s broad coverage and subtopic focus, all those working in academic law libraries can benefit from membership and are encouraged to join.