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Citation: 11 FCIL Newsl. 1 1996-1997



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FCIL Newsletter

Volume 11

May 1997

Number 3

Message from the Chair

by Margareta Horiba
Tulane University Law Library

The magnolias are blooming outside my window and the campus radiates with fresh greenery and new suntans, and peppy sophomores are guiding tours showing off Tulane at its best to yet another brood of prospective freshmen and their parents.

The better part of a year has breezed by since I took over as Chair and it has been my privilege to serve. With the steady support of committed and hard-working members it has been much less of a burden than I anticipated. Marci Hoffman has provided feedback on the program

selection process and taken on another year heading our program committee with a co-chair. Anne Burnett has created the FCIL SIS homepage linked to AALLNET. Ken Rudolf has given us a good name and a good face with the newsletter. Bill McCloy is my constant backup support and my successor. Thanks to all of you and many others that I am in touch with. A most deserving person is Anne Myers, the SIS Council chair, who is prompting and cajoling responses from us chairs, holding us to deadlines, and keeping us up-to-date on issues facing the SISs.

I will briefly let you know of two new documents that have been circulated. The one that affects our SIS the most is the *Program Planner's Handbook*, a 36-page document from the Annual Meeting Program Selection Committee outlining procedures in detail. Marci has more to say about it in another section of this newsletter. It looks as if we are in for a change at the Anaheim meeting. The programs will center around four topics—management, information, technology, and law—with a keynote speaker leading off on one of these topics each day. There will be programs of different lengths and no guaranteed slots. We

Let's Do Lunch in Baltimore!

Join your FCIL colleagues for lunch on Monday, July 21.

For those who are attending the official Association Luncheon, Dan Wade will once again reserve tables. You will be able to find your colleagues by looking for the United Nations flag. Significant others are welcome to join the group at this long-standing traditional gathering.

For those who are not attending the official luncheon, Jonathan Franklin will make reservations at a nearby restaurant for any colleagues who wish to eat together. Jonathan promises to continue the tradition, begun last year, of not inviting a speaker for this alternative lunch.

To reserve your place at the FCIL tables at the official luncheon, contact Dan Wade by Friday, July 11, at 203-432-1615, fax 203-432-4604, or e-mail wade@mail.law.yale.edu

To reserve your place at the unofficial lunch, contact Jonathan Franklin at 313-764-6150, fax 313-764-5863, or e-mail jafrank@umich.edu

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have to compete on the strength of the programs proposed. How this will be interpreted and played out, of course, remains to be seen.

The other document is an impressive *Strategic Plan 1997-2000* developed by the Private Law Libraries SIS. It is interesting and edifying to read how they are trying to see the future and establish continuity and direction. I will share with you their five vision statements. Our membership is a cross section of all law librarians and I am sure we can chime in here. "1. A population of private law librarians who will continue to be competent, viable, professional leaders within the private setting. 2. Employers in private settings will understand the complexity of the legal information environment and the value of law librarians. 3. Law librarians will be a powerful force in shaping publishers' products and services. 4. PLL members will be cutting-edge leaders of the profession within AALL and related organiza-

FCIL Newsletter is published in October, February, and May by the Foreign, Comparative, and International Law Special Interest Section of the American Association of Law Libraries. The main goal of this Section is "to serve as a forum for the exchange of ideas and information on foreign, comparative, and international law, and to represent its members' interests and concerns within AALL."

This *Newsletter* is sent free to members of the FCIL SIS. It is available to members for that "exchange of ideas and information."

The *Newsletter* can be read on the World Wide Web at <http://www.aallnet.org/sis/fcilsis/fcilsis.html>.

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New Editor

Beginning with the October 1997 issue, Anne Burnett will assume the editorship. Please address correspondence to her at: University of Georgia Law Library, Herty Drive, Athens, GA 30602; phone 706-542-5298; fax 706-542-5001; e-mail aburnett@peachnet.campus.mci.net

tions. 5. Law librarians will lead balanced and satisfying professional and personal lives."

Finally I invite you to all the FCIL meetings in Baltimore and especially to the Annual Business Meeting Tuesday, July 22, at 5:15, when we will have a reception and honor new members and attendees from abroad. . . . See you there!

From the Editor

After four years as editor and two as layout editor, I am producing my last issue of this newsletter. While some aspects of producing a newsletter may be frustrating, I have enjoyed the opportunity to learn about the SIS and to become acquainted with many of you.

Of course, every issue has been the result of the efforts of a number of people. I have been gratified by the number of you who have contributed articles and ideas. There are several people, however, whom I wish to acknowledge. Carmen Valero has served faithfully as copy editor for the past five years, catching many errors and awkward expressions that I missed. Mila Rush has contributed a column for three years helping us keep track of the activities of our colleagues. Aaron Kuperman has written a fascinating column on cataloging and classification issues for three years. Janice Selberg contributed a column on INT-LAW from 1992 to 1996. I am grateful to the Chairs for their support, and Dan Wade, who got me into this in the first place, has been an invaluable adviser.

Finally, I wish Anne Burnett all the best as she begins her term as editor. I hope she finds the task as rewarding as I did.

And now it is time to turn to the next task at hand—preparing to move to temporary offices for the second time in eighteen months. Ask me in Baltimore about our building renovation project—*not!*

Baltimore Calendar

Sunday, July 20

9:00–10:00 a.m. Teaching Foreign and International
Legal Research Working Group

10:00–11:00 a.m. Education Subcommittee

11:00 a.m.–
12:30 p.m. Subcommittees Concurrent
Meetings

1:00–2:00 p.m. Electronic Issues Working Group

2:00–3:00 p.m. CIS/East European Law Working
Group

3:00–4:00 p.m. African Law Working Group

4:00–5:00 p.m. Asian Law Working Group

5:00–6:00 p.m. Latin American Law Working Group

Monday, July 21

8:30–10:00 a.m. International Legal Regimes and
Their Capture in Classes KZ
and JZ: Shifting Boundaries,
Changing Traditional
Jurisdictions (A-6)

10:15–11:45 a.m. Around the World in Eighty Minutes
(B-7)

Tuesday, July 22

9:00–10:30 a.m. Covering the Waterfront—Africa: A
Role for American Law
Librarians in Developing Library
Services in Africa (C-6)

10:45 a.m.–
12:15 p.m. Asian-Americans Facing
Discrimination (D-3)

Foreign and International Law:
Monographs and Serials,
Vendors and Sources (D-7)

3:45–5:15 p.m. Glanville's World: The Rise of
English Common Law
(Navigating the Law Through
the Ages) (F-6)

5:15–6:45 p.m. Annual Business Meeting and
Reception

Wednesday, July 23

8:30–10:00 a.m. The Next Wave of International
Intellectual Property Law: The
WIPO, the WTO, and the New
Berne Protocol (G-4)

International Legal Regimes: New
International Institutions for
Conflict Regulation (G-5)

English Legal Research from an
American Perspective (G-7)

From the Vice Chair

by Bill McCloy

University of Washington Law Library

The Baltimore meeting will be upon us almost before we know it. As I have been in touch with various of you regarding committees and working groups, my excitement has grown in anticipation of seeing you all again this summer as well as in consideration of the important work of our SIS programs, committees, and working groups. In the last

newsletter, I promised an update on the working groups and committees and the names of those who have agreed to chair them. An important development this year is that (thanks to the good work of Anne Burnett) this information is now available on our own FCIL SIS webpage: <http://www.lawsch.uga.edu/fcil/fcil.html>. In addition, the schedule of meetings for our SIS is available on a page linked to the AALLNET homepage: http://www.aallnet.org/events/97_meeting_index.html as well as elsewhere in this newsletter. Fortunately, in spite of the continual challenge we all face

in arranging schedules so as not to miss anything of importance or interest, this year it looks as though at least no FCIL meetings will conflict with each other! (Thanks, Margareta!) To honor our new (and continuing) leaders, I have listed the groups and their chairs below. Please check the final program for meeting locations.

- **African Law Working Group**—Victor Essien, Chair
- **Asian Law Working Group**—Wei Luo, Chair
- **CIS/Eastern European Law Working Group**—Radu Popa, Chair
- **Clearinghouse for International Placements**—David McFadden, Chair
- **Education Subcommittee**—Marci Hoffman and Gail Partin, Co-Chairs
- **Electronic Issues Working Group**—Marylin Raisch, Chair
- **Latin American Law Working Group**—Edgardo Rotman, Chair
- **Newsletter**—Anne Burnett, Editor

- **Nominations Committee**—Jonathan Pratter, Chair
- **Publications Committee**—_____, Chair
- **Teaching Foreign and International Legal Research Working Group**—Christine Corcos, Chair

Three groups will not meet this year, as there appears to be insufficient interest or commitment on the part of our membership to continue them. Whether this is a permanent or a temporary decision will depend on you and the feedback you provide to your officers. I would like to hear your opinions in person this summer! These three groups are the following:

- **International and Intergovernmental Issues Group**
- **Processing Issues Working Group**
- **Special Committee for Self-Instructional Materials**

See you in Baltimore!

“New Horizons” for 1998

by Marci Hoffman, University of Minnesota Law Library,
and Gail Partin, Dickinson School of Law Library,
Co-Chairs, FCIL SIS Education Subcommittee

Once again it is time to start planning the programs for the 1998 Annual Meeting in Anaheim. The theme chosen for the meeting is “New Horizons.” This year we have been given a *Program Planner’s Handbook* by the Annual Meeting Program Selection Committee (AMPSC) in order to assist in the planning process. So, it is time to get those ideas flowing. The Education Subcommittee would like input from the members in advance of the meeting. The time between the meeting and the deadline for turning in proposals is always so short, so we need you to come to the meeting with ideas in hand (and on paper). This is your opportunity to share ideas for your continuing education. I have heard that folks are not happy with the program offerings, so let us know what you want to learn about. Better yet, write up a proposal. Anyone can do this and the subcommittee will help you fine tune your proposal. This is your opportunity to get involved!!

You may be wondering how to choose a topic for a program. Well, in the *Program Planner’s*

Handbook, the AMPSC selected four broad subject themes for the 1998 meeting. Listed below are the themes and some of the topics they have suggested under these themes.

New Horizons in Management

Knowledge Management*
Economics of Information*
Team Building
Leadership
Contract Negotiation

New Horizons in Information

Business Information Sources*
Consumer Advocacy*
Data Mining
Format

New Horizons in Technology

GPO & Technology Standards*
Admissibility of Electronic Evidence*
Training Users
Ergonomics

New Horizons in Law

Pacific Rim

Water Rights
 Developing New Areas
 Electronic Information

These are a few of the many topics listed in the *Handbook*. The topics with an * denote programs "preapproved by AMPSC" (yes, they have preapproved programs). Our programs should be based on topics that are of interest to our SIS members. Start by taking notes on the topics which are in the literature you review every day, or things that come across the listservs on foreign and international law. Think about areas that you want to learn more about. Even if you do not want to write up a program proposal, you can submit an idea to the Subcommittee.

Here are some other points to consider when writing up a program. First, pick up a copy of the *Program Planner's Handbook*, it is supposed to give guidance and suggestions for program planning. For a copy of the *Handbook*, please contact AALL Headquarters. While we may not agree with some of the requirements, we have to live with them. Second, be sure to have clear and concise "issue statements" and "learning outcomes." There are samples in the *Handbook*. Third, there are a variety of formats available, so you don't have to use the standard "talking heads" program. The *Handbook* contains program and workshop proposal forms. Some of the information from the *Handbook* as well as the forms will be available on AALLNET (<http://www.aallnet.org/index.html>). A listserv is also being established to disseminate information about programming. To subscribe, send a message to: listserv@aall.wuacc.edu. Leave the subject line blank and type in the body of the message: "subscribe AnaheimEdProg@aall.wuacc.edu" (no spaces or quotes).

If you are interested in seeing what has been proposed in the past, please see the FCIL website at <http://www.lawsch.uga.edu/fcil/fcil.html>. There is also a section on this website for submitting questions and comments regarding programs for Anaheim. If you are interested in serving on the subcommittee, please contact either one of us. We would love to have you participate. Program planning is one of the most important functions of our SIS.

If you proposed a program last year and it was not accepted, we encourage you to resubmit the program (you may need to tweak it a bit) to the subcommittee. Please let us know if you are

interested in doing so. There were many good ideas and some of them just need some refining.

The FCIL Education Subcommittee is scheduled to meet on Sunday, July 20, from 10:00 a.m. to 11:00 a.m. I don't think this should conflict with other FCIL SIS meetings. Check your program for the location. We strongly urge you to participate in the continuing education of our SIS membership. Please do not hesitate to contact either one of us with questions, comments, etc. We look forward to hearing from you all.

Important Dates to Remember

Sunday, July 20, 1997, 10:00-11:00 a.m.

FCIL Education Subcommittee meeting.

Tuesday, July 22, 1997, 5:00-6:00 p.m.

Annual Meeting Program Selection Committee (AMPSC) Open Forum.

Monday, August 18, 1997

Program Proposal Forms due into AALL HQ by close of business.

Early September, 1997

AMPSC meets for final selection.

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Teaching Working Group Posts Syllabi on the Web

Over the past few years the Working Group on Teaching International and Foreign Legal Research has collected syllabi for courses in foreign, international, and comparative legal research. Some of these have been converted into html format and are available at <http://www.lsu.edu/guests/wwwlaw1>

The Working Group continues to collect syllabi and appreciates contributions. They should be submitted in WP format or ASCII format and sent to Christine Corcos, LSU Law Center Library, East Campus Drive, Baton Rouge, LA 70803-1010.

LC Implements New KZ/JZ Schedules

by Aaron Wolfe Kuperman
Library of Congress

The Library of Congress has started using the KZ and JZ schedules. Public international law will class in KZ, and international relations will supposedly class in JZ. The new schedules address the relationships between the subjects by providing options for libraries that don't want to arrange their books the way the Library of Congress does. Several libraries are already using the new schedules based on a provisional draft, but the new schedules will remain fluid for a long time (I suspect, until long after they are officially published, since their captions have to serve a more diverse group of users than any of the previous law schedules).

The former JX schedule provided adequate numbers for books published in the early 20th century, but left no good way to cover "modern" topics (such as regime theory). When originally conceived a century ago, JX was a quasi-legal schedule. International law wasn't fully regarded as law yet (thus, it was put immediately preceding the yet to be written K schedules). Political science didn't really exist as a discipline yet, so works on the theory and practice of non-military relations between nations were more in the realm of legal scholars than anyone else. Over the last seventy years, and especially since the creation of the UN system and the increased activity of intergovernmental and supranational organizations, the study of international relations has evolved into a distinct discipline that is more of a subdiscipline of political science, though anyone studying international law will need access to the literature of international relations, and especially to its source materials.

The interdisciplinary nature of the legal and political aspects of international relationships is addressed through a close connection between JZ and KZ. In theory, the legal aspects of a subject class in KZ, while JZ will use the identical number for the non-legal aspects. However in many cases the non-legal aspects of subjects addressed by the study of public international law have traditionally been classified in numbers outside of JX. For example, while the law of warfare is clearly KZ, books on warfare have classed either in U (military science) or in D (history of specific wars). Legal

aspects of IGOs always class in KZ, but the non-legal books on IGOs that focus on a specific subject (e.g. postal service, health, labor) should continue to class with the subject.

This is the first time a *law* schedule has had to worry about its relationships to a non-law schedule or how useful general (non-law libraries) find LC classification. These issues can and should be addressed by extensive cross-references to and from non-K schedules (something rarely done in the past) and through alternative arrangements for libraries not following "LC-centric practices" or "Law Library-centric" practices.

Most of the numbers are fully interchangeable between KZ and JZ, so that a library can exchange a number between JZ to KZ without conflicting with the other schedule. In effect, virtually all KZ numbers are "reserved" for the legal aspects of whatever the same number is in JZ, and all unused JZ numbers are "reserved" for the political aspects of the international law subject being discussed in the same number in KZ.

A law library that wants its international relations materials to shelve with its international law material can use the JZ numbers from a source bibliographic record and change the letters to KZ. This will facilitate copy cataloging between libraries that have different collection needs. There is no precedent for this in the history of the LC classification, though this is probably a precedent for how theocratic law will be treated in the future KB classification. While LC will probably continue to class historical treatments of foreign relations in history (classes D to F), there are numbers available that may be used by LC for either "policy" as opposed to history, or perhaps will not be used. Numbers are provided for libraries that fully classify for the major international document sets, even though LC doesn't catalog these items.

Because of the above, proposals for changes to the JZ and KZ schedules will be more complicated, since any proposal to one is inherently a proposal to the other. Whereas in the past a "bracketed" (in parenthesis) number in an LC schedule meant it was a rejected number, in JZ

and KZ it will indicate that the number is reserved for whatever it is used for in the other schedule. The relationships with the history and other non-law schedules will make SACO proposals (which are definitely welcome and needed) much more complicated than other cooperative proposals.

KZ should be fairly easy for experienced law catalogers. It has fewer and simpler tables than the other K schedules. The arrangement is quite logical and easy to follow (with no warranty what it will seem like a century in the future). For many materials, specific cutters are assigned for major works which will clarify where the work is classed and how to cutter it (thereby resulting in easier and faster cataloging). For the first 1152 numbers, JZ and KZ closely follow JX and in some cases can be interfiled with JX (these numbers are for the basic document sets, which did not cause the problems that required the new schedule). Where personal names or geographic names appear in the schedules, they are in the standard AACR2 form.

Regime theory is now reflected in the subject arrangements. The range for the law of the sea provides for optional inclusion of "private" topics now classed elsewhere, e.g. maritime law (KZA1150+), currently classed in K1150+, for those libraries wishing to keep all aspect of the topic together but also following current international trends. Similar arrangements hold true for space law in KZD. While general space law has been treated as "public" international law in JX, some aspects have been classed elsewhere, e.g. "Artificial satellites in telecommunication" in K4307. As non-terrestrial jurisdictions develop (e.g. the first time someone writes a dissertation addressing the hypothetical astronauts who elope on the space shuttle, not to mention the first inside traders on Mars), it will probably go to KZD+ (by the way, the Decimal Classification has had a place for extraterrestrial law in its 340 schedule for some time). Thus while K and KZ are non-jurisdictional, everything between them, and after KZ is for a jurisdiction or a quasi-jurisdiction.

Any ambiguity of where to class "war crime trials" is resolved. If by a national court, they class with the law of the jurisdiction. Thus the Eichmann trial classes in KMK44.E33 because it was before a regular Israeli court. Only if the trial is before an international tribunal will the trial reports class in KZ. This has been the policy at LC

for many years, but no one got around to fixing wrong references in other schedules. Consider the case of an alleged "terrorist" who rapes an "enemy" civilian in what he believes to be illegally occupied territory. He might claim his was a patriotic act designed to end the illegal occupation of his country and that the court trying him lacks jurisdiction. These are issues for professors, not librarians. For catalogers, it is easiest to class based on the nationality of the court, since that is not in dispute.

JZ includes some materials that aren't a problem, such as the general documents of international organizations such as the United Nations or works on the mechanics of diplomacy. It provides a much better arrangement of topics and leaves room for more specific developments. And of course, a law library might want to class all the JZ materials in KZ (especially if they collect very little international relations, except in order to support their international law program). It may be a bit vague as to whether documents or works on international organizations class in JZ if they arguably have a place elsewhere, but this will be easy to determine over time.

However, it isn't clear what will happen to books describing historical events that affect international relations. In the past most have gone to the history numbers (usually in D). Peace treaties were classed in D but will now go to KZ (this makes much more sense to legal scholars than to historians) so one has to ask, do the non-law books on peace treaties and peace conferences move to JZ as well? Should general works on foreign relations class in JZ or D-E-F? The KZ tables specify what aspects of peace conferences (e.g. final acts, official reports) belong in KZ, but don't address the border between JZ and D-E-F.

For example, the agreement between the PLO and Israel classes in KZ (though arguably it will someday class in KMM as a constitutional document of a future Palestinian jurisdiction). However, where does one class a book about the "peace process" that led to the agreement? One theory would argue it should be in a JZ number equivalent to the KZ number where the agreement classes. However, such literature has gone to a number in DS119.7. While a general library will not be thrilled at losing historical books on international relations, a law library not associated

with a larger library might prefer to keep the materials together in JZ (rather than history), or to put them all in KZ.

One theory is that anything about a specific country belongs in history, and only "theoretical" works should go to J. Another theory is that descriptions of events belong in history but "policy" oriented books belong in J. However, most political scientists describe events in their books, and historians frequently use social science methodology in their work. Catalogers don't like to waste time thinking about overly fine distinctions that are meaningless. LC has been inconsistent in the past, but the new schedule means LC will try to be consistent in the future, while at the same time providing a schedule that is friendly for an unusually diverse group of users with disparate needs. It should be "interesting" (and at least, the strictly law materials aren't the main problem).

This article is not an official communication from the Library of Congress. The views expressed are solely those of the author, who wishes to thank Jolande Goldberg and Marie Whited for their assistance. Official decisions will be published by the Cataloging Policy and Support Office (CPSO).

FCIL Clearinghouse for Internships and International Personnel Exchanges

by Telle Zoller

University of Wisconsin Law Library

On July 19, 1996, a meeting of the subcommittee for FCIL Clearinghouse for Internships and International Personnel Exchanges was held at the AALL Institute on Public International Law in Bloomington. Present were Chairperson Telle Zoller, University of Wisconsin, Madison; Catherine Krieps, University of Pennsylvania-Biddle Law Library; David McFadden, Southwestern University School of Law; Suzanne Thorpe, University of Minnesota Law Library; and Charlotte Bynum, Detroit College of Law Library at Michigan State University.

Telle reported that, although many surveys have been sent to Latin American and European law schools, the response rate has not been very high. We also need to make contacts in Eastern

Europe and Asia. We are planning to use Internet resources to make these contacts, particularly INT-LAW and EURO-LEX and perhaps LAW-LIB and the library directors' listserv.

The importance of asking directors was discussed, because directors are really the ones with the ultimate authority to sponsor these visits. Library directors can also be asked to pass along information to visiting foreign faculty members, so that more contacts can be made in that way.

The committee was also pleased to see the listserv posting by Roy Mersky, expressing his eagerness to facilitate exchanges after his recent visit to Australia. David will speak to him and see if he is willing to share his contacts with us.

David will also use his contacts from his Scottish visit to put information about our Clearinghouse in the Scottish librarians' newsletter. We should also investigate other newsletters and periodicals to which our information could be sent.

David will also contact the dean of the school which he visited in Scotland to see if we can make use of the dean's many Baltic contacts.

The committee has gotten a response from a librarian in Ireland, who has plans to circulate our information to librarians in that country.

There was discussion that perhaps the nature of the visits or exchanges we facilitate might be better clarified. Are the visitors there just to help the visited library, or is more mutuality contemplated?

Plans were made to discuss our Clearinghouse with the foreign librarians attending the Annual Meeting the following week in Indianapolis.

It was also suggested that we might ask, in our newsletter or otherwise through the Internet, individuals to inform us of any part of existing exchanges of which they are aware.

The Clearinghouse welcomes interested librarians to join our meeting in Baltimore, on July 20th, 11:00 a.m.-12:30 p.m., during the FCIL SIS Subcommittees Concurrent Meeting.

SIS Election Results

Radu Popa, secretary/treasurer for 1995-1997, reports the following election results:

- Vice Chair/Chair-Elect: Maria Smolka-Day
- Secretary/Treasurer: Jonathan Franklin (2-year term)

Bill McCloy will assume the office of Chair at the Annual Business Meeting in Baltimore on July 22.
