

# FCIL Newsletter

*Foreign, Comparative and International Law Special Interest Section*

## Japanese Law Libraries

*Takako Okada*

The activities of Japanese law librarians are not very well known overseas. One reason for this is that there exists no official accreditation for law librarians in Japan. As a result, Japan lacks an association catering to the needs of law librarians, even though there exists an organisation established solely for law libraries known as the Japan Law Libraries Association.

### 50 Years of JLLA

In 2005, the Japan Law Libraries Association celebrated 50 years of existence. The Association was originally established to facilitate the exchange of information between specialist government law li-

braries such as the National Diet Library and the Supreme Court Library. At the time of its establishment in 1955, the Association operated under a different name and was temporarily inactive between 1960 and 1964, but then recommenced its activities after this hiatus with a new title to form the basis of the association that exists today. In 1977, it changed its name once again to its present title – the Japan Law Libraries Association.

The Association currently boasts 67 member libraries (including multiple numbers of organisations from the same institutions) - the majority of which are university libraries managed by law faculties - as well as



**Takako Okada works at Keio University and is a patron member of JLLA.**

18 non-voting patron members. Not just anybody can simply become a patron member of the Association - the requirement being the recommendation of one member library (Neither standard nor patron members are required to pay membership fees to the Association.)

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### *Upcoming Meetings:*

- ASIL Annual Meeting, "International Law as Law," March 25-28, 2009, in Washington, DC.
- China - United States Conference on Legal Information and Law Libraries, May 27-30, 2009 in Beijing, China.
- ALA Annual Meeting, July 9-15 in Chicago, IL.
- AALL Annual Meeting, "Innovate," July 25-28, 2009 in Washington, DC.
- IFLA Annual Meeting, "Libraries Create Futures: Building on Cultural Heritage," August 23-27, 2009 in Milan, Italy.

**Do you have an interest in Roman Law?**

**See Back Page!**

## Lillie Goldstein Judaica Collection

*Shira Megerman*

### Traveling Library

From January 5 to June 30, 2009, the Leon E. Bloch Law Library at the University of Missouri-Kansas City will be hosting *The Lillie Goldstein Judaica Collection*. Founded by the Lillie

Goldstein Charitable Trust to further Touro Law Center's goal of providing Jewish legal education in an academic setting, the collection has more than 420 titles in over 700 volumes on subjects ranging from Halakah (Jewish law) to specific materials chosen to

enhance the study of Jewish law in the legal academic environment. Texts are in Hebrew and English.

### Notable Works

Three notable works in the collection include *Gateway*

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## From the Chair

Dennis Sears

### Audio Impact

Last fall, I attended a WestPac Chapter Annual Meeting. While there, I was surprised to find that the Chapter leadership had made arrangements to record each of the sessions.

This summer, the SIS Council made an audio of the Gen X/Gen Y SIS Business Meeting from the AALL Annual Meeting available to SIS Council members. It was a recording that the Gen X/Gen Y SIS had made available to all of its members.

While making the Gen X/Gen Y recording available was certainly precedent setting, WestPac took a quantum leap forward with a large suitcase-like device (Mediasite) that simultaneously recorded not only audio and video but also the PowerPoint presentations of the speakers at its Annual Meeting. The goal of WestPac was to make all of the presentations available through its

website, on-demand, to members whether or not they were able to attend the Annual Meeting.

Aware of the Continuing Professional Education (CPE) efforts by AALL to make online, on-demand professional development materials available to Association members, I called the attention of our AALL Executive Board representative, Cornell H. Winston, to the recording operation of WestPac. He noted it and mentioned a few concerns AALL had with regards to online, on-demand professional development materials. One was bandwidth. Another was the concern that attendance at the Annual Meeting would decline.

Despite AALL's concerns, my immediate thoughts were of the possibility of recording and archiving the presentations of the foreign law librarians, as well as, the meetings of our special interest groups (SIG). Access to the



Dennis Sears  
Brigham Young Law Library

information disseminated at these events would be invaluable to FCIL-SIS members, especially law librarians new to FCIL responsibilities. Having availed myself of the audio and video broadcasts in the AALL Members Only Section, I would certainly hope for this type of development in the not too distant future.

## Judaica Collection continued from page 1

to the Talmud: History, Development, and Principles of Torah she'b'alpeh — From Moses to the Baal Shem Tov and Vilna Gaon, by Rabbi Meir Tsevi Bergman (date?); *Women and Jewish Law: the Essential Texts, their History, and their Relevance for Today*, by Rachel Biale; and *The Written and Oral Torah: a Comprehensive Introduction*, by Nathan T. Lopes Cardozo.

Rabbi Bergman's book traces the origins and development of the Talmud (oral-law passed down from Moses), translates Talmudic terms, and explains the guideline for deciding ha-



lakah (law) in Talmudic disputes. Rachel Biale's book addresses the main texts of Jewish tradition that discuss special concerns for women (marriage, divorce, sexuality, contraception, abortion, etc.). Biale combines a historical overview with feminist critique, point-

ing the way for "informed change" on the status of women in Judaism. Lastly, Nathan T. Lopes Cardozo's book provides insight into classical Jewish sources, such as the Talmud and significant sages, and is an overview of Jewish law and its process.

### Inventory List on the Web

See the library's home page at <http://www1.law.umkc.edu/library/> for a link to the complete inventory. The collection is only here until June 30; so feel free to visit us and have a unique opportunity to enjoy books not regularly offered by the library.

## Report from IALL 2008 in Puerto Rico

Rachael Smith

Annual meetings provide an excellent opportunity to meet new colleagues, reconnect with old ones and learn new or further information on interesting topics. This year's IALL meeting was held in San Juan, Puerto Rico. It would have been easy for the conference to focus on exclusively the unique legal history of Puerto Rico; instead the conference examined Puerto Rico's legal system, culture and history within the context of the Caribbean as a whole. This made the scope of the conference truly international in scope.

The Caribbean states have always had international links through commerce and trade and the various cultural influences brought by people from around the globe. This conference illustrated this by highlighting the commonality as well as the uniqueness of many of the states in the Caribbean.

### Local Arrangements

One of the noted strengths of the IALL conference is how the local committee puts every effort into developing the educational content, by including excellent speakers while making a point of incorporating cultural events.

The opening reception which was held at the *Centro de Estudios Avanzados de Puerto Rico y el Caribe*. This is a research center housed in a historic building in Old San Juan. The traditional folk dances presented by a local dance troupe reflected the many different cultural influences of the Caribbean. In one arrangement, a dancer demonstrated one of the cultural influences the African slaves brought to Puerto Rico. She ex-



**Main Park in Ponce, Puerto Rico**

plained how there would be competitions between the dancer and the drummers. They would see who could outplay or dance the other, and if you could tell who was leading or setting the pace. In the case of the best dancers and drummers an audience could not tell.

### Interesting Programs

The first day of conference included: a brief history on the historical and current global nature of the Caribbean; how the death penalty has developed in the Caribbean; the evolution of the Puerto Rican legal system as a mix of civil and common law; how international programs in law schools help promote the learning of other cultures and legal systems; and the challenges for the future of the Puerto Rican legal system as it moves to foster a more coherent approach in combining civil and common law.

The most controversial program was on

the death penalty. What was unique in this discussion was how much international law and the laws of other countries played a critical role in shaping this discussion. Lord Anthony Gifford QC discussed how the death penalty has developed in Jamaica. What may not be commonly known is that the *Judicial Committee of the Privy Council in the United Kingdom* is currently the court of last resort for the Caribbean states. However, there is plan for the *Privy Council* to be replaced by the *Caribbean Court of Justice*. As Lord Gifford discussed, most death penalty cases take years to resolve; thus these changes in the law will have a direct bearing on how these cases will be decided. These future changes reflect a complex legal history, so that even though a state is sovereign, the state can still be legally linked to the law of another foreign sovereign country.

### Caribbean Collection Development

The second day included a programs on the current status of the book publishing trade in the Caribbean; acquiring primary legal materials for the Caribbean; and everything you wanted to know about Puerto Rican law but were afraid to ask.

One challenge of foreign law collection is locating those primary materials and keeping them current. The Caribbean presents unique challenges in this area. Many of the countries do not widely publish their information, moreover while there is demand, it is generally limited to certain subjects of the law (i.e. banking and tax law). In addition, much of the

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## *IALL Annual Meeting continued from page 3*

information is currently exchanged via the personal relationships between a vendor and the court. The vendor or publisher might have requests for a certain case or other legal information and then proceeds to find the relevant materials. There are currently no complete collections of Caribbean laws, rather specialized collections or focused topics. One last element of this issue is the reality of the economic and political status of the country. What can the government afford to produce and what information does it chose to release?

### **Wrap-Up**

The focus on Haiti and the Dominican Republic were of particular note because both speakers excellently presented the complex history of both these nations and the impact it had on the legal systems of each country. For example, how the change in regimes over time brought in many different legal influences that were adapted and changed over time. They also outlined the current status of the legal systems and how each country is meeting, and not meeting, the legal information needs of its people. These issues are reflected in the ac-

*The presenters felt that this was not so much a rejection of statehood versus commonwealth or even independence, but instead showed that none of the options reflected what the people wanted.*

cess to legal materials, such as the lack of court access to legal materials (either in print or online), or how the



**The local planning committee provided some music and song at the closing banquet.**

legal community is trying to provide more access to legal materials by working with universities within their country and abroad.

The final session focused on the choices that Puerto Rico has made regarding if it wants to become a state, become independent, or stay as is. There was a brief outline of the changing status of the island over time, and where the governing law came from. What was most interesting is that while this debate has been going on since 1900, there is still no resolution within Puerto Rico. In 1998, this issue was put to a vote and the people chose "none of the above," thus leaving Puerto Rico in its current status of Commonwealth. The presenters felt that this was not so much a rejection of statehood versus commonwealth or even independence, but instead showed that none of the options reflected what the people wanted. For example, how common-

wealth was legally defined for this vote would have changed the current legal standing of commonwealth, independence is not widely supported, and statehood was also legally defined in a way that people did not want.

At the closing banquet, the local planning committee from the *University of Puerto Rico Law Library* played and sang for us which proved that law libraries house people with many

## Next Issue

**Our next issue will be in May 2009.**

**Have you visited a foreign library? Or maybe have a reference stumper? Please consider writing for our FCIL newsletter.**

**All submissions are welcome!**

## *Japan Law Libraries continued from page 1*

Although the Japan Law Libraries Association holds a general assembly every year, what usually happens is that the Association board makes all the decisions, conducts operations, and then obtains the approval of its member libraries at the general assembly.

### **JLLA Committees**

In addition to this, each Association committee carries out its own activities. Some of those committees include editorial committees, such as a committee for publishing the Association's newsletter, as well as a steering committee for regularly held seminars, a video production committee and a website committee. Interim committees are also formed when the need arises.

The Japan Law Libraries Association Newsletter is the Association's sole official newsletter and is distributed to all member libraries once a year to report on the major activities of the Association. The steering committee for regularly held seminars is the most active among the Association's committees. The committee's role is to implement training sessions for new law library staff members and plan tours of specialist law libraries. The video production committee is charged with producing videos for students that provide a basic and easy-to-understand introduction to legal research at law libraries. With the establishment of a law school system in Japan, and various databases going online, the committee carried out extensive revisions to their videos in 2007. Currently, the Association's website committee is taking a break

from its activities, but it is hoped that it will resume operations soon so that an Association homepage can be constructed. At the 2008 general assembly, the Association formally approved the dissolution of the committee in charge of compiling lists of newly acquired material. The committee's main role was to catalogue overseas law

*“However, because it is an association for libraries rather than librarians, students learning about law libraries, and publishers or researchers with an interest in law libraries, are unable to take part in the activities of the Association.”*

magazines, however, with the advent of the internet, the Japan Law Libraries Association no longer requires this role to be performed.

### **Future Challenges**

In this fashion, the Japan Law Libraries Association boasts a history of communication and discussion, but because it was formed to facilitate exchange between member libraries rather than individuals, it is now facing difficulties in maintaining their organisational expertise due to personnel reshuffles at a time when full-time library staff numbers continue to decline. Law-savvy staff are now frequently relocated away from law libraries, which is giving rise to a situation where staff that possess specialist knowledge at university libraries are unable to be-

come involved in the activities of the Japan Law Libraries Association. As a result, there are now fewer libraries with staff members capable of taking on the role of promoting the activities of the Association.

The Japan Law Libraries Association is Japan's only organisation established solely for law libraries. However, because it is an association for libraries rather than librarians, students learning about law libraries, and publishers or researchers with an interest in law libraries, are unable to take part in the activities of the Association. As for overseas libraries and librarians, even though the Association's rules do not prevent them from becoming members, it is not expected that they will do so. For the future revitalisation of Japanese law libraries and for the benefit of their librarians, the Japan Law Libraries Association will need to come up with ways to make it easier for individual librarians to participate in their activities.

## **Info on Keio**

Keio University was founded in 1858 by Yukichi Fukuzawa. It currently has several campuses and in May 2006 reported that 28,012 students were enrolled. The libraries house more than 4.2 million items.

For more information, visit the university website at [www.keio.ac.jp/index-en.html](http://www.keio.ac.jp/index-en.html)

## Meeting of Experts on Global Co-operation on the Provision of Online Legal Information

Claire M. Germain

The Hague Conference on Private International Law is a global inter-governmental organization, with 68 member states (plus the EU), and 130 parties to various conventions. It represents different legal traditions, and develops and services multilateral legal instruments. This meeting was convened in October 2008.

### New Convention

The most exciting part of this meeting of invited experts was to be part of the process toward a multinational convention which, if approved, may become a binding instrument for countries which ratify it. The general topic of the proposed instrument is "Global access to foreign law," with particular attention to the litigation stage.

This meeting built on previous meetings and processes started in 2006. Each participant was asked to fill out a questionnaire prior to the meeting, and the answers were collated under each question. The experts consisted of representatives of online providers, including GLIN and all the various legal information institutes, as well as law professors, private international law specialists, and law library directors. I made some points about the need for authenticity of official digital legal information, and about a possible role for law librarians to serve as a

network of experts in research on foreign legal systems.

Based on the responses to the questionnaire and discussion, Hans van Loon, the Secretary-General, set up the framework for the discussion and next steps, around a global instrument to facilitate access to foreign law, around three chapters:

### Access to the Raw Materials of Foreign Law

In the 2007 deliberations, it was estimated that some 25% of foreign law questions can be answered through access to the text, without any intermediation. It is therefore important to continue work on providing access to the materials of the law. It is also im-

*The most exciting part of this meeting of invited experts was to be part of the process toward a multinational convention*

portant to encourage governments to provide free access to law, provide standards, and monitor access to law. There was a discussion of several drafts of a declaration of principles to encourage governments to provide free access to law, in an authoritative form, freely accessible, and republishable.



Claire M. Germain

### Human Intervention to Ascertain the Context of the Law

Among interesting suggestions, one was made about the need for the LILs and GLIN to provide orientations and fact sheets on the countries' legal systems.

### Additional Network

Provide an additional network of recommended experts and expertise, institutions that can help with complex questions. There might be a role here for the vast network of law libraries and foreign law information research experts.

The whole issue will be presented to the Governing Council of the Hague Conference in April 2009.

### Did You Know?

The Hague is home to over 80 international organizations and 40% of the inhabitants are not Dutch. The village was first mentioned in a 1370 document. Visit [www.thehague.nl](http://www.thehague.nl) for more interesting facts.

## New Member Profile: Ron Timmons

Mary Rumsey

This time we've caught a "new member" at the student stage. Ron is currently getting his M.S. in library and information science from the University of Illinois, Urbana-Champaign. He's working as a Graduate Student Assistant at the Jenner Law Library, and will finish his degree this fall.

### Paratrooper to Paralegal

Ron describes his previous jobs as going "from being a paratrooper to a paralegal." He joined the army before college, earned an M.A. in history, then worked as a litigation paralegal for a few years before library school. Research for his M.A. honed his research skills, and prepping one of his profs to testify as an expert witness led him into paralegal work. As a paralegal, Ron worked extensively on information management (both print and electronic), especially litigation and electronic discovery support applications. Now he says, "As long as my next job title lacks the prefix "para" I'll be a happy camper."

*"The most enticing aspect of FCIL work, in my opinion, is the endless variety."*

But foreign and international law librarianship has caught his attention: "The most enticing aspect of FCIL work, in my opinion, is the endless variety. I'm a genuinely curious person by nature, so I enjoy the prospects of this field." He loves the way FCIL questions let him explore and learn. Ron notes "There is an FCIL librarian



Ron Timmons

at the University of Illinois, and I consider myself lucky to learn from her when the opportunity arises. I could swear she can find almost anything—foreign or domestic actually!" [That librarian is, of course, FCIL maven Jane Williams, who has helped out many of us over the years.]

### Keeping Up with the Lit

While Ron finds that actual FCIL research provides the best chance to learn, he also reads all the FCIL materials and tutorials that he can. He has had a couple of years of Spanish, is in his second semester of Russian, and plans to take French soon. Moreover, Ron works hard to improve his technological skills: "I'm not a full-fledged "computer guru" or anything, but last semester I learned how to write algorithms in python, and now I am learning to write XML and working with an XSLT processor." Ron observes, "I would be improving my technical skills regardless of my interest in FCIL, but I've noticed that FCIL librarians have a stronger tendency to embrace the trend toward digital collec-

tions—likely out of necessity—so I think these skills are imperative to my potential success in the field."

So far, Ron finds the hardest parts of FCIL research are the foreign language barriers and "the dispersed nature of all the potential materials we would like to consult." [Amen!]

### Leisure Time

Asked about hobbies, Ron replied, "I'm a grad student and father of two, so my personal time is minimal. Generally speaking though, I'm interested in most outdoor activities. I've done a large amount of camping and rock climbing in particular. Right now I invest most of my spare time in hiking and backpacking activities. And I like to travel too, which comes in handy because the hiking and backpacking opportunities in Champaign are slim!"

Ron plans to attend the AALL annual meeting—perhaps he'll score the Senior Caucus's "New Member" prize by attending the FCIL-SIS business meeting. Keep an eye out for this dynamic new SIS member!

## Wanted: New Members

Please consider a new member profile! We would like to get to know you and welcome you to our SIS. Just tell us a bit about yourself. We look forward to working with you in the future.

**Your next opportunity will be in the May issue and just in time for the Annual Meeting!**

For more information, please contact Mary Rumsey at rumse006@umn.edu

## New Interest Group Forming

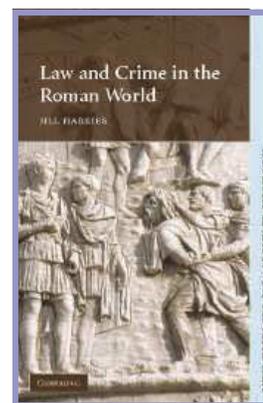
Lucia Diamond

The streets at night are dark and dangerous. A traveler, carrying a leaded whip for protection, takes a torch from a storefront to light the way. The storeowner chases after the traveler and grabs his arm. The traveler strikes the owner with his whip. A fight ensues and the traveler is blinded in one eye. The thief sues the owner. With such hypotheticals and ensuing explanations, did legal writers of the first century B.C. present the law of ancient Rome. Maybe not so much has changed in two millennia of legal teaching.

If you would like to discuss crime

and justice in Rome or its influence on modern legal discourse, please come to the first meeting of the Roman Law interest group at the 2009 Annual Meeting. This year we are asking people to read Jill Harries' *Law and Crime in the Roman World* (Cambridge University Press, 2007) to kick off our discussion. If you only have time to read the first chapter "Competing discourses," you will find the discussion of the definition of crime in the context of a society stimulating, and maybe you will want to dip into other chapters, including "The thief in the night."

Also, please bring to the group ideas for future activities and suggestions for



the next book to read. Contact Lucia Diamond ([ldiamond@law.berkeley.edu](mailto:ldiamond@law.berkeley.edu)) or Dan Wade ([daniel.wade@yale.edu](mailto:daniel.wade@yale.edu)) with questions or suggestions.

## The Back Page News

- ◇ Registration is now open for The International Federation of Library Associations and Institutions (IFLA) annual meeting in Milan, Italy in August 2009. Early registration rate is available until May 15th. Please visit <http://www.ifla.org/IV/ifla75/index.htm> for more information



- ◇ The [China - United States Conference on Legal Information and Law Libraries](#) will be held for May 27-30, 2009 in Beijing. The Conference will provide an opportunity for law librarians and legal information professionals from both countries to share experiences and exchange views in regard to legal information development and law library management. Early registration rate available until March 2, 2009.

### Foreign, Comparative and International Law Special Interest Section

The FCIL Newsletter is published three times a year. Current and past issues are posted on the FCIL website at <http://www.aallnet.org/sis/fcilsis/newsletter.html>

Editor: Mabel Shaw, Georgetown Law Library  
Copy Editor: Carmen Valero, Luce, Forward, Hamilton & Scripps

Our next issue will be in May 2009.

**Trinie Thai-Parker**, from Harvard Law Library, spent 10 weeks in Cambodia helping to set up a library for the Khmer Rouge Tribunal. Her interesting article and photographs will appear in the May issue of the FCIL Newsletter.

