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# President's Message

—Patricia Barbone

There is never a dull moment in LLAGNY. Let me bring you up to date on all the activities that keep LLAGNY's Board & Committees hard at work.

First let me tell you about the outcome of LLAGNY's letter to West, a Thomson Reuters company, regarding West's layoff of librarians in their Librarian Relations team last November. Peter Warwick (President & CEO, Legal at Thomson Reuters) replied in writing acknowledging our letter. He wrote, "We greatly value librarians and strive to support them in all areas of our business." Mr. Warwick asked Chris Cartrett, Vice President of Sales and Account Management, to contact us; and both Mr.

Cartrett and Anne Ellis, Senior Director of Library Relations have done so. The Board is now in the process of scheduling a meeting to receive a more detailed explanation of the future of the Librarian Relations team. LLAGNY members should feel free to share any questions or comments with me or Vice President/President Elect Caren Biberman so they can be presented

to Mr. Cartrett. I would also like to share the fact that many librarians, both from LLAGNY and from the greater legal community, have contacted me expressing support and appreciation for the letter that we sent. We are the only AALL Chapter of SIS to have done so.

LLAGNY held its Bridge the Gap (BTG) program on Friday, April 8th. Janice Henderson and Yasmin Sokkar Harker co-chaired. First begun in 1994, as the primary mission of the then M.C.L.E./Teaching Legal Research Committee, the BTG programming sought to prepare law students for employment as summer associates and interns. In 2006, the Committee name changed to Outreach to "reflect the goal of providing research instruction to a wide variety of persons outside the mem-

bership." (LLAGNY By-laws Amendment, 2006) Thus charged, the Committee began a CLE track for attorneys in 2010.

Answering a challenge this year as to whether offering CLE credit to lawyers was within LLAGNY's organizational purpose and whether our tax status would be called into question, the Board hired a lawyer who confirmed in a written opinion that neither of the issues raised had merit. Further in the challenge to the CLE offering was whether we had the necessary ability to perform the necessary steps to ensure the accreditation. The Board examined this and voted that we have the skills and ability, however declining to endorse the concept that LLAGNY should apply to become an accredited CLE provider.



This year I was pleased that my firm sent three members of our future summer associate class to the Bridge the Gap Program. I'm proud to have been a part of the continuance of LLAGNY's 18 year tradition and to see this acclaimed program provide research instruction to incoming summer associates, library students, librarians and attorneys. This program enhances the profile for our organization and librarians in the wider legal community.

LLAGNY is planning an event combining educational programs with a showcase of vendors. The program has yet to be named and is still in the planning phase, but if all goes well, the event will take place at the NYC Bar Association. Members June Berger, Kathryn McCrae, Steve Lastres, and Vicki Szymczak are spearheading this exciting new program along with Vice President/President-Elect Caren Biberman.

If you didn't get a chance to attend the LLAGNY Education program, Turbo-Charge your Career through Mentoring and Internship, on February 23, you missed an inspiring night. This program featured two speakers, the first of

which was Gabrielle Bernstein, best-selling author and motivational speaker, who lead the audience through a discussion of formalized and informal mentoring relationships. She discussed the benefits of both mentoring and becoming a mentee; and offered suggestions on ways to bring mentor-mentee relationships into your life for personal and professional success. After Gabrielle, the program was turned over to LLAGNY member, Jennifer Alexander, who spoke on setting up and managing an internship program in your organization. Jennifer works for a law firm and has a library degree, but does competitive intelligence for the firm's marketing department. She has been running an internship program for library school students for several years. Her presentation included practical advice on planning and organizing an internship program so that it adds value for the organization as well as the intern, while still conforming to the library school's requirements. The space and refreshments for the program were generously provided by Portfolio Media. Thanks to Kathryn McCrae who did a great job of coordinating such an engaging evening.

Our next education program on May 19th should prove to be equally inspiring. This program, "How to Add Value and Achieve Recognition," is a joint program with SLA and will feature Toby Gafni-Weiss, a motivational speaker and consultant, who will lead the audience into a discussion about how law librarians and information professional can market themselves and become recognized within their organizations. I hope to see many LLAGNY Members attending.

The Student Breakfast was held on Wednesday April 27th. This year's hosts were the New York Law Institute; Milbank, Tweed, Hadley & McCloy LLP; and Hawkins Delafield & Wood LLP. The day started out at the New York Law Institute

with a breakfast and a talk by NYLI Executive Director, Ralph Monaco, on the history of NYLI and how their history parallels the changes in the field of law librarianship. I spoke briefly to the twelve students on the value of LLAGNY to their professional development; and I encouraged them to join as student members and to consider applying for one of LLAGNY's scholarships. After that, I left the students in the capable hands of Student Relations Chair, Elizabeth Nicholson, who lead them on to their visits at Milbank and Hawkins, Delafield & Wood. Thanks to Ralph Monaco at NYLI, Sarah Kagan at Milbank, and Kathryn McCrae at Hawkins for volunteering their time and

insight, and to Elizabeth Nicholson for coordinating the event.

As this is my last President's column in Law Lines, it is time to acknowledge all of the wonderful volunteers who have helped me on what I think of as "Team LLAGNY." This consists of my fellow Board Members, the Committee Chairs, and the hardworking committee members who devote priceless time and energy to the pursuits of this wonderful organization. I would especially like to recognize my staff at

Hughes, Hubbard & Reed who provided an abundance of support. I am deeply appreciative of the many sponsors who have supported us throughout the year and made our programs possible. While many folks have helped make LLAGNY a success, I would like to acknowledge one person by name. That person is Kit Kreilick, LLAGNY's Technology Chair, who has tirelessly kept our website up-to-date, often with little advance notice, for more years than either of us care to count. I literally don't know what I would have done without her; Kit, you are a treasure! To Kit, our loyal sponsors, and all the many LLAGNY members who have made this year so rewarding, you have my heartfelt thanks. ■

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# Editors' Letter, Spring 2011

—Jennifer Wertkin & Jacob Sayward, Co-Editors

**G**reetings and welcome to the Spring issue of Law Lines (although it has not been much of a Spring with this miserable weather!). In this issue, we are fortunate to have Trezlen Drake's interview the creators of the Law and the Multiverse comic series by "real life" attorneys, James Daily and Ryan Davidson. Their work features fictional legal scenarios as seen through the eyes of comic book heroes. We hope you enjoy it as much as we do.

We also have many other interesting and informative pieces. Terry Ballard walks us through the award winning Dragnet search engine at New York Law School, giving us a peek at this wonderful resource. Pepper Hedden brings us a cautionary tale regarding the challenge of working with "iffy" citations—a problem we have all surely encountered. Imtiaz Jafar explores the debate between dual-degree and non-dual degree law librarians. LLAGNY President, Patricia Barbone, provides us with a thorough and informative book review of the new edition of the important, multi-volume West treatise, Commercial Litigation in New York Courts. We are pleased to include in this issue, the second installment of Chuck Lowry's series, Law Librar-

ians and Their Associations where he discusses the importance of being active in your local professional organizations. In a similar vein, Tricia Kasting, chair of the LLAGNY Public Relations Committee, encourages involvement on a local level as well. Vija Doks entertains us with a humorous cartoon.

This issue contains some of our regular features, including Johanna Blakely-Bourgeois' "Library School Perspectives." (Let's all congratulate her on graduation this month)! Our "Day in the Life" series continues with Julie Reynolds' discussion of moving from the Washington D.C. branch of her firm to the New York City Branch.

Unfortunately, we were unable to get any members to volunteer for the "Librarians in the Real World" series. We are reaching out LLAGNY members to consider participating in this fun feature. Please let us know if you would like to showcase an outside interest in Law Lines. We encourage you to come forward with your talents!

We hope this season treats you well and look forward to seeing you all at the dinner on June 1st. ■

# Major Milestones

## PROFESSIONAL

**Errol Adams** has completed his M.L.S. degree at St. John's University.

**Patricia Barbone** was recently elected to the Chair of the AALL Council of Chapter Presidents 2011-2012. Patricia will take over as Chair at the end of the AALL Annual Meeting in Philadelphia in July. The Council of Chapter Presidents is made up of the Chapter Presidents, Vice-Presidents/ President Elects, and Immediate Past Presidents from all of AALL's 31 regional chapters. The Council exists to facilitate communication among and between the various chapters and AALL.

Patricia also recently returned from a trip to Dallas where she presented at the 8th Annual Advanced Management for Private Law Librarians (AMPLL) a program sponsored by Lexis and held April 8-10, 2011.

**Anna Blaine** (Reference Librarian, New York Law School), **Dan Mitrano** (Assistant Librarian, Freshfields Bruckhaus Deringer LLP), and **Kerri Spennicchia** (International Law Research Associate, White & Case LLP) participated in SLA Pratt Skill Share Fair Panel Discussion "Law Librarianship Today" held on April 15, 2011.

**Bruce Bosso** was featured in the Brooklyn Daily Eagle's Pro Bono Barrister section on March 11th, 2011, under the byline: PBB's New 'Unsung Hero' Bruce is the Principal Law Librarian of the Appellate Division in Brooklyn. The feature credits Bosso's excellent service, experience, knowledge, and dedication for his 'hero' status in the face of Kings County budget cuts. Well Bruce, you are unsung no more!

**Pepper Hedden**, Reference Librarian at the New York County District Attorney's office, has completed her M.L.S. degree at St. John's University.

**Dana Neacsu**, Reference Librarian and Lecturer-in-Law at Columbia University, Arthur W. Diamond Law Library successfully defended her dissertation and completed her PhD studies in gauging informed citizenship through textual analysis of, inter alia, audience-authored texts, at the School of Communication and Information at Rutgers University. Dr. Neacsu, is now working on an AALL program entitled "Employers' Expectations: Are Library Schools Doing Everything They Can?" along with **Patricia Barbone**; **Penny Hazelton**; and **Tula Giannini**, Dean and Professor at Pratt School of Information & Library Science.

**Rebecca D. Newton** is now a Reference Librarian at Bingham McCutchen LLP.

**Eugene Preudhomme**, Law Library Director, Appellate Division, First Department, has received the prestigious Bernard Botein Award. The Bernard Botein Medal is awarded annually by the New York City Bar in recognition of outstanding contributions to the administration of the courts. <http://www.law.com/jsp/nylj/PubArticleNY.jsp?id=1202488639080>

**Alexa Robertson**, PLI Manager of Library Relations, participated in the April 15, 2011 Speed Mentoring at the SLA Pratt Skill Share Fair .

**Jill Sutton** is the new librarian in the New York office of Vinson & Elkins.

## PERSONAL

Congratulations to **Janet Peros**, Reference Librarian at Wachtell, Lipton, Rosen & Katz, who greeted the birth of her first child on December 1st, 2010. Little Samuel Kazimir weighed in with lucky sevens: 7 lbs. 7 oz.



# Help Us Welcome Our New LLAGNY Members!

John Azzolini  
Jenelle Blevins  
Narinder S. Chawla  
Mallory Corlette  
Carmen Dubuisson  
Jamie Furillo  
Jenna Halvey  
Daniel J. Hayter  
Lauren T. Maguire  
Emily Price  
Frances Shoenfield  
Laura Ross  
Michael Totonetti

# Book Review: Commercial Litigation in New York State Courts, Third Edition

—Patricia E. Barbone, Director of Library Services,  
Hughes, Hubbard & Reed LLP

The multi-volume West treatise, *Commercial Litigation in New York Courts*, edited by Robert L. Haig, has always been a popular and highly regarded resource in my firm's library collection. Upon hearing a new third edition was available, I knew we should acquire it. However, in examining the third edition for this review, I obtained a fuller appreciation of what an important legal research tool this set has become. This book is a resource that pulls together procedural issues in litigating commercial cases in New York with a full discussion of the underlying substantive law to provide practitioners with a comprehensive resource for commercial litigation.

The latest edition is seven books: six volumes plus a paperback volume with tables and an index. This is an increase over the second edition which was 5 volumes. It covers volumes 2, 3, 4, 4A, 4B, 4C, and 4D of the West's New York Practice Series. There is an additional 2,000 pages of text over the second edition.

Why was a third edition needed? When the sum total of the 2009 pocket parts was over 1,000 pages, it was clear the treatise was becoming unwieldy and needed to expand. In addition the authors believed it was necessary to address some new and developing areas of law. New York's procedural and substantive law has seen many changes over the past five years. Thus in 2009, work began on a new edition. The principal authors went from 121 to 144 in the third edition and include 20 distinguished judges as well as the best practicing

lawyers from many of the finest law firms in New York State.

What is covered in the new edition? All 88 chapters from the second edition have been substantially expanded. Nineteen additional chapters have been added to address new subjects like law firm litigation management, the relationship of criminal cases to commercial civil litigation, Article 78 challenges; and commercial real estate. In total, there are now 38 chapters devoted to substantive law subjects commonly encountered in commercial cases including but not limited to: contracts, insurance, sale of goods, banking, securities, anti-trust, intellectual property, and franchising.

Experienced and junior litigators alike will benefit from consulting this treatise. This is the only work covering New York law that combines an in-depth treatment of civil procedure with a discussion of the substantive topics needed by commercial litigators. Straight from the West product literature, this book is a "step-by-step practice guide that covers every aspect of a commercial case, from the investigation and assessment that takes place at the inception, through pleadings, discovery, motions, trial, appeal, and enforcement of judgment. Great emphasis is placed on strategic considerations specific to commercial cases." As previously mentioned, there are substantive law chapters that cover the subjects most commonly encountered in commercial cases. The publication includes in-depth text on law and procedure, strategies and client counseling, checklists, and cross-references. It also

includes tables of forms, jury instructions, statutes, rules, and cases. Like most West treatises, it contains research references to the Key Number Digest and related West publications like N.Y. Jur. 2d and McKinney's. In short, it provides the researcher with "everything needed to handle every aspect of a commercial litigation."

A unique benefit of this treatise is that it is not only useful to litigators but also to lawyers working on behalf of their clients in the capacity of a "trusted adviser." The book places an emphasis on the strategic considerations in commercial cases. The chapters on substantive law such as, intellectual property, products liability, antitrust, insurance, sale of goods, or white collar crime, to name just a few, offer a comprehensive overview of the relevant legal issues in undertaking litigation in any area of law. I can easily envision a situation in which a transactional lawyer at a firm, who maintains a close relationship with his or her client and the client's business interests, would consult this book, in particular the substantive law topics, to advise their client on an ongoing matter; even while bringing the firm's litigation team on board.

The expanded third edition proves the book continues to be an important contribution to the body of legal scholarship, and a valuable tool for litigators and client advisers. As Haig states in his foreword to the third edition, "They [the authors] have painstakingly outlined strategies for the representation of plaintiff and defendant. They have given thoughtful consideration to the delineation and attainment of objectives and to the advantages as well as ramifications and pitfalls of various actions and inactions on the part of the commercial litigator throughout the entire course of a lawsuit. This is not only a law book that is valuable as a research tool and a source of legal knowledge and citations, it is an idea book filled with nuggets of wisdom and perspective that could only have been gained by years of experience in handling cases from the most simple to the most complex."

This book is recommended for large law firm library collections throughout the United States; and for solo and small firm practitio-

ners litigating in New York State. For the solo and small firm litigators, this book offers enough ready access on both substantive and procedural questions to make it an ideal desk reference. For firm library collections, this book is an essential and well regarded treatise offering advice, tips, and counsel from the best collective legal minds available in New York State. Recommended for law firms, both in-state and out of state, with commercial litigation practices. ■

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Commercial Litigation in New York State Courts, third edition, *Robert L. Haig, Editor-in-Chief, West Publishing. Contains 7 volumes plus CD-ROM of over 500 pages of essential litigation forms and jury charges forms. Retail price: \$665. This book is a joint venture with West Publishing and the New York County Lawyers' Association (NYCLA) and proceeds benefit NYCLA.*



# Talking about LLAGNY: An Idea to Promote Law Libraries

—*Tricia Kasting, Chair,  
LLAGNY Public Relations committee, 2010-2011  
Reference Librarian,  
Deane Law Library, Hofstra University School of Law*

**E**ver talk to non-librarians about LLAGNY? One might be met with a blank stare and then a stutter of lay... what? Ohhh, kind of like a book club, you get together to discuss what you read. We know people have little or no idea what is that law librarians do, and when incomprehension is coupled with disinterest why persevere. In the workplace, the effort to educate may prove worthwhile.

How do we educate? At appropriate and opportune moments, talk about LLAGNY to attorneys, faculty, students, and others in your institution. Incorporate your LLAGNY activities into your elevator speech; the day after a workshop or event bring it up in casual conversation; include librarians' participation in LLAGNY in the library newsletter/report. Or, when you use the listserv to receive the "must have right now" document, let it be known that the LLAGNY network was in play. Little by little the idea that LLAGNY exists may spread beyond whoever is supervising the library and pays the bills.

Why is this a benefit? People do understand the concept of professional networks

and LLAGNY reinforces that law librarianship is a profession. Commitment to LLAGNY is a sign that we take what we do seriously and make the effort to keep ourselves informed and educated in our profession. We can point out that both LLAGNY and, for example, the American Bar Association (ABA), have common professional concerns including new technology, career development, networking, and advocacy. In other words, we have numerous topics of mutual interest to discuss. Mention of a workshop on licensing or vendors' products is reminder that librarians are directly involved with these decisions that affect the work that attorneys do every day. Furthermore, it also illustrates librarians' special expertise with these matters.

Talking about LLAGNY is a gentle way to inform the non-librarians in our workplace about what we do and the value librarians add to the institution. Even if attorneys, professors, staff or students do not need to know, in detail, what it is that librarians do, a brief pitch on LLAGNY makes them aware that there is more to law librarianship than what easily meets the eye. That makes it worth the effort! ■

# Law Library Laughs



—Vija Doks



## Library School Perspectives:

**A**s I near graduation this May, I realize that I have come full circle. When I wrote my first column in LawLines last March, I was a burned-out attorney looking for a more collegial and rewarding career. I found it! Okay, maybe I have not yet found a full-time job, but I certainly did find my spirit and enthusiasm. Oh, I entered Pratt SILS with some trepidation within my moderate expectations, but what I have learned far exceeds the classroom teachings.

Many students have complaints about their school, be it “why didn’t we learn that in class?” or “why don’t they teach us more technology?” or “why don’t they teach us more information literacy and relevant databases?” But for me, I am just so pleased with the professional librarian community and its vast potential that I believe I can continue learning new technologies as I move forward. After all, I have mastered Power Point thanks to Pratt SILS and the presentations for each class each semester and I have been introduced to Many Eyes and Prezi. Many IT people scoff at that, saying “oh, but those technologies have been around for a while!” Yes, but I worked in an in-house corporate counsel position for eight

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# A View from the Classroom

—*Johanna Blakely-Bourgeois, Pratt SILS*

years. Believe me, getting a scanner was cause for celebration. Technology? My former employer had not yet heard of that and was at the end of the new technology parade. The sheer exposure to the library community and its dilemmas (collection v. access?), concerns (relevance of librarians?), and enthusiasm (an overall willingness to support and mentor the next generation of librarians) has been a very refreshing change for me.

And I have learned so much about myself, too. I realized that I love the law – copyright and trademark issues are my favorite subjects to read and dissect. I enjoy drafting grant proposals and negotiating contract provisions and finding where to locate a case or statute. I love researching legal issues. I joined the New York City Bar Association (something I never did when I actually practiced). So even though I entered Pratt SILS assuming that I would move away from the law, I have realized that I am running right back to the law. I understand now that I just want my contribution to the law to be something that is less lawyer and more community-centered...hence, librarianship.

I realize that some people believe that libraries are doomed and librarianship is a

waning profession. I do not believe that; I believe that as long as people are overwhelmed by the sheer amount of information at their disposal, and those same people are in a serious time crunch (after all, in today's world, who is not pressed for time?) then librarians are relevant. The premise that people will be able to magically do all of their own searching and information retrieval is, I believe, mistaken. I argue that many people, professionals and non-professionals alike, are happy to have someone else take over that "headache" so they can focus on what they would rather do. After all, we epitomize information retrieval professionals (never mind my friends' assumptions that because I am graduating from Pratt SILS, I automatically know how to retrieve any information from any database at any time - which is rather funny). I agree with my professors: we do still need to make sure people understand how necessary we are. It is not that we are not absolutely needed (we are!), it is just that many organizations do not realize how badly they really do need us. So, I will be one of the many graduating students who is here to remind a myriad of organizations just how much they really need us... ■

I began my career at Baker & Hostetler in the firm's Washington, D.C. office as a part-time reference assistant in October 2009. It was very fortuitous that I found out about the opening there not long after deciding to attend library school (I received my J.D. in 2003). I felt at home right away working with Esther Koblenz, the reference librarian, and Lorna Stockmeyer, who handles technical services. Esther was especially good about giving me research projects, which was always my favorite part of law school: all of the fun and none of the work, so far as I was concerned.

I finished library school in late summer 2009 and needed a full-time position. Happily, Baker came through for me again with the New York librarian position. For a few months I took regular trips between the offices, and I became resident here almost exactly one year ago.

The New York office is in Rockefeller Center, which is terribly impressive for the folks back home in Texas. The cachet of working in such a recognizable place does have a tendency to make one smug. However, I abso-

## Day in the Life Julie Reynolds,

lutely refuse to call it “45 Rock.” New York has amazing architecture. It’s always a pleasure to walk through the Art Deco lobby every morning.

I’m the New York office’s first librarian. On one hand, being the first means I can establish my own procedures and put my stamp on the library here. On the other hand, until I arrived the traditional librarian duties had been taken care of by a variety of people, requiring greater effort to bring it all together. Some of the challenges have included coming to grips with the print collection, assessing training needs, and just getting to know our ever-expanding group of attorneys.

Another difference: the library itself. The D.C. office has an impressive library, with elegant wood bookshelves, study carrels, and compact shelving for overflow. It really looks like a library and is hard to miss when you walk through the lobby. By contrast, the New York office is always pressed for space. It’s at such a premium that a traditional library space simply isn’t feasible. That said, I’m proud of what we do have here.

Having a smaller print collection has required me to be more nimble in how I address reference requests. The libraries in our other offices are always happy to lend us books. I’ve almost been forced, though, to really understand and make use of our electronic resources to help meet my attorneys’ needs.

It’s also very exciting to see how new technologies can assist us. Even if the latest app doesn’t necessarily have a purpose in the legal research world, the lessons learned from that program could help build something that we can use. The sky’s the limit, frankly, and I’m eager to see what happens next.

In a way, it’s as though the New York office and I have grown up together over the past year. Even with increasing responsibilities and more attorneys to take care of, making the move to New York was definitely the right decision. I learn something new every day and get the satisfaction of knowing that I’m helping contribute to the firm’s success. And I’ve found the same collegiality with my fellow New York law librarians that I enjoyed back in D.C. I’m really looking forward to working with all of you in the future! ■

# New York Programming for Law Librarians: Act Locally

—Charles J. Lowry

This is the second article in a planned four-part series. In the last number of *Law Lines*, we looked at the various organizations to which law librarians belong. This article and the next article will look, respectively, at local and national programming. The fourth and final article will look at the sometimes mutually rewarding and sometimes mutually vexatious relationship between professional associations and vendors.

In New York, law librarians are doubly fortunate, in that both the local SLA chapter and LLAGNY, the local AALL affiliate, have ambitious professional programming which far exceeds their social programming.

As might be expected, the LLAGNY programs concentrate with greater focus on materials that are very specifically geared to law librarians. There are examples close at hand, including a series of recent programs developed as a joint LLAGNY-PLI initiative. None of these programs up to now, interestingly, was held in a specific locale, but were instead audio programs, accessible electronically but not physically. The series was announced in September 2010 by Patricia Barbone, current LLAGNY chair. There have been three programs announced so far: in September of 2010 on tax resources in the law library, in January of 2011 on Dodd-Frank, and in May of 2011 on high yield instruments. Speakers at these programs have included a researcher and an attorney from Fried Frank and librarians from the Boston University School of Management and the Harvard Law School. To give some example of the “flavor” of these programs, we can note that the very first program, on tax resources in the law library, offered instruction both from a librarian and from a tax practitio-

ner. It concerned itself with both the basic and general aspects of its subject (statutory authority, case research, secondary materials) and aspects of the subject that were very specific to it (gradations in authority of IRS opinions and letters, the importance of unpublished materials). It was very typical of the kind of programming that LLAGNY traditionally offers, with the difference that this series offers audio only and no physical location. As an added service, the programs, after their original presentation, will be archived and available for up to a year. Programs of this kind are valuable within an organization of 700 members, 70% of whom work in private law libraries.

Of course, professional programming, as with social programming, is expensive. It is unrealistic to think that dues allocation or session charges will produce a full and well-rounded program season. That naturally enough leads to corporate sponsorship, and the corporate sponsors most willing to sponsor these events are vendors. In this particular case, PLI has its name attached to LLAGNY’s name in a series of e-mails and had one of its books attached in the flyer as a relevant (and conveniently discounted!) text for the subject matter. I have been in this business and around these programs, as sponsor, panelist or audience member, for many years, and it seems that this is the sort of arrangement that both librarians and vendors are comfortable with: useful and transparent. For the joint LLAGNY-PLI series, the organizers went a step further and secured the services as moderators of three of New York’s distinguished and well-respected law firm librarians. Thus solid programming was offered to the law library community, with a regulated commercial opportunity for PLI.

But beyond these substantive programs, it is perhaps a sign of the times that LLAGNY also offers career-related programs and adjunct services. Typical is a February 23, 2011 program at Portfolio Media on mentoring, internships and relationship building. The two speakers were from outside the library community (Gabrielle Bernstein, best-selling author and lecturer) and from inside the library community (Jennifer Alexander, competitive intelligence and business analysis manager at McKenna Long & Aldridge in New York). Connected to that is the re-establishment by LLAGNY of an annual breakfast for LLAGNY officers and local library students. The event was held this year on April 27. These efforts are supported by public notice boards on the LLAGNY site both for internships and library positions.

If this is the kind of programming offered to LLAGNY members, how different is it from the programming offered to the 1,000 members of the New York SLA chapter? There would obviously have to be some differences, if only because SLA includes members from well beyond law libraries. Still, the legal division is nationally the second-largest SLA division, and it has many common interests with the largest division, business and finance. Still, it is surprising to look over the last six or eight months of SLA-NY programming and find not a single program that involved a predominantly scientific or artistic perspective. Instead, all the professional programming seemed to involve either business/legal topics or more general library topics.

From looking at the prior months of the SLA-NY events calendar, it is clear that one of the most popular patterns of professional development offered by SLA involves more specifically vendor-centric training sessions. In the last three months alone, SLA-NY has advertised to its members three specific training sessions offered by West Library Relations, one each for business research, news research and public records research. These sessions were actually held at a West office, and the RSVP request went directly to a West associate. Bloomberg has run similar training sessions under SLA-NY auspices, though the one I attended was not in the Bloomberg offices but at Baruch College.

Much of the SLA-NY programming that is not subject specific but instead concentrates on library management, staffing and collection de-

velopment, or concerns broader technological advances that are of interest and use in all kinds of libraries, is conducted through SLA-NY's partnership with METRO. The Metropolitan Library Association of New York ([www.metro.org](http://www.metro.org)) is very active in professional development, conducting more than a dozen programs every month. The link to METRO's most recent calendar is here: <http://www.metro.org/en/cev/mon/>.

SLA-NY has also hit upon the idea of using a presentation and discussion about a particular book as a launching pad for a more general discussion. A recent example of that was a talk by Joe Quinlan, Chief Market Strategist for Bank of America. He spoke to an audience of 60-70 SLA-NY members on the general subject matter of his book *THE LAST ECONOMIC SUPER-POWER : the Retreat of Globalization , the End of American Dominance , and What We Can Do About It*. It is true, of course, that there was no "library component" in the presentation by the author, but it is equally true from the question period that (a) the audience was well-informed, articulate and very interested, and (b) focused on such library questions as sourcing, further reading and the validity or utility of statistical sets.

Considering how much overlap there is in local membership, and how energetic each chapter is in professional programming, is there hope down the road for symbiosis, if not active co-operation? It is indeed happening. On May 19, LLAGNY and SLA-NY jointly hosted a program on the library world's hottest topic, reinventing the library and subsequently marketing it to the rest of the organization.

These professional development programs will never take the place of a strong internal training and career development program within an individual employer, but in the days when library staff numbers are being dramatically reduced and many librarians now find themselves working alone or as part of a smaller group, perhaps the greatest benefit of the programs we have discussed is as both a learning tool and a sounding board, so that librarians who might otherwise feel isolated can see what their colleagues are concerned about, happy with and anxious over. ■

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# Stranger in a Strange Land

## Musings of an MLIS Turned Law Student

—Bacilio Mendez II, MLIS (& JD-to-be)

As many of you may recall, “So, what did you learn in law school this year?” is quite possibly the worst thing that anyone could ask a student who just wrapped up their 1L year. Well, I would like to take this opportunity to share with you some of my personal responses to that very question. My hope is that you will find them humorous; some of them may even stir up old memories from your own immediate post-1L/JD/MLIS life. If you’re so inclined, send your responses to this question to bacilio@bacilio.com and you just may see them in the next issue of *Law Lines*! ■

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*Before the fun starts, however, I would like to implore the law firm librarians reading this to take it easy, at least at first, on your summer associates. Now, I know that in my previous article I was pretty hard on the shoe-shopping/Facebook-ing/Jersey Shore watching 1Ls that peppered my cohort, but, those outliers notwithstanding, keep in mind that most of the summer associates that will be at your office doors, or flooding your inboxes any moment now, really just want to do a good job.*

*Also, your summer associates will most probably still be reeling from finals and, for all their suffering, will only have retained an eighth, if they’re/you’re lucky, of the information they studied in their doctrinal classes. So when they come to you with partial citations and an attitude, let it go and have a good laugh about it at the next LLAGY Happy Hour. And while you’re at, buy your local, friendly academic law librarian a drink; keep in mind, your worst summer associates are their everyday patrons.*

### SO, BM2, WHAT DID YOU LEARN IN LAW SCHOOL THIS YEAR?

#### I LEARNED:

- how not to brief cases.
- how important a good study group is.
- that people, especially smart people, are more racist than I had ever imagined.
- how not to take law school exams.
- that in three years, the people all around me could conceivably be the point person for someone’s divorce, will, immigration hearing, or adoption. (This both terrified and inspired me.)
- how to drink coffee.
- that I am not a competitive person and, therefore, non-threatening to my fellow classmates.
- how to remember last names.
- **even after a year of training, and no fault of their institution’s librarians, many 1Ls are underprepared for their summer jobs, in terms of research skills.**
- how to graciously pretend not to see people weeping in public.
- that, after first semester, people love to talk about their grades and dream out loud of the possibility of transferring to a “better” law school.
- how to discern when the person weeping actually wants a hug and not to be graciously ignored.
- that the average New York City middle school student knows more about their 4th Amendment Rights in a stop and frisk situation than most adults.
- **a ton of latin. (No, really.)**
- that students lie about having learning disabilities to get extra time on exams.
- how to read, write, and calculate damages.
- which segments of pop culture I can live without (music that has lyrics, non-weight loss competition based reality television shows, law school parodies).

- how therapeutic doing the dishes can be.
- which segments of pop culture I cannot live without (social media websites, the news, yoga, movies).
- your Mother will forgive you for not calling ... but only to a point.
- **that date night is mission critical. (The mission being maintaining your sanity while a 1L.)**
- that joining a club is also mission critical.
- that it is rude to ask people if they have secured a summer job, especially if you have. Should you slip and ask someone who does not yet have summer plans, you owe it to your unemployed classmate to at least feign being shocked that you were able to secure a job.
- that if you pass the bar in New York, you don't have to take the New York Real Estate Broker's Exam.
- **that Law & Order is a pack of lies.**
- the funniest thing to say in response to just about anything that anyone else says is, in almost any situation is: "That's a character and fitness fail, right there."
- that, while attending legal conferences is not nearly as fun as attending library conferences, the people are just as nerdy and awesome.
- no matter how hard you try, after first semester, everything you see is a tort.
- **going to law school, knowing that I don't want to be a lawyer, is the best gift I could've given myself.**
- **I am more than worth the cost of tuition.**

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*Bacilio Mendez II is the 2010 Nathan R. Sobel Law Library Fellow, Chair of the SLA-NY and SLA Legal Division Diversity Committees, Co-Chair of the SLA GLBT Issues Caucus, & Art Director of LLAGNY's Law Lines. Bacilio is also a graduate of Pratt Institute's School of Information and Library Science &, for your amusement, will be offering up tales of his time at New York Law School.*



# Using Comic Books to Teach the Law

—Trezlen D. Drake

What do two attorneys who enjoy overthinking comic books and legal concepts do with their free time? They write a blog on the legal ramifications of the actions of comic book characters. Or, at least that's what you do if you are IP attorney James Daily and insurance attorney Ryan Davidson, co-authors of the Law and the Multiverse Blog.

The concept of the blog came from a conversation that Daily had with his wife and friends over dinner about privacy issues invoked in the US and on the planet of Krypton by Superman's use of his X-ray vision. They all encouraged Daily to move forward with the idea. He spent a couple of weeks afterward, crafting blog posts before he posted anything to the projects page of MetaFilter, the listserv to which he and Davidson are members. Within an hour of that November 30, 2010 post, on whether Batman would be considered a state actor because of his close relationship with the Gotham Police, Davidson contacted him offering to collaborate on the blog. And, thus, this dynamic duo was born.

When Daily originally began this blog, he wanted his friend on MetaFilter to read the blog and think it was cool. In the seven months since inception, the blog has amassed a faithful following. The readership has expanded to include law students, attorneys, law professors, and everyday people who are either interested in the law or comic book. Daily estimates that the blog has about 4,000 readers. In addition they have about 2000 RSS feed subscribers, 485 Twitter followers, 705 Facebook Likes, and 79 readers subscribed via WordPress. This is impressive for a blog that has done next to no advertising, although Davidson does confess to asking a couple of friends to mention the blog on their Facebook pages. And, they still aren't really sure how the

New York Times reporter found them—especially since they were still anonymous on the blog; they didn't include any sort of contact information.

Even though this blog, with the accompanying comic caricatures of the authors, might give Davidson and Daily license to think of themselves as superheroes, they are not so deluded. "We are in no ways legal superheros." Daily stated emphatically. "That honor goes to the folks in legal aid or legal services."

Davidson continued, "We are both fairly young attorneys. I don't think we have saved the day for anybody recently." The images were drawn by an interviewer from "The Beat", a news blog about comic culture. "After [Jen Vaughn] interviewed us, she offered to draw us." She later gave them permission to use the drawings on their blog.

The blog topics runs the gamut from the expected—criminal, property and tort law—to the unexpected—administrative, estate, immigration, tax law and legal ethics. While the topics are not frequently in their fields of expertise, the authors are still game to address them. They both begin their research in secondary sources to get the background they need for their posts. And the use of the comic book trope as well as

the authors' voice keeps this blog from sounding like another dusty legal treatise.

Daily and Davidson use the blog to teach people about the law in a fun and practical way following Daily's original desire to keep the blog "accessible to the layperson." Because of this, they often refer their readers to public domain resources such as Wikipedia, LII and Google Scholar, even though they themselves have access to major legal databases.



Illustrations by  
**Jen Vaughan**

If you aren't into comic books or don't know a lot of comic book characters, this is still a good blog to read. "Most people have at least heard of Superman and are aware of his powers," says Daily. "You can mention someone like Batman or Superman and everyone knows the story.... We try to address characters people recognize."

"And even if they don't," Davidson continues, "It's a world that they recognize."

"It's the real world but there is just this one different thing," Daily finishes.

And, once they have found that item of recognition for their readers, Daily and Davidson apply U.S. laws to that world or situation.

At the beginning of the blog, the duo added content five times a week to provide "a solid backlog of content" so that readers would see how serious they were about the blog. But, with the demands of

fulltime legal jobs and having a life, they've limited themselves to blogging every Monday, Wednesday, and Friday. They now spend about 15 hours a week writing the blog and try to keep their posts between 1000 to 1500 words. And, with their upcoming book, they have to work harder to manage their time.

According to Davidson, the book is a legal guide for superheroes and supervillains. "It's basically a guide to the law using CB situations as an example. And each chapter will address a particular issue with a good overview of certain principals. The nice thing about the book, is that we can cover other issues that that we cannot do on the blog because of length." The book will be published by Gotham books, a Penguin imprint, and should be on the shelves by early summer 2012.

To read Law and the Multiverse, go to: <http://lawandthemultiverse.com>. ■

**Q: Are there lawyers in the multiverse? Who sanctions them? Is there a Bar Association?**

J: In the comic book world that we deal with, most of the action happens in the world, mostly in the US, most of it is in New York City. So, She-Hulk is an attorney in New York.

... Most of the [comic book] action occurs in fictional countries. Most of these fictional countries are dictatorships of one kind or another. So there are not a lot of legal proceedings with attorneys, most of the time that there are legal proceedings

R: Reed Richards [of the Fantastic Four]: in the real world, he went to law school and sat for the bar.

J: The only thing I can think of is the trial of Reed Richards. He represented himself, but there was also a prosecutor.

**Q: How do multiverse lawyers do legal research in the multiverse? In print? Online? With superpowers?**

J: Good question. Kinda all three. The Flash used his super-speed to read through all the books in the law library at an incredible speed. So, yeah, sometimes they use their superpowers.

R: She-Hulk she was part of the law firm that had a superhuman law division. Their law library consisted of massive stacks of comic books.

J: They break the fourth wall. [They] pick up all the comic books on that character. They use comic books as evidence.

R: They also had a debate about whether to buy individual issues

or trade paperbacks. They couldn't find the issue they needed for a trial and it wasn't available. [We see this as] analagous to having Westlaw or Lexis versus print editions with pocket parts in the real world.

**Q: What kind of library do they visit – I don't think I have ever seen any depiction of a library setting (maybe even books) in a superhero comic strip?**

R: She-Hulk is the best example. They spend time going through the stacks of comic books in the firm.

J: The scene with the Flash appeared to be done at the courthouse library. There seems to be a mixture of public law libraries and firms.

R: I don't know if there is a depiction of law school. Maybe if you go back far enough in She-Hulk. Maybe a flashback in Daredevil.

J: In Daredevil Volume 2 #38, there is a legal research scene showing Matt Murdock (aka Daredevil) and his law partner Foggy Nelson doing late night research at their firm's law library. The scene implies that the two attorneys have just finished working through a few dozen printed volumes, and there is a large set of bookshelves housing what are apparently case reporters. There is a laptop in the scene, but it is not shown being used.

**Q: Who is the librarian in the multiverse? What do they look like?**

J: Definitely specific characters in She-Hulk's law firm. It's always the same people with motivations and identities. However with the nature

of the law firm, their law librarians are comic book nerds. They are seen in the background having arguments regarding trade verse paperback [editions of] comic books. Characters, but not necessarily.

R: There are the Watchers, a race of very powerful beings who watch and keep records of everything that happens. But they tend not to get involved. And, they are not really librarians.

J: [They are] more like historians, anthropologist. We haven't really dug into Daredevil, but we plan to. As for a superhero who happens to be a law librarian or a librarian....

R: I don't think there is one.

J: Lawful acquisition of information is not in line with the genre. And time travel [affects this too]. There are huge sections of the timeline that seems to never have happened.

**Q: What about Wonder Woman?**

J: Her legal status is weird: She's not from the US. She's from an island nation and is some kind of royalty. [Interviewer's Note: Wonder Woman is a Princess of the Amazons but at home she is known as Diana of Themyscira, or Paradise Island.]

R: Not actually American.

J: She presents more interesting legal issues. Her lasso is unbreakable. If she catches a villain in it they can't lie; if they speak they must tell the truth. She can force them to speak using it. The 5th amendment, the right to remain silent, is implicated.

[Thanks to my colleagues and friends for your contribution of questions for this interview!]

# Using Google Custom Search To Access Recommended Legal Sites

— by Terry Ballard

*Assistant Director of Technical Services for Library Systems,  
Mendik Library, New York Law School*

In the summer of 2010, I was looking for a good summer project that would enhance the research possibilities for our users. I noticed that this library had a detailed structure of web pages that provided links to recommended web sites like Oyez, the United Nations, Thomas and many others. While these were all great sites, to use these pages you would need to go in and out of each one and make individual searches. Wouldn't it be nice to have some kind of federated search that looked up a topic in all of these with one search? Then I remembered something that had been shown to me at a meeting of the American Library Association by Ben Bunnell, a librarian turned Google Books administrator. Google Custom Search allows you to set up your own search engine that only looks at sites that you select. I had set one of these up years ago to search for sites relating to Irish historical documents, but it was not terribly effective. It occurred to me that the Irish engine was not useful because I had only chosen a handful of sites. Looking at our

web page and the one generated by the Law Library of Congress, there was an enormous pool of likely sites to choose from in creating a legal-based custom search.

At the beginning, my idea was to create this engine and launch it as a search gadget on our Facebook page. After the first few entries, I developed a work flow for adding new sites. It turned out that not every web site works with Google Custom Search. Ironically, no other Google products such as Scholar or Google Books will create results in a Google Custom Search. The way to test these is to create a second search engine that only searches one site at a time. One of the features of the custom search engine is a preview. For instance, I would add the URL for the United Nations and then go to the preview screen and ask it to search for Ivory Coast. In less than a second, I would get 100 search results (100 is the limit but there are ways around that to be discussed later). Once a site is green-lighted it is added to the main search engine.

Ivory Coast

[United Nations Operation in Côte d'Ivoire \(UNOCI\)](#)  
The official United Nations Website for UNOCI contains background information, facts and figures and the mission mandate. In addition Security Council ...  
[www.un.org/en/peacekeeping/missions/unoci/](http://www.un.org/en/peacekeeping/missions/unoci/)

[MINUCI: United Nations Mission in Côte d'Ivoire](#)  
Having determined that the situation in Côte d'Ivoire constituted a threat to international peace and security in the region, the Security Council set up, ...  
[www.un.org/en/peacekeeping/missions/past/minuci/](http://www.un.org/en/peacekeeping/missions/past/minuci/)

[Côte d'Ivoire: International Criminal Court may initiate probe ...](#)  
The office of the prosecutor of the International Criminal Court (ICC) today said it may open investigations into the "widespread and systematic" killings ...  
[www.un.org/apps/news/story.asp?Cr1=&NewsID=38025&Cr=ivoire](http://www.un.org/apps/news/story.asp?Cr1=&NewsID=38025&Cr=ivoire)

[UN chief underlines warning against attacking peacekeepers in Côte ...](#)  
Dec 19, 2010 ... Secretary-General Ban Ki-moon emphasized his warning against attacks on the United Nations peacekeeping force in Côte d'Ivoire or attempts ...  
[www.un.org/apps/news/story.asp?NewsID=37114&Cr=ivoire&Cr1](http://www.un.org/apps/news/story.asp?NewsID=37114&Cr=ivoire&Cr1)

[Top UN relief official sounds alarm after 'deeply troubling' visit ...](#)  
Apr 7, 2011 ... "He has to mind – if he believes he was a leader of the Ivory Coast for some time – then he has to mind the well-being and safety and ...  
[www.un.org/apps/news/story.asp?NewsID=38042&Cr=ivoire&Cr1](http://www.un.org/apps/news/story.asp?NewsID=38042&Cr=ivoire&Cr1)

By the time I had entered 20 sites, it was becoming obvious that we were on to something big here. The results screens had good information and they continued to appear lightning-fast. Normally the results would appear in less than a second. At this point, the work in progress was shown to the full group of librarians. It was clear that this would be a feature of our main web page, not just Facebook, and it would be demonstrated to new students at the beginning of the Fall semester. In the beginning, the project had a series of prosaic names such as “Mendik Library’s Federated Search of Legal Databases.” After a spirited exchange of ideas, library director Camille Broussard struck gold with the name “Dragnet.” I managed to retrofit the name into an acronym by coming up with “Database Resource Access using Google’s New Electronic Technologies.”

By August 30 when DRAGNET was announced to the world, the engine contained about 80 databases. I wrote about the project to a number of listservs. There

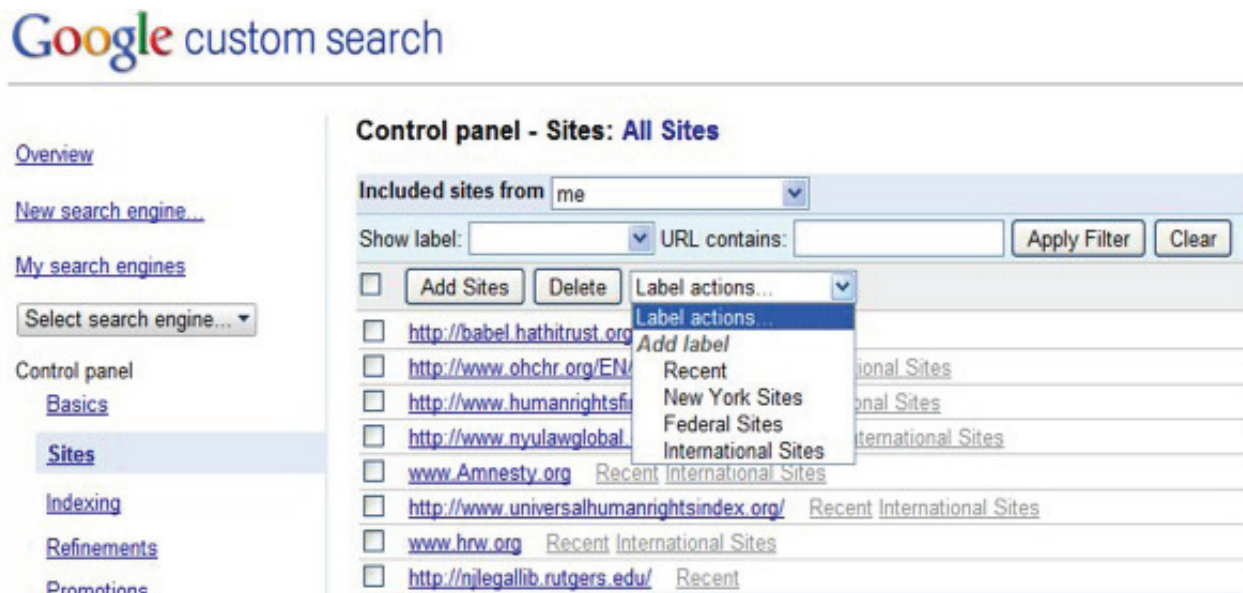
was almost no direct response, but our tracking mechanism through statcounter.com told the story of the initial response. On the first day nearly a thousand libraries took a look. Some of the visitors had very impressive dot gov addresses. Over the next week, DRAGNET was a hot topic in the blogosphere and the Tweetosphere. Later that week I heard from Nicholas G. Tomaiuolo, a librarian and writer at Central Connecticut State University who had been doing some work of his own on Google Custom Search. He was helpful in steering us towards a solution to the problem of the 100 hit limit in DRAGNET’s results. The answer was to set up tabbed search categories in the coding. To do this, you choose “Refinements” in the control panel.

Once your tab is named, it can be set with one of two flavors. In most cases we stipulate that the results for this tab must be present in one of the sites that we have set with that tab, such as federal or New York. Otherwise, it can just emphasize those sites.

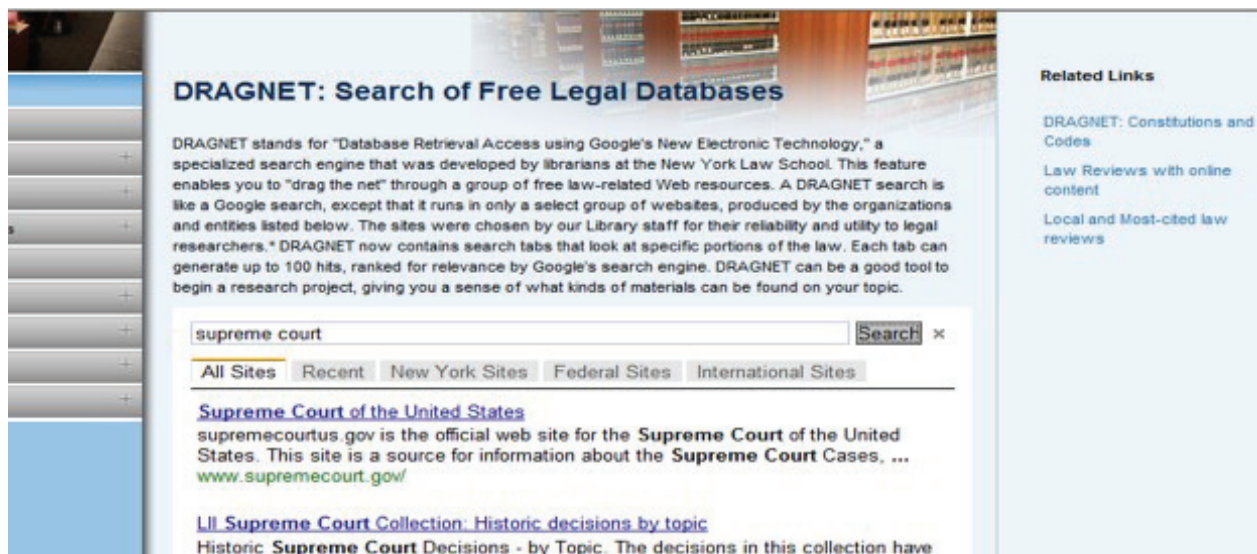
## Google custom search

The screenshot shows the Google Custom Search interface. On the left is a navigation menu with links for Overview, New search engine..., My search engines, Select search engine..., Control panel, Basics, Sites, Indexing, Refinements (highlighted), Promotions, Synonyms, and Autocompletions. The main content area is titled "Control panel - Refinements: All Sites". It contains a "Manage refinements" section with an "Add Refinement" button and a list of recent refinements: New York Sites, Federal Sites, and International Sites. Below this is a "Displayed refinements" section with a text input field for the maximum number of refinement labels to show (set to "All") and a "Learn more" link. At the bottom are "Save Changes" and "Cancel" buttons.

Afterwards, you can go through the list of sites and tag them using a dropdown box:



After the tabs were set up, search results in DRAGNET were displaying up to 500 results, and the user could choose a field of specialization for a more refined search, or choose the “recent” tab to get up-to-the-minute results:



By the fall of 2010, DRAGNET had grown to my goal size of 100 sites. We looked for new ways to use this technology, and we didn’t have to look far. Since 2009 we had been tracking about 150 law journals that put their current issue and at least some of their archive free on-line. Since we already had a list of sites and the correct URLs, it was an easy task to create a second DRAGNET search bar to search all of the journals instantly. We then added search tabs




for specialized journals such as environmental and international law. We also created a Google Custom Search to find material from the constitutions and established law of the fifty states and the federal government.


In the spring of 2011, I began a project of adding the DRAGNET engines to the iGoogle directory of gadgets. These are all in the directory and accessible to anyone with an iGoogle account:


**iGoogle** [Gadgets](#) [Themes](#)


Narrow by category  
» All categories  
[Editor's picks](#)  
[Celebrity picks](#)  
[News](#)  
[Tools](#)  
[Communication](#)  
[Fun & Games](#)  
[Finance](#)  
[Sports](#)  
[Lifestyle](#)  
[Technology](#)  
[Politics](#)  
[by Google](#)

**Search results for "mendik"**

 **Catalog of the Mendik Library**  
Find listings for all of the books and databases provided by the library, including links to online j  
<http://hosting.gmodules.com/>  
[Add it now](#)

 **DRAGNET: Search of Free Legal Databases**  
Searches 100 recommended legal databases simultaneously. This uses a Google Custom Sea  
librarians at New York Law School's Mendik Library  
<http://hosting.gmodules.com/>  
[Add it now](#)

 **Classic Catalog of the Mendik Library**  
Find listings for all of the books and databases provided by the library, including links to online j  
<http://hosting.gmodules.com/>  
[Add it now](#)

 **Law Reviews with Online Content developed by New York Law School's Mendi**  
Searches 150 law journals simultaneously  
<http://hosting.gmodules.com/>  
[Add it now](#)

In February 2011, we entered the DRAGNET products in an annual competition to honor the best library publication, non-print division. Early in March, we were notified that we had won. I will be going to Philadelphia in July to accept the award on behalf of the library. In the future, we hope to create a mobile application so users will be able to search DRAGNET on the train. To see the original DRAGNET site, go to [http://www.nyls.edu/library/research\\_tools\\_and\\_sources/dragnet](http://www.nyls.edu/library/research_tools_and_sources/dragnet). To see the full list of DRAGNET products, visit [http://www.nyls.edu/library/research\\_tools\\_and\\_sources/dragnet1](http://www.nyls.edu/library/research_tools_and_sources/dragnet1). I can be considered a resource person for anyone who wants to create their own such page. ■

*Terry Ballard is the Assistant Director of Technical Services for Library Systems at the Mendik Library of New York Law School in Lower Manhattan. He received his MLS from the University of Arizona in 1989. He is the author of "INNOPAC: A reference guide to the system," published in 1995, and also the forthcoming book "Google This: Putting Google products and other social media to work for libraries," to be published in the spring of 2012 by Chandos Publishing.*

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# Research Challenge & Cautionary Tale

— *Pepper Hedden*

The email came an hour before the end of the day:

*“I am looking for “The Weiss-McGrath Study”. I’ve tried Google, but all I can find are references to the report, not the actual report. I was wondering if you had some databases that may have it?”*

## ON THE HUNT

The request sounded fairly simple at first blush. Finding the study just needed a librarian’s superior research skills. As it turned out, not so. (full disclosure: As a new reference librarian, I stand properly chagrined. See why below.)

The total information given was the name of something, but was it a book? A journal article? When was it published? What is the subject? Since the request came to a law library, an initial assumption was that it had some legal relevance.

To observe what the requestor had found, a simple Google search validated that are dozens of references to the work without citations anywhere - in references, endnotes or footnotes. Google Scholar and Google Books searches produced the same result.

However, additional bits of information were added. First, sometimes the work was referred to as the Weiss-McGrath Study and in others it was a Report (herein after Study). That seemed to put it into the realm of a journal article. Second, the majority of the hits were to support the proposition that jurors retain more understanding and memory of evidence when it is augmented by visual presentation in addition to oral presentation. Probably a study in a legal journal. Third, a reference to a 1992 ABA Journal article.

The clues fit nicely together – the study was reported in 1992 in an ABA Journal article. Except for a nagging opposing clue found a couple of times where Weiss-McGrath was followed by “published by McGraw-Hill”. There was a possibility the study was in a book, but McGraw-Hill seemed an unlikely publisher of legal works.

Putting book clue aside and proceeding to find that 1992 ABA Journal article, proved sorely disappointing:

*“The value of demonstrative evidence to help jurors understand complex issues has long been recognized by experienced trial lawyers. Contemporary research on cognitive function has further underscored its importance. For example, a study entitled “The Weiss-McGrath Report” found a 100 percent increase in juror retention of visual over presentations and a 650 percent increase in juror retention of combined visual and oral presentations over oral presentation alone..”<sup>1</sup>*

Alas, no attribution whatsoever, and, as it turned out misleadingly stated. Maybe it was a book after all. A call to two McGraw-Hill offices resulted in neither being able to locate any information on this Study.

Remembering a hit that had, “Dombroff, Dombroff on Evidence” linked closely with a refer-

<sup>1</sup> Krieger, Roy. (1992). Now Showing at a Courtroom Near You ... ABA Journal, 78, 92. Retrieved April 19, 2011, from ABI/INFORM Global. (Document ID: 8728676).

ence to the report,<sup>2</sup> a Google search turned up a web site for the law firm of Dombroff Gilmore Jaques & French in Washington, D.C. and its phone number. Could this be the author? The author of the treatise on evidence would be lawyer. Calling Mr. Dombroff and chatting, he admitted writing the treatise and citing the Study and he was certain the Study was not in a book.

The trail again turned more convincingly toward an article. Further research located a welcome quote from another article:

“One study, often erroneously referred to as the “Weiss-McGrath report” (it is actually a 254-page book), is frequently cited as offering proof of the effectiveness of forensic animation.”<sup>3</sup> (emphasis added)

This led to another:

“The well-known Weiss-McGrath report compared retention of information presented to focus groups during the course of 72 hours (the length of a short trial) via three different formats: orally only; visually only; and visually and orally together. The group presented with information solely by oral means retained only 10 percent of the information. The group presented with information solely by visual means retained twice as much information, but still only 20 percent of the total material presented. Those who received the information both orally and visually retained 65 percent of the information presented. See H. Weiss and J.B. McGrath, “Technically Speaking: Oral Communication for Engineers, Scientists and Technical Personnel” (1963).<sup>4</sup> (emphasis added)

The above was actually one of the first few results reviewed, but the name of the resource was overlooked. This novice was looking for a reference list, endnotes or footnotes, not a reference at the end of the paragraph. Even if the reference had been seen, the title just did not fit with the assumed profile.

Finally with the right name, a search of Google Books and . . .there it was, available on Amazon, a 254-page book written in 1963 intended not for lawyers, but for engineers, scientists and technical people for a mere \$10 to \$12.

## GETTING THE GOODS

In these budget crushing days, the next step was consulting WorldCat to see if one of the local libraries had a copy. Fortunately, there was one copy at a library within walking distance and an ILL was finagled the following day.

<sup>2</sup> Allee, J. S. , Product Liability (2005 ed.) Published by ALM Properties Inc., Law Journal Press, New York, NY. Retrieved from Google Books Web site link: <http://bit.ly/hASCsc>

<sup>3</sup> Breaux, S.P. (2003) Is forensic animation right for your case? As the capabilities of computer animation grow, so does their use at trial. Here's how to determine whether this tool can enhance your case presentation. Retrieved April 19, 2011 from Goliath: Business Knowledge on Demand Web site: [http://goliath.ecnext.com/coms2/gi\\_0199-237325/Is-forensic-animation-right-for.html](http://goliath.ecnext.com/coms2/gi_0199-237325/Is-forensic-animation-right-for.html)

<sup>4</sup> Cox, T. (2009). Information Age Saps Jurors' Attention. Retrieved April 19, 2001 from Law.com Law Technology News Web site: <http://www.law.com/jsp/lawtechnologynews/PubArticleLTN.jsp?id=1202428037744>

## THE SURPRISE

After the requestor had finished with the book, additional questions needed to be answered. The authors were at Southern Methodist University, possibly sociology professors, in 1962. The preface stated:

“This book grew out of the author’s experience in helping solve communications problems with management and training officers in many technical industries.” . . . This book is designed [1] for use in schools and colleges where scientists, engineers, or other technical personnel are educated; [2] for industrial-training groups; and [3] for individuals who wish to improve this skills in oral communication.”<sup>5</sup>

Indeed, it is very much like a textbook with exercises following each chapter. After perusing every page, the following are only the two paragraphs on pages 77-78 contain the words have been cited over the last fifty years:

“The best way to know reality is to experience an event. But this is not always feasible. . . One study showed that telling alone produced an audience recall of 70 per cent of the material three hours later; only 10 per cent after three days. Showing alone produced 72 per cent recall of the material after three hours; 20 per cent recall three days later. But telling and showing together produced 85 per cent recall after three hours; 65 per cent after three days.

Military leaders claim that 40 percent of instruction time is saved by the use of visual methods. Psychologists say that 85 per cent of human knowledge is absorbed through the use of sight. Material that is seen is remembered 55 per cent better than material that is only heard, according to research in reception through the senses. A 160-page government report was condensed into six simple visuals. These visuals were presented the cabinet level and their message absorbed and approved in less that fifteen minutes.<sup>6</sup>

The McHugh report was an internal document of Tecnifax Corporation, and notice the publication date, 1856. In a world abundant with sociological, psychological and philosophical research, is there no more current, authoritative material to be cited? Or has the Weiss-McGrath-McHugh material become so ubiquitous as to now be classified as conventional wisdom not really worth citing? Perhaps so, as many articles, including those cited above and below did not bother with a citation to the originals.

More disturbing, however, is how the actual information has been so carelessly used and summarized. For instance, an article on a law firm web site misleadingly said 1] there was “a 1992 study known as the Weiss-McGrath report”, 2] sites both “(Source: Weiss-McGrath report,

<sup>5</sup> Weiss, H. and McGrath, J.B. (1962) *Technically Speaking: Oral Communication for Engineers, Scientists and Technical Personnel*. New York: McGraw-Hill.

<sup>6</sup> Francis J. McHugh, *Graphic Presentations*, Tecnifax Corporation, Holyoke, Mass. 1856, p.9 (of 14).”

1992)” and “(Source: 18th Annual Advanced Civil Trial Course, State Bar of Texas, 1995)” for the same data, the latter in a matrix, 3] “the study was designed to evaluate specifically how individuals retain information” (emphasis added), and went on to describe the details of the study as imagined as if it took place under today’s research standards:

“The study compared retention of information presented in three different formats: (1) orally only; (2) visually only; and (3) visually and orally. After the initial presentation of information, the study measured information retention at various intervals. After 72 hours the group presented information solely by oral means retained only 10% of the total presentation. The group receiving information solely by visual means retained twice the information, or 20% of the total information presented. But those who received information both orally and visually retained 65% of the total presentation. The authors of the study concluded that presentations using both visual and oral stimuli result in increased information retention over a longer period of time than presentations utilizing only visual or oral elements.”<sup>7</sup>

While all true, this all paints a false picture of recent research not, in fact, done.

## LESSONS LEARNED

There are several lessons in this research. Research must be thorough. It seems that those who cited the Weiss-McGrath study did cursory research, if any. Librarians cannot be so glib. Whenever something is proffered, especially statistics, find the original if at all possible. Those that cited the information in some cases seriously skewed it in their efforts to sound different or authoritative. Finally, never give up! Your clients will appreciate the value of your efforts and the results may surprise everyone. ■

<sup>7</sup> Benny Agosto, Jr., (n.d.) Admissibility Of Computer-Generated Animation. Retrieved April 15, 2011 from Abraham, Watkins, Nichols, Sorrels, Agosto & Friend Web site: <http://www.abrahamwatkins.com/Firm-News-Articles/Admissibility-Of-Computer-Generated-Animation.shtml>

# The Dual Degree Debate\*

— Imtiaz Jafar

\* This is excerpted from a longer piece by the same title.

## INTRODUCTION

As a result of the “industrialization of the United States and the accompanying improvements in travel and formal education,” university-level law programs and the large law firm emerged, bringing with them “new sets of information and resource needs unseen before the twentieth century.”<sup>1</sup> Around this time, the title of “law librarian” was gaining legitimacy; this is evidenced in the formation of the American Association of Law Libraries (AALL) in 1906 and in the “extensive scholarship” defining this bona fide title.<sup>2</sup> Throughout the twentieth century, the role of the law librarian underwent many transformations both in the private sector and in academia. This fascinating development witnessed many debates on the education and credentials defining the integrity of the profession. In this paper, we will focus on one present day debate: is the dual degree important in the academic reference setting? By surveying the literature surrounding this colorful discussion, we will conclude with, as the profession which the law librarian supports is fond of concluding with, an inconclusive determination: yes and no; it depends; yes in an academic environment and not necessarily in a law firm or practitioner’s library where an emphasis on subject specialization instead is more valued.

Although there is presently “no one accepted model of education for law librarianship, [ ] the current thinking is that the entry-level credential is the MLS degree.”<sup>3</sup> (As such, we will later only briefly touch on the tangent debate of the benefit of the MLS in the legal education of the law librarian.) “85% of those working as law librarians have a graduate degree in library science” and “[n]early 30% of all law librarians also have a J.D. or LLB degree.”<sup>4</sup> Law school libraries prefer, if not outright require, “individuals to have both J.D. and MLS degrees, although there are still a number of respected law librarians working in law schools with only the MLS. Non-academic law library settings seem to actually prefer librarians without the J.D., as they do not want librarians who may be tempted to give legal advice.”<sup>5</sup> Many private law firms also value “work experience in law libraries” or “[specialized] training in technology [more] than the law degree.”<sup>6</sup> Therefore in seeking to answer our main question, we must also compare the functions of law librarians in both academia and the private sector.

## COMPETENCIES OF LAW LIBRARIANSHIP

We begin our journey by outlining the “Competencies of Law Librarianship” as defined by the AALL in March of 2001 under the subheading of “Reference, Research and Client Services.”

The librarian working in this area: Provides skilled and customized reference services on legal and relevant non-legal topics (3.1); Evaluates the quality, authenticity, accuracy, and cost of traditional and electronic sources, and conveys the importance of

1 The author wishes to express thanks to Ralph Monaco, Executive Director of the New York Library Institute and Adjunct Professor at St. John’s University for his assistance and encouragement. This paper was originally written for a Law Library Administration course taught by Professor Monaco.

Theodora Belniak, *Law Librarian of the Twentieth and Twenty-first Centuries: a Figuration In Flux*, the General Article, LAW LIBRARY JOURNAL, Fall 2009, at 427, 429.

2 *Id.*

3 Serena Brooks, *Educating Aspiring Law Librarians: a Student’s Perspective*, LAW LIBRARY JOURNAL, Summer 2005, at 517, 518.

4 AALLnet.org, Recruitment Committee, <http://www.aallnet.org/committee/rllc/resources/education.asp#Qualifications> (last visited Oct. 30, 2010).

5 Brooks, *supra* note 3.

6 *Id.*, citing Maya Norris, *The Accidental Profession: Work Experience, Education Prove Vital in Training Law Librarians*, AALL SPECTRUM, Mar. 2002, at 26, 26.

these to the client (3.2); Assists clients with legal research using both print and electronic resources (3.3); Assists non-lawyers in accessing the law within the guidelines provided by the [ABA's] Model Code of Professional Conduct and other applicable codes (3.4); Aggregates content from a variety of sources and synthesizes information to create customized products for clients (3.5); Creates research and bibliographic tools (handouts, aids, pathfinders, bibliographies) on legal and related topics (3.6); and Monitors trends in specific areas of the law (3.7)<sup>7</sup>

In 2010, this section of the “Competencies of Law Librarianship” was revised, and now reads as follows:

3.1 Provides skilled and customized reference services, including specialized subject services on legal and non-legal topics. 3.2 Evaluates the quality, authenticity, accuracy, and cost of information resources in a variety of formats best suited to the user's needs, and conveys the importance of these to the user. 3.3 Assists users with legal research using information resources in a variety of formats best suited to the user's needs. 3.4 Consistent with applicable codes assists non-lawyers in accessing the law. 3.5 Aggregates content from a variety of sources and synthesizes information to create customized products for users. 3.6 Creates research and bibliographic tools on legal and related topics in a variety of media. 3.7 Monitors trends in specific areas of the law. 3.8 Monitors and participates in trends in library resource sharing.<sup>8</sup>

Although the shared competencies were adjusted after she put pen to paper, Theodora Belniak (2009) explores the differences of the academic and law firm librarian into the Twenty-First century. Writing about the impact of globalization on

technology, communications, economics, politics and travel, [she concludes that they have] altered the legal landscape and those who navigate its terrain. The digitization movement has pushed legal information beyond any comprehensible limit, making management more important than merely knowing the sources. The law has been divided into increasingly specialized areas of study, and sources of information have followed suit.<sup>9</sup>

## THE LAW FIRM LIBRARIAN

Before we delve into the academic law librarian, we borrow the words of Holley M. Moyer (1993) to delineate the some of the roles of the law firm librarian:

- **Organize Expansion**—Firm librarians may research demographic and business statistics and other information relevant to the decision to open international and national branches.
- **Client Acceptance Process**—Use librarians to examine financial health of prospective clients.

7 Kay M. Todd, *Competencies of Law Librarianship: Reference, Research, and Patron Services*, LEGAL REFERENCE SERVICES QUARTERLY, Dec. 2007, at 7, 8.

8 AALLnet.org, *Competencies of Law Librarianship*, <http://www.aallnet.org/prodev/competencies.asp> (last visited Oct. 30, 2010).

9 Belniak, *supra* note 1 at 443.



- Administrative and Management Changes—before committing to a revised fee or partnership structure, attorneys should have law librarians explore the experiences other firms have had with these changes.
- Ethical Rulings—Firm librarians should track such decisions and forward them to attorneys.
- Lateral Hires—Recruiting partners should routinely work with firm librarians to identify publications by prospective hires and other information that may shed light on potential problems.
- Prospective Visits—Librarians can research the organization, finances, past legal actions, and other information on prospective clients to prepare attorneys in their competition for the clients.
- Practice Management—Practice groups should involve librarians in business meetings so that librarians will be able to recommend collection purchases and otherwise support the practice.
- Finances—Librarians should organize acquisition data by practice group and branch, particularly as firms move toward greater financial accountability.
- Space Planning—Librarians are vital to decisions regarding space allocation and should be intimately involved in decision-making.
- Total Quality Service—Librarian expertise in information organization can support the firm’s efforts to provide more efficient, high quality service to clients.<sup>10</sup>

From this we conclude that the involvement of the law firm librarian is in more than offering reference service to attorneys. We also notice that the J.D. is not absolutely necessary for the law firm librarian in carrying out these functions.

### KNOWLEDGE OF THE LAW

But what of knowledge of the law? Do reference librarians in law firms need to know the law, and must this be a J.D.? Craig Eastland (2005), writing (his own wish list) for the private sector from the point of view as a hirer of reference librarians for a private law library, states that “library schools are failing private sector librarians.”<sup>11</sup> Because most newly graduated librarians cannot do legal reference work, the hirers of private sector law librarians are not able to hire recent graduates due to the training required to bring them up to speed.<sup>12</sup> His suggestions for improvement provide insight into our main question of focus.

First, he asks library schools to “know the legal market in your community and create classes that make your graduates attractive to that community.”<sup>13</sup> Single general courses in law librarian are inadequate to serve the purposes of the private sector. Second, “teach the law. Knowing

<sup>10</sup> *Id.* at 444 (citing Ellen M. Callinan, Library Administration in the Private Law Firm, in LAW LIBRARIANSHIP: A HANDBOOK FOR THE ELECTRONIC AGE, at 43, 666-67 (Patrick E. Kehoe, Lovisa Lyman & Gray Lee McCann eds., AALL Pub’ns Series No. 47, 1995) quoting Holley M. Moyer, Make the Most of the Library Staff, HILDEBRANDT REPORT, Jan. 1993, at 5).

<sup>11</sup> Craig Eastland, An Education Wish List From the Private Sector, AALL SPECTRUM, Nov. 2005, at 16, 16.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

something about the law can make a significant difference in a reference interview. [Although seasoned attorneys are effective in facilitating the reference interview,] many new associates freeze up a bit and need a push to start doing the legal analysis. [Eastland is not advocating] that one must be a lawyer to do an effective reference interview, but having a working knowledge of the structure of the law helps.”<sup>14</sup>

Perhaps the strongest argument for teaching the law to law librarians is that the law is too complex and too conceptual to just be picked up on the job. It would be difficult, for example, to absorb the legal distinction between corporate officers and corporate directors piece-meal, but the law could be explained in just a few minutes. Knowing the difference would make for a faster and more productive reference interview.<sup>15</sup>

So where does one gain this knowledge of the law to make an effective reference librarian in the private sector when a complete J.D. is deemed not necessary? And can this legal education serve as a substitute for the J.D. in the academic setting, if we subsequently conclude that a J.D. is not necessary in this setting? The discussion of the second question will be incorporated into the latter part of this presentation focusing on the academic setting. As for the first question, we now consider it along with the tangential debate of the sufficiency of the MLS in the law librarian education process.

Law librarians are professionals, and in entertaining the debate over degrees, Jensen (1998) utilizes Black’s Law Dictionary’s definition of a professional: “one engaged in one of the learned professions or in an occupation requiring a high degree of training and proficiency.”<sup>16</sup> A professional requires “knowledge, and [w]hile formal education isn’t the only way to gain the needed knowledge, it is an easily documented indicator of exposure to certain types of training and knowledge.”<sup>17</sup>

And while it is possible to learn much of the needed knowledge of the job, it probably takes most people longer to master multiple aspects of specialized area of knowledge through on the job osmosis than it does through a formal education program targeted at that area of knowledge. Knowledge acquired on the job can also have a patchwork characteristic with some gaps in basic areas that is often avoided by the systematic nature of formal education. Given the speed with which our jobs change and the decreasing time that many library employees spend in a single position, most law libraries probably cannot afford to wait for a person to learn the basics of legal subject matter, information management and librarianship or technology management on the job.<sup>18</sup>

Concurrently, we join with the current thinking of the value of the MLS as the entry-level degree for the profession.

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<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> Mary B. Jensen, The Debate Over Dual Degrees and Professionalism in the United States, *THE LAW LIBRARIAN*, March 1998, at 14 quoting Black’s Law Dictionary (citation omitted by Jensen).

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

But, as mentioned earlier, most single course offerings in law librarianship by themselves fail to adequately provide the requisite education to initially prosper in a law library. In the past, it was proposed that a paralegal certificate would be a good academic pursuit for the aspiring law librarian.<sup>19</sup> Harris (1985) states that paralegal programs that “establish and maintain high standards for entrance, course work, and faculty offer an alternative to be considered in formulating a new theory of education for the law librarian.”<sup>20</sup> However, the paralegal option “seems to have been rejected by the law library community.”<sup>21</sup> Judith McAdam (1996) analyzes formal methods by which the aspiring law librarian can gain legal background needed for her designated profession.<sup>22</sup> She studies options such as: “1) MLS courses in legal bibliography and related subjects; 2) continuing education courses; 3) paralegal certificate; 4) joint Law/MLS degree [ ]; and 5) law degree and an MLS obtained separately.”<sup>23</sup> Another suggestion, discredited by McAdam because of its targeted audience, is a MA in Legal Studies, which is the equivalent of the first year of law school studies.<sup>24</sup>

It would seem from this literature review that the only viable option for legal background for the law librarian is the J.D. degree. Penny Hazelton (1993) states that “the J.D. is still the recommended way to obtain the competencies of the subject of law for the practicing law librarian.”<sup>25</sup> Now we examine this idea in the context of the academic setting. This examination will comprise the rest of this presentation.

## THE ACADEMIC SETTING

Meredith McNett (2010), writing for AALL Spectrum, describes the experience at the law school reference desk:

[t]he legal reference experience requires a knowledge that is based upon a broad range of understanding both within and without the contextual and historical confines of the legal system. In addition, there is the specialized assistance requested by the barrage of ever-needy law students, time-challenged law faculty, legal and non-legal patrons from the community (some just looking for a warm place and a friendly ear), and those acting pro se. Often, answering questions at the reference desk necessitates a strong mixture of analysis and diagnosis, along with good old-fashioned guesswork—all with careful attention paid to not incurring the liability of providing legal advice.<sup>26</sup>

While this experience seems to suggest that legal knowledge and knowledge of the academic environment play a key role in the professional life of the academic law librarian, a closer review of the writings of reference librarians must be conducted to either strengthen or refute this concept.

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19 Catherine K. Harris, Paralegal Programs: An Educational Alternative for Law Librarians, LAW LIBRARY JOURNAL, 1984-1985, at 171.

20 *Id.* at 175.

21 Brooks, *supra* note 3, at 529.

22 Judith E. McAdam, The Place of Legal Education in Law Librarianship, CANADIAN LAW LIBRARIES, 1996, at 251.

23 *Id.*

24 *Id.* at 252.

25 Penny A. Hazelton, Law Libraries as Special Libraries, an Educational Model, LIBRARY TRENDS, Fall 1993, at 319.

26 Meredith McNett, What Do You Wish You Had Been Taught in Law or Library School, AALL SPECTRUM, April 2010, at 34.

Mary Whisner (2008) takes this topic head on as she analyzes the question: “[h]ow does having a law degree help you as a law librarian?”<sup>27</sup> Although she states that the law degree is “not the *only* way to acquire the skills, knowledge, or whatever else it takes to do my job,” she discusses areas where the degree would be of benefit. They include “knowledge of legal institutions, legal terminology, and substantive law; ability to read legal materials, knowledge of legal culture; comfort in dealing with law students, lawyers, and law professors; and interest in law.” First, formal legal studies leading to a J.D. provide “knowledge of law.”<sup>28</sup> Knowledge of law is bound to make some difference when assisting a patron. For example, to know “the difference between secured transactions and securities regulation” would make a world of difference in assisting the student who himself knows little of the subject.<sup>29</sup> “The more familiar we reference librarians are with vocabulary, subject areas, and so on, the easier it becomes to refer a patron to an appropriate source, or if we are doing the research for someone, to get there ourselves.”<sup>30</sup> And it “is not about knowing all subjects, but about having a sense of the general way the law works” when assisting students to think like lawyers.<sup>31</sup>

Second, knowledge of legal culture beyond that of formal institutions is a key strength gained in law school. It involves “values, relationships, and personalities.”<sup>32</sup> While this too can be gained by several years of working in a private sector legal environment, the overall experience is more easily gained by the law school experience which includes summer positions in the practicing environment. Furthermore, being able to commiserate with students and sharing in the experiences of the faculty are realized with the J.D. Credentials are more valued by the student and the faculty.<sup>33</sup>

The third area, not trivial in itself, is interest in the law and overall job satisfaction. “It is more fun to do research and help others do research if you care about the field (or at least some aspects of it). In turn that can make you better at it, because you are more likely to read and take other steps to learn more about it.”<sup>34</sup> Of course if the librarian hated the law school experience or is running from the practice of law, then the benefit of the J.D. will be lessened, and the degree may even be a detriment.<sup>35</sup> All that being said, Whisner concludes

...my legal education does help me in my job as a law librarian. It gave me excellent foundation knowledge of legal institutions, legal terminology, and substantive law. It helped me develop my ability to read, analyze, and sort legal materials. It introduced me to legal structure, and has helped me form relationships with law students, lawyers, and law professors. Finally, it nourished my interest in law, which makes it more interesting to see what comes up each day in the reference office.<sup>36</sup>

27 Mary Whisner, *Law Librarian, J.D. or Not J.D.?*, LAW LIBRARY JOURNAL, Winter 2008 at 185.

28 *Id.* at 186.

29 *Id.* at 187.

30 *Id.*

31 *Id.*

32 *Id.* at 188.

33 *Id.* at 189.

34 *Id.*

35 *Id.*

36 *Id.* at 190.

Joining in the debate over the dual degree is Mary B. Jensen (1998), who, although not advocating that all academic librarians simply hold dual degrees without other formal education or specialized experience, does see the benefit of a formal law degree for the reference setting.<sup>37</sup> In a law firm setting patrons are fully trained lawyers, and “to some extent the librarians can rely on the patrons to know what they are asking for and to be able to frame their questions with language that fits the subject matter. What they need librarians for is usually to help with the selection of research tools or the techniques of retrieval.”<sup>38</sup> In a law school setting, the situation is different, where either the librarian is dealing with a patron who knows less about the subject matter or one with a “solid legal education [who is] seeking assistance in doing complex research in specialized areas of the law. In this situation, the librarian may need considerable legal education to understand the questions the patron is asking or to be able to provide the level of assistance that is being sought.”<sup>39</sup>

As such, Jensen (1998) concludes with the thought that in a law library, whether private or academic, “a law degree is not necessary for everyone.”<sup>40</sup> However, with certain questions and situations, “a law degree is beneficial and perhaps even necessary.”<sup>41</sup> Therefore, an ideal reference team would “contain some dual degreed librarians or at the very least have access to people with law degrees who can assist the librarians.”<sup>42</sup>

If you have a large team, a mixture of librarians with dual degrees, only law degrees, library degrees coupled with other advanced degrees or paralegal training, and only library degrees may result in a quite satisfactory reference service. If you have a reference team of only one person and either a substantial number of patrons without a full legal education (like law students) or a substantial number of legally educated patrons doing complex research (like law faculty), your reference librarian probably needs both degrees. But if you are a small firm where most of the patrons are fully trained lawyers and most of the practice isn't highly specialized, you may be quite satisfied with the level of service provided by reference librarians with only a library degree.<sup>43</sup>

Before we conclude with our journey though the literature on the question of the dual degree, we examine the work of Mark P. Bernstein out of the Saint Louis University School of Law. Bernstein (2007) explores “how specialization in law school curricula and legal practice impacts reference service in the 21st century.”<sup>44</sup> Factors such as the numerous specialized journal published by law schools, faculty doing more interdisciplinary and empirical research, students opting for J.D./M.B.A.s or law degrees simultaneously with other masters degrees, the increasing number of specialized LLM programs, and the increase in specialized law school centers and certificate programs reflect a trend towards specialization, and as such, impact law libraries.<sup>45</sup>

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37 Jensen, *supra* note 16, at 14.

38 *Id.* at 15.

39 *Id.*

40 *Id.* at 15.

41 *Id.*

42 *Id.*

43 *Id.*

44 Mark P. Bernstein, One Size Fits All No More: The Impact of Law Specialization on Library Services, *AALL SPECTRUM*, March 2007, at 16.

45 *Id.*

These changes will affect the qualifications of law librarians going forward. As “practitioners, faculty, and students will utilize reference librarians more than ever,” “reference librarians will need to become better versed in an array of subject areas.” As such, credentials for reference librarians will evolve where the JD/MLS “may no longer be the gold standard.”<sup>46</sup> Reference librarians will need to bring “specialized background to law libraries rather than having the law and library degrees be pro-forma core requirements.”<sup>47</sup> Summing up, Bernstein (2007) proffers the notion that specialization will alter “the traditional model of the JD/MLS reference librarian.”<sup>48</sup> While this may not be in the near future, it is worth keeping this idea in the back of our mind.

## CONCLUSION

We conclude that the dual degree is necessary for the academic reference law librarian for the following reasons based upon the arguments and propositions set forth in this paper;

- The emphasis upon research and teaching in the school library, as contrasted with the more practical aspects of the Bar, court and practitioner’s library, and the difference in attitude toward the academic law librarian resulting from the academic atmosphere, the system of academic rank, and so forth distinguish the academic law library from the other libraries where such tradition is not important.
- ABA Standards for Approval of Law Schools<sup>49</sup> requires law degrees for head school librarians or dictates that directors have JDs. It states that a director of a law library should have a law degree and a degree in library and information science
- Academic law librarians who want to rise to the position of head law librarian in law school must get a law degree in addition to MLS.
- Penny Hazelton’s program at the University of Washington requires that the candidate for the Masters of Library and Information Science, Law Librarianship have a JD Degree.<sup>50</sup> Many academic institutions look to graduates of this program when recruiting Academic Law Library Directors. As cited above, Hazelton (1993) states that “the JD is still the recommended way to obtain the competencies of the subject of law for practicing law librarian.”
- Philosophically, a JD helps in an academic setting. The librarian is dealing with a patron who knows less about the subject matter or one with solid legal education who is seeking assistance in doing complex research in specialized areas of the law. But in a small firm where most of the patrons are fully trained lawyers and most

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<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

<sup>48</sup> *Id.* at 23.

<sup>49</sup> ABAnet.org, 2010-2011 Standards and Rules of Procedure for Approval of Law Schools, <http://www.abanet.org/legaled/standards/standards.html> (last visited November 5, 2010).

<sup>50</sup> Washington.edu, The Information School, [http://www.washington.edu/students/genocat/academic/school\\_information.html](http://www.washington.edu/students/genocat/academic/school_information.html) (last visited November 5, 2010).

of the practice isn't highly specialized, you may be quite satisfied with the level of service provided by reference librarians with only a library degree.

As further evidence of the positions just summarized I reference comments from Reference/Electronic Services Librarian at Hofstra University School of Law, David Dames, which best sums up the essence of this essay, and as such, is presented here in its entirety.

My opinion is that a JD is necessary for academic reference librarians, but perhaps only because of an absence of viable alternatives. For the most part, academic law librarians could probably obtain sufficient legal training by going through a program equivalent to the first year of law school, without the second and third years, but such shortened programs don't really exist.

At least this much legal training is necessary for reference librarians to be able to understand faculty research, to be able to relate to the experience of law students going through school, and to gain some respect of law students and faculty. A full JD is probably necessary for a librarian who teaches upper division students, but this is more because of the need to gain students' respect than because of any extra knowledge or skills that are learned in the second and third years of law school. Experience with specific legal or interdisciplinary subjects is helpful for librarians who assist with faculty research, and having taken relevant electives in the second or third year of law school can be very helpful for this, but there are also other ways of learning about specific legal or interdisciplinary subjects, and many JDs unfortunately do not remember much that they learned in their elective classes, regardless. And although experience in legal practice is increasingly relevant for those who teach legal research in law school, such experience could be as a law librarian, rather than as an attorney. That said, aspiring academic law library directors should have JDs, as directors can become involved in the administration of their law schools.

I believe that JDs are required of academic reference librarians for some reasons that aren't directly related to their professional responsibilities. For one, it is easy for schools to require JDs because there are always disaffected attorneys who want to work in academia. And having highly-educated librarians helps schools attract faculty. And, although the work may not always require it, law faculty and students simply tend to give more respect to work done by someone who has passed a bar exam.

Although law firms have traditionally not liked to hire JD librarians (this is changing a little), I think that law firm librarians should also have a legal background equivalent to the first year of law school. Although much of the research law firm librarians do is business and

other non-legal research for which a legal education is basically irrelevant, law firm librarians do still receive legal research questions, and it is often necessary for a librarian to either have some legal education or years of experience doing legal research to be able to respond to such questions in a timely and cost-effective manner

Our journey is now complete. ■

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# Minutes of the January LLAGNY Board Meeting

— Cahill Gordon & Reindel LLP, January 25th, 2011

In attendance: Mikhail Koulikov, Patricia Barbone, Emily Moog, Jill Gray, Rebecca Newton, Sadys Espitia, Victoria Szymczak, Caren Biberman and Ellen Kaufman

*The meeting convened at approximately 6:23 pm.*

## 1. APPROVAL OF MINUTES

Motion to approve the minutes of November 9th, 2010. Approve (Szymczak). Second (Kaufman). Motion Approved.

## 2. TREASURER'S REPORT

Patricia Barbone presented the Treasurer's report.

## 3. WINTER MEETING RECAP

Jill Gray reported from the Special Events Committee Chair, Tom Eikenbrod, that LLAGNY expects to break even on the event.

## 4. OLD/NEW BUSINESS

*Personal Advertisements on the LLAGNY listserv.*

It was agreed that personal advertising is not acceptable on the LLAGNY email listserv. LLAGNY can take steps to have recurrent infractors removed.

*AALL Chapter Professional Development Awards*

Patricia Barbone plans to nominate LLAGNY for an AALL Chapter Professional Development Award.

*Approval of Education Flyer for February 23 program*

The Board noted one small formatting comment.

Motion that the Board approve the flyer for the February 23 program on mentoring and internships with above noted formatting change. Approve (Newton). Second (Gray).

*AALL VIP Guest/AALL Guest at June Dinner*

The Board is exploring options to invite a VIP guest to the upcoming 2011 AALL meeting and to invite an AALL guest to the annual LLAGNY June dinner.

*Chapter Response to West Firing of Library Relations Staff*

The Board has been discussing the West layoffs at the level of librarian relations. The Board is currently planning to send a letter to the President and CEO of ThomsonReuters. The Board also plans to send the finalized letter to the other AALL chapters, post the entirety of the letter on the LLAGNY website and Caren Biberman intends to blog about it on the Law Librarian Blog.

The Board reviewed the draft letter as of the date of these minutes and suggested comments to be made to future drafts.

*Bridge the Gap Update*

The Board reviewed the proposed budget for the Bridge the Gap program. The budget is about the same as last year's program except that Bloomberg has pulled out as a sponsor. As of the date of these minutes the committee is actively looking for new sponsors.

The Board debated whether LLAGNY should continue with the CLE component of the Bridge the Gap program. The CLE component was instituted last year in order to reach out to the needs of attorneys who had been laid off during the recession. Caren Biberman is opposed to presenting CLE programs without further board discussion and a vote. At this point CLE presentations are scheduled and some board members feel uncomfortable canceling pre-arranged and committed CLE presenters.

The Board will hear additional comments and discussion over email and in future board meetings.

A recommendation was heard to hold future Bridge the Gap events at law schools.

#### *PLI - LLAGNY Program on Dodd-Frank*

The recent PLI program was very successful and had over 400 attendees. The Board queried as to the number of law librarians among the attendees. The LLAGNY President will forward this information via email to the Board.

#### *Student Luncheon*

LLAGNY normally holds an annual Student Breakfast but has not heard from the committee regarding the status of the event this year. The Board would like to possibly schedule a luncheon this year and plans to reach out to the Committee Chair in order to program the event.

#### *Nominations Chair*

The Nominations Chair, Christina Rattiner, is working on developing nominations for the upcoming elections. There will be a posting in Law Lines.

It was determined that Board members may freely nominate other members.

#### *Morris Cohen Memoriam*

Board member Mikhail Koulikov is writing a tribute to Yale Law School Librarian Morris Cohen. He is currently accepting anecdotes and comments from chapter members.

#### *Leadership Manual*

Board members were asked to review the current leadership manual which is distributed to incoming committee and board members. The LLAGNY President would like current board and committee members to review the leadership manual and offer any comments.

#### *Bylaws*

The Board noted that the bylaws are in need of amending. There are plans to develop an ad hoc committee to make recommendations to update the bylaws.

#### *NY State Documents Inventory Working Group*

It was brought to the attention of the Board by Sadys Espitia that the Technology Committee wishes to include a link on LLAGNY's website to a Google site that aims to recruit volunteers for the NY State Documents Inventory Working Group. The Technology Committee would like to add this link temporarily to the LLAGNY website main page and to the Government Relations page for an indefinite period. The Board approves of these links.

*The meeting adjourned at approximately 8:26 pm.*

# Minutes of the February LLAGNY Board Meetings

— Hughes, Hubbard and Reed LLP, February 15th, 2011

In attendance via conference call: Rebecca Newton and Caren Biberman

In attendance: Mikhail Koulikov, Patricia Barbone, Emily Moog, Jill Gray, Sadys Espitia, Victoria Szymczak, Ellen Kaufman, Janice Henderson (committee chair) and Yasmin Alexander (committee chair)

*The meeting convened at approximately 6:06 pm.*

## 1. BRIDGE THE GAP

The co-chairs of the outreach committee presented a discussion with regard to the Bridge the Gap Program. There will be three tracks following the corporate practice, the litigation practice and the service practice.

The aim of the program this year is to reach out to the smaller mid-size firms who may not have in-house programs. For the CLE program LLAGNY invited back a previous presenter who was well-received. The basis of the CLE programs this year is ethics.

The co-chairs of the outreach committee recommends that we continue with the CLE offering and apply for accreditation to do so. The co-chairs of the outreach committee believe that putting on CLE programs will enhance our reputation in the eyes of lawyers and provide worth to the program.

A question was heard regarding whether the LLAGNY Bylaws support offering CLE programs and the bylaws were reviewed at the meeting.

It was suggested that LLAGNY focus on providing Research topic only CLE programs. The Board believes that Research fits into our mission and reason for being.

Caren Biberman placed several questions to the Board and the co-chairs of the outreach committee.

a) Will the Ethics CLE presentation affect our non-profit status?

Answer - unknown

b) Where will the records be kept?

Answer - the current plan is that they will be kept by Janice Henderson

c) Are the planned courses yet approved for accreditation?

Answer - no but it is expected that they will be.

d) Are we giving discounts to library students

Answer - no we do not.

It is proposed that LLAGNY acquire a legal opinion as to whether the offering of an Ethics based CLE program will affect the non-profit status of LLAGNY.

A question was raised concerning the number of librarians attending the previous BTG programs and it was believed that a quarter of attendees were law librarians. The number will be determined in future correspondence.

Discussion was heard whether LLAGNY should go ahead with CLE programming that may fall outside the scope of our organization.

Motion that before LLAGNY make a decision on whether we hold the CLE portion of the Bridge the Gap program that we obtain a legal opinion about whether the CLE course offerings will affect our non-profit status. Approve (Biberman) Second (Szymczak).

Roll Call - Mikhail Koulikov (aye), Patricia Barbone (nay), Jill Gray (nay), Emily Moog (nay), Sadys Espitia (aye), Victoria Szymczak (aye), Ellen Kaufman (abstain), Caren Biberman (aye) and Rebecca Newton (aye) Motion approved.

It was moved that the previous motion be amended to state that the opinion will be required by March 7th. Approve(Gray) Second (Koulikov) Motion approved.

## 2. OLD/NEW BUSINESS

### *Bridge the Gap Budget*

Motion to approve the Bridge the Gap budget provisionally with the understanding clearly conveyed that we have not yet approved the CLE program and with the understanding that

additional mailing expenses will be allowed in the event that the CLE program is eventually approved. Approve (Biberman) Second (Gray). Motion approved.

*The meeting adjourned at approximately 8:00 pm.*

### — *Conference Call, February 22nd, 2011*

In attendance: Mikhail Koulikov, Patricia Barbone, Emily Moog, Rebecca Newton, Jill Gray and Ellen Kaufman

\$5000 to engage counsel to review the matter of offering CLE courses in regards to our non-profit status. Approve (Gray) Second (Moog). Motion Approved.

*The meeting convened at approximately 6:02 pm.*

*The meeting adjourned at approximately 6:05 pm.*

### **CLE PROGRAM**

Motion to approve an allocation of up to

# Minutes of the March LLAGNY Board Meeting

## — *Conference Call, March 4th, 2011*

In attendance: Mikhail Koulikov, Patricia Barbone, Emily Moog (Acting Secretary), Nancy Rine, Jill Gray and Ellen Kaufman

ming as presented by Janice Henderson and Yasmin Sokkar Harker for the Bridge the Gap programming. Approve (Gray) Second (Rine). Motion Approved.

*The meeting convened at approximately 5:17 pm.*

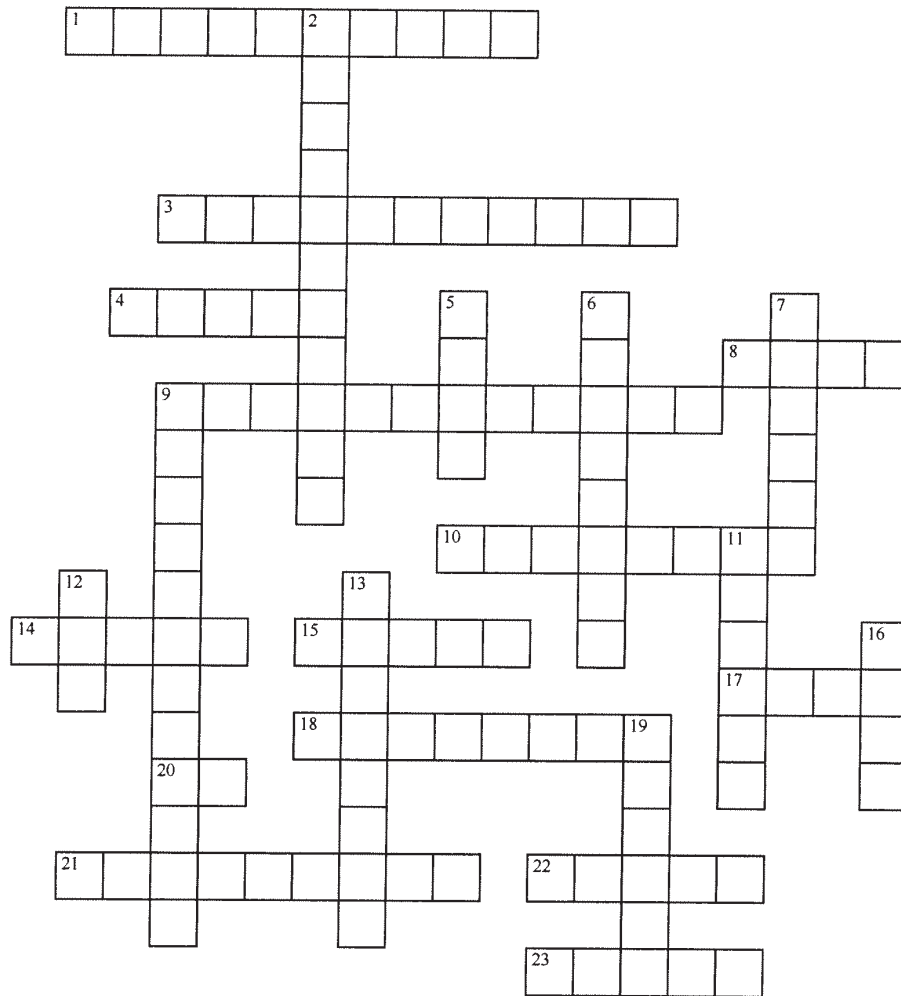
### **CLE PROGRAM**

Upon receiving the letter from Lisa A. Stegink, JD, that the CLE programming falls within LLAGNY's tax exempt purposes, that LLAGNY move forward with CLE program-

It is noted that Caren Biberman and Victoria Szymczak, via email, protested the calling of this meeting.

*The meeting adjourned at approximately 5:24 pm.*

# "Philadelphia, Pa." by Emily Moog



**ACROSS**

- 1 Its river, w/ Dutch name
- 3 Declaration's pledge: lives,fortune & .....
- 4 1976 Best Picture
- 8 They're making \$!
- 9 Geno or Pat's?
- 10 2008 World Series Champs
- 14 Fr. Sulptor has his own museum in Philly!
- 15 Native who became Princess(surname)
- 17 Indiana's City Center Sculpture
- 18 "old money" nabe
- 20 Declaration's au.(init)
- 21 Type of love, right in the name
- 22 "Phila. Here I Come" Playwright
- 23 Fat Albert Creator

**DOWN**

- 2 It's Cracked!
- 5 6-14's Betsy
- 6 Patriot,inventor,City Father,Kite Flyer
- 7 "On the Whole, I'd rather be in Phila." comedian
- 9 Foundation of U.S. govt.
- 11 Their Gridiron Team
- 12 "Tell Tale Heart" author & resident
- 13 Its river, same as state name
- 16 State's Founder
- 19 Their realist painter

# "Taxes" by Emily Moog

