

VOLUME 36 • No. 3

VOLUME 36 • No. 4

# Special

Spring 2013

Summer 2013

## Edition

# LawLines

Official Publication of LLAGNY

### FEATURES

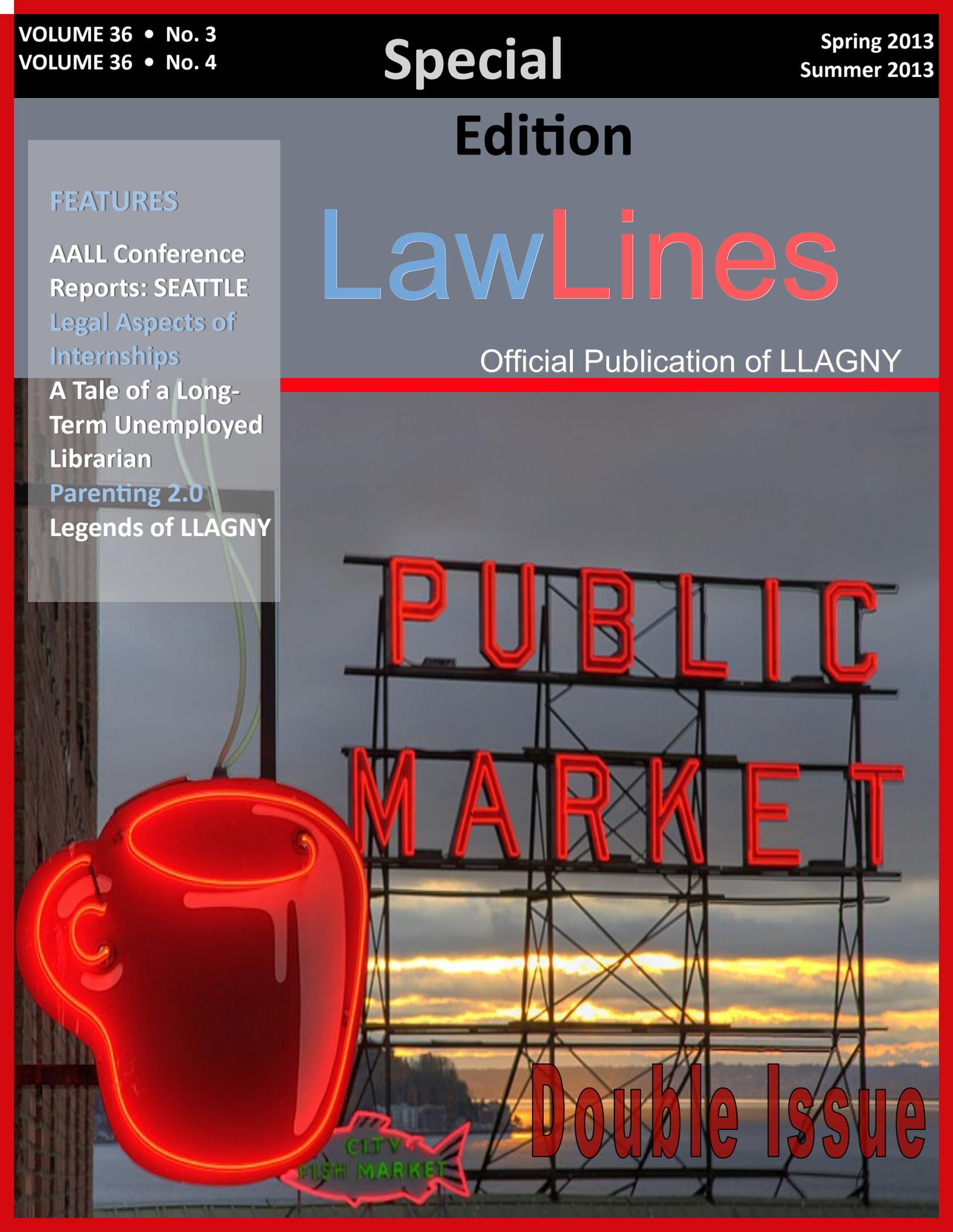
AALL Conference  
Reports: SEATTLE

Legal Aspects of  
Internships

A Tale of a Long-  
Term Unemployed  
Librarian

Parenting 2.0

Legends of LLAGNY



PUBLIC  
MARKET

## Double Issue

# CONTENTS

President's Message	3
Editor's Letter	4
Major Milestones	5
Elevator Ed	10
AALL Conference Reports	12
Pictures from Seattle	16
On the Legal Aspects of Internships— a Selected Bibliography	18
60 sites abridged – 5 sites per newsletter	26
Legends of LLAGNY: Libby Jessup	27
Librarians in the Real World: Parenting 2.0	28
Librarians in the Real World: LLAGNY Members, Fitness, and the Marathon ( <i>reprint</i> )	31
Make Your Bed in the Morning: A Tale of a Long Termed Unemployed Librarian	34
Minutes of the LLAGNY Board Meetings	36
Seattle Crossword	39
Presidential Crossword Answer	40

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Contributions, comments or news items for Law Lines maybe sent to Law Lines Editors, [lawlinesny@gmail.com](mailto:lawlinesny@gmail.com). All contributions submitted for publication are subject to editorial review and are published at editorial discretion.

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## Law Lines

Volume 36 • No. 3  
Volume 36 • No. 4

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# President's Message

**H**ello everyone and welcome to the first issue of LLAGNY's "Law Lines" in our 75th Anniversary Year. I know that I have commented profusely about this at our June Dinner and also at the AALL Joint Reception, but it really is an important year. I am proud to serve as your President during these hallowed days to honor our association. So let's make it a great year!

We will be having many events this year that were planned by last year's 75<sup>th</sup> Anniversary Committee consisting of myself, Caren Biberman, and Karen Provost. Thanks To Caren Biberman, who worked on the sponsorship, she was



able to raise approximately \$135K for LLAGNY. We wanted to make sure that we had adequate funds to pay for all the events that our committee was planning, so we decided to try a different sponsorship program for the 75<sup>th</sup> Anniversary. This autumn, we will hold a special three half-day seminar series on Knowledge Management that should prove to be very educational and will be co-hosted with SLA New York. It is an ideal chance for us to bond with a sister organization. There is strength in numbers!

Our biggest event in 2014 will be the One Day Conference followed by our Winter Social in the evening. We are fast firming up the details of this event and will get them to you by October. The venue will take place on Tuesday, January 14<sup>th</sup>, 2014 at New York University Law School, and the Winter Social will follow in the evening at the Apple Restaurant literally two blocks away. Don't worry, there will be something for everyone as we will have three tracks of simultaneous programs and there will be different levels of commitment if one cannot make the entire day. So stay tuned.

Before the June Dinner in 2014, we will further have several free events including more evening educational seminars as well as a fun talent extravaganza. We are hoping that each of you will step forward and exhibit that "alter-ego" that you have wanted to try out after watching years of "American Idol". This will be organized by Janice Henderson, so look for details on future e-lists. This is slotted for early April.

Not only will we have a lot of super events, but we will also share old stories and association history throughout the year. If you have any interesting tidbits or historical facts that you would like to share, please contact the [webmaster@llagny.org](mailto:webmaster@llagny.org) or our Law Lines Editor, Daniel Mitrano ([daniel.mitrano@freshfields.com](mailto:daniel.mitrano@freshfields.com)). We would like as many of you that can, to recall past events or past members that you would like to salute. These will all be archived on our website and in Law Lines. It will be a sort of virtual history book.

To this extent, our current board is also busy with the day to day work of the association and developing new and interesting ideas for the association as we look forward. We are still working on our bylaws amendments, so that continues to be a work in progress. As you can see, our Technology Committee has already done significant work on our new website to keep us current with the newer technologies. Look for our new blog and e-capabilities this year. Alex Berrio Matamoros and Pin-Sheng Hsiao offer the best of LLAGNY's finest in technology and I am grateful to have their knowledge and expertise. We have one of the best boards ever and we are quickly moving our association into a brighter and even better organization.

If you have a yen to join a committee, it is never too late! All of the committees in this association need your help. The more the merrier!

So stay tuned, and until my next letter to you, remember my slogan, GET INVOLVED!

**John H. Davey**  
**LLAGNY President 2013-2014**

# Editor's Letter

We are thrilled to bring you another double issue of Law Lines! With such a busy and eventful year for everyone, we have many great features for you to enjoy.

**Debbie Melnick** and **Lisa Spar** brings us *On the Legal Aspects of Internships – a Selected Bibliography*, which is a terrific compilation of the laws behind internships.

We have another welcome installment of *60 Sites Abridged* By **Gayle Lynn-Nelson** featuring a variety of interesting links we know you will enjoy.

We also have an eye-opening article on being an unemployed law librarian from **Dolores Canning**. Dolores also offers the first installment of a new feature of Law Lines: *Legends of LLAGNY*, which focuses on notable figures from our past in honor of LLAGNY's **75th Anniversary**. This issue highlights the impressive career of trail-blazer **Libby Jessup**.

**Kristen Perez's** *Librarians in the Real World* article "Parenting 2.0" illuminates the challenges of being a working parent, to which many of us can relate.

Additionally, we're reprinting **Kristen's** *Librarians in the Real World* article "LLAGNY Members, Fitness, and the Marathon" from the last issue because

several paragraphs were left out due to an error.

Also be sure to check out the articles by **Mary Thomspen** and **Chris Pamboukes** who share their insightful experiences at this year's **AALL Annual Meeting** in Seattle as well as many great photos of our colleagues who attended. And along with some exciting *Major Milestones* we also have our always fun crossword puzzle by **Emily Moog**.

We would also like to announce an upcoming change to Law Lines beginning in 2014. With the digital age upon us, we will be bringing Law Lines online! Very soon, this newsletter will be presented on the LLAGNY website in a rolling hybrid blog/journal format to which other scholarly and professional journals have been transitioning in recent times. But we will have more about this exciting development in the next issue.

Finally, we would like to thank **Ellyssa Kro-ski** for all the terrific work she has done as Art Director of *Law Lines* and welcome **Do-ris Yen** for sportingly agreeing to be our new Art Director.

Enjoy!

Best,  
**Jennifer Wertkin**  
and **Dan Mitrano**

## PROFESSIONAL

**Ellyssa Kroski**, (<http://www.ellysakroski.com>), Director of Information Technology at The New York Law Institute (<http://www.nyli.org>), gave a 3-day workshop at the West Cork Literary Festival in Bantry, Ireland in July on "How to Create & Manage Your Online Presence". Also that month she presented on the panel "How To Implement/Access an eBook Collection in a Law Library" at AALL 2013 Annual Meeting in Seattle. Ellyssa was interviewed by *The Irish Examiner* for the June 7th article titled "Do writers need social media?" (<http://www.irishexaminer.com/lifestyle/artsfilmtv/net-gain-for-writers-233435.html>)

**Shirley A. Kuan** is a Senior Librarian at the New York State Attorney General's Office in New York City. Shirley is a graduate of the University of Virginia, Boston College Law School, and Long Island University Palmer School of Library and Information Science. She is a member of the New York Bar and the Attorneys General Librarians' Initiative (AGLI).

**Sarah Lamdan**, Law Librarian at CUNY School of Law, published an article about FOIA requestors and library ethics in *Government Information Quarterly*, titled: "Why library cards offer more privacy rights than proof of citizenship: Librarian ethics and Freedom of Information Act requestor policies."

**Steven Lastres**, Director of Library & Knowledge Management at Debevoise & Plimpton LLP, was given the International Legal Technology Association (ILTA) 2013 Publication Award for Best Member-Contributed White Paper Article: "Knowledge Management: A Strategic Role Change for Legal

Information Professionals" (<http://epubs.iltanet.org/i/87421/32>). The ILTA editorial staff picked the cream of the crop and recognize these contributors during the period July 1, 2012 to June 30, 2013. Their significant contributions to ILTA's publications were celebrated at the Distinguished Peer Awards dinner held on Tuesday evening, August 20, during the annual conference.



*Steven Lastres, winner of the ILTA 2013 Publication Award for Best Member-Contributed White Paper Article*

**Ralph Monaco**, Executive Director at The New York Law Institute (<http://www.nyli.org>), moderated the panel "How To Implement/Access an eBook Collection in a Law Library" at the AALL 2013 Annual Meeting in July. He also discussed disaster recovery in law libraries at the LLAGNY event "Sandy: Making it Through the Storm" in June and was an instructor at the LLAGNY "Legal Research Boot Camp" in April.

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# Major Milestones (cont)

by Dan Mitrano

## PROFESSIONAL (cont)

**New York Law School's Mendik Library** was selected as the recipient of AALL's 2013 Excellence in Marketing Award, Best Campaign, for their Elevator Ed series. The award was presented at AALL last month.

Elevator Ed is a weekly "serial" publication of the Mendik Library designed to communicate to students via simple, entertaining, and educational thirty second "visual bites" the availability of specific library resources and services. Elevator Ed (the publication and the character!) appears in each of the library's two dedicated elevators, which shuttle hundreds of students between floors seven days (and evenings) a week. We post each new edition of Elevator Ed in one 8.5 x 11-inch sign-holder that is affixed to the rear wall of each elevator. By taking advantage of his "captive" audience (students' trips between floors range from roughly thirty to sixty seconds), Ed provides a little "elevator education" each time students ride the elevator (multiple times daily for most of them), while at the same time promoting the availability of the library's countless resources and services. Each week he offers a brand new TripTip and exhorts students to "Learn while you ride!"

See illustrations on page 10.

**Janet Pinkowitz** retired in August from her long-time position as Fee-based Services Librarian at the Columbia Law Library; she will continue at Columbia for a few more months, working very part-time. She sends her best wishes to her LLAGNY friends and colleagues.

**Nathan Rosen**, Library Research Manager at Dechert LLP, presented [LinkedIn -- Expand Your Network and Market Yourself with Powerful Profile Preparation](#) to the International Legal Technology Association's New York chapter with live videoconference to the Boston, Portland, ME and Burlington, VT chapters on July 24, 2013. The program focused on how to develop positive, persuasive LinkedIn profiles with a concentration on proven recognized best practices. Attendees left with a detailed, practical to-do list of steps to raise their online footprint substantially to maximize their visibility and

employability. Nathan also recently gave a presentation to Corporate Legal Intranet Special Interest Group on the [Design & Function of the Law Firm Intranet](#) and published book reviews on two different books about the Book of Job and a book review on caring for your elderly parents.

**Taryn Rucinski**, Environmental Law Librarian and Adjunct Professor of Law at Pace University School of Law, published an article in the *Pace Environmental Law Review*: "Searching for the Nano-needle in a Green Haystack: Researching the Environmental, Health, and Safety Ramifications of Nanotechnology" 30 PACE ENVTL. L. REV. 397 (2013), <http://digitalcommons.pace.edu/pelr/vol30/iss2/2/>

**Mildred Velasquez** came to SUNY Empire State College for the fall semester of 2011 to earn a Bachelor of Arts Degree in Cultural Studies with a concentration in Communications/Social Media. She graduated from LaGuardia Community College with an A.A. degree in Liberal Arts, and attended St. John's University seeking a degree in Paralegal studies, only needing four classes to complete the degree program, and left prematurely to raise her daughter. As a returning student, she decided to enhance my career path and add value to her current position as a Library Operations Assistant at Kirkland & Ellis LLP. This is her sixth semester at ESC and will complete her B.A. in May 2014. Last semester, she enrolled in a Massive Open Online Course otherwise known as MOOC. This independent study program entitled Creativity and Multicultural Communication provided a nonlinear mode of education that led to a unique learning experience. To her surprise, one of her blog assignments had been listed in an online magazine, "99 Best Online College Resources on Open Courseware and MOOCs".

This is the link about the online studies and blogs: <http://top5onlinecolleges.org/mooc/>.

(Scroll down to no. 21 and click on blog link - An Insight to the Power of The Imaginative Mind.) In addition, she is working on a video welcoming new hires, which is a work in progress.

# Major Milestones (cont)

## PERSONAL

**Laird Ehlert**, Executive Director at New York Legislative Service, Inc., recently created a website for his lifelong hobby of photography. All of his photos are recent, though! The link is below. It even has music which was composed and performed by a friend. There is also a section on Occupy Wall Street, which was located two blocks from his office. [www.LairdMarkEhlert.com](http://www.LairdMarkEhlert.com). Turn on your speakers. Click the full-page icon in the lower right corner. He also has a website for various humor products and NoPerfume.org: [www.zazzle.com/Laird18\\*](http://www.zazzle.com/Laird18*)

**Sadys Espitia**, Research Librarian at Weil, Gotshal & Manges LLP, recently participated in The Accordions Around the World in Bryant Park, a summer-only series that every Thursday featured six accordionists playing different musical styles throughout the park. Her squeezebox contribution on the last day, August 29<sup>th</sup>, was old school cumbia and vallenato from Colombia. Other musicians performed Brazilian, Argentine, Zydeco, and Folk music. Several LLAGNY members stopped by including Mikhail from Skadden; Magalie from White & Case; Rachel from Kramer, Levin; and Janet Pinkowitz from Columbia Law Library.

**Elizabeth Keizner**, Information Advisor at Linklaters LLP, is due to have her first child (a boy) on December 30th.



*Susan van Beek with her new husband, taken in St. Georges in the oldest courthouse in the New World.*

**Susan van Beek**, Director of Library Services at Budd Lerner, was married to Michael N. Mc Kenna on March 22 at the Israel Crane House in Montclair, NJ. After a Bermuda honeymoon, the couple are dividing their time between their homes in New Jersey and Delaware. The bride wore a blue cocktail dress by Eli Tahari, while the groom was nattily attired in a navy blazer and khakis.

**Marshall Voizard**, Reference Librarian at Sullivan & Cromwell, and his wife Margaret had a son on August 1st, named Theodore Robert Voizard.



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# Elevator Ed

By the New York Law School Mendik Library

## AALL Law Library Publications (Print) Award Nomination (2013)

### Learn . . . while you ride . . . with Elevator Ed

Hello New York Law School! I'm **Elevator Ed**, your source for quick 'mobile' tips that will open doors to the world of legal research! I'll bring you **up**-to-the-minute developments and give you the **lowdown** on the latest and greatest resources.

Ride with me next week for this semester's first *Trip Tip*, whether you're going up or down! See you soon.

vol 1, no. 3, 12.3.2012

### Learn while you ride

#### Elevator Ed here with this week's legal research TripTip.

Do you need to borrow a book or read a journal article that the Mendik Library doesn't own? No problem! Your librarians will borrow the item from another library through Interlibrary Loan. It's easy. From the Library's homepage, click on *Library Information* and then on *Interlibrary Loan*. Complete the online request form and that's it! They're usually able to obtain the requested item within a week or so and they'll send you an email once it arrives.

## Learn while you ride



### Elevator Ed here with this week's legal research TripTip.

Are you ready to try a database that more and more lawyers in practice are turning to every day? Have a look at **Fastcase**, providing full-text searchable access to comprehensive libraries of federal and state cases, statutes, constitutions, court rules, administrative regulations, and attorney general opinions. **Fastcase** is expanding to include libraries of newspapers, federal court filings, and legal forms.

### Elevator Ed here with this week's legal research TripTip.

Did you know the Library has a selection of study aids that some students find helpful in preparing for final exams? These materials are designed to *supplement*—not replace—*your own outlines and class notes and the class readings*. Located at Stack 12 in the Reserve area, the collection includes titles from Gilberts, Black Letter, Emanuel and more! Remember, *a supplement, not a substitute*.

***Elevate your research! Ask a Librarian.***

# AALL Conference Reports: *Christos Pamboukes*

Let me begin by acknowledging how grateful I am I to have received the 2013 AALL Conference Grant from LLAGNY. I would like to thank the Grants & Scholarship Committee and Rachel Lupinnacci, the Chair of the Committee, for selecting me as the recipient this year. I would also like to thank Jennifer Wertkin, the acting Law Lines Editor, and Daniel Mitrano, the future Law Lines Editor, for their patience and foresight during the writing process.

As this was my first trip to Seattle, I made it a point to explore the city while still attending as many educational programs as I could. To this end, the Central Link light rail and the Seattle Center Monorail provided excellent transportation service. On the last day of the conference, I also embarked on a brief but memorable bus tour and visited the Pike Place Market, which was a lot of fun and definitely worth a second visit!

With respect to my time at the AALL Annual Conference, there were almost too many highlights to mention. The keynote speaker, David Weinberger, began by challenging the traditional idea of “knowledge” as it relates to the mission of academic libraries. In an age in which information is more freely accessible to the public than ever before, Mr. Weinberger suggested that libraries should distinguish their services by providing dynamic “networks” of knowledge rather than acting as passive repositories of knowledge. Constructing better knowledge “networks” is vital to the field of law librarianship as well.

One of my favorite educational programs was “Igniting Faculty Services in Your Library.” It was well-organized, interactive, and offered several approaches to fostering an enduring professional relationship between library liaisons and law school faculty. As a relatively new reference librarian, I am always trying to find ways to connect with faculty members who are still in the process of getting to know me, sometimes for the very first time. When I returned from the conference, I implemented what I had learned in order to reach out to faculty more effectively.

Much like my experience attending the AALL Conference in Boston last year, the “Cool Tools Café” this year presented an opportunity to learn more about emerging technologies. I especially liked the “Mobile Road Warrior” exhibit, which could help librarians relate to patrons who are relying on mobile apps to meet their research and writing needs.

Perhaps unsurprisingly, one of the more entertaining presentations was on the art of presenting to an audience: “Own the Room: Presentations That Captivate and Win Over Any Audience.” The presentation was so well-executed and informative that I intend to listen to it again on AALL2go (available at <http://aall.sclivelearningcenter.com/>). The presenter, Steve Hughes, provided several time-tested methods to capture an audience’s attention during his short but insightful program.

Talking to vendors at the Exhibit Hall was an eye-opening experience for me as well: so many of their products and services are worth exploring, especially since many of the vendors are offering discounted rates to academic law libraries. In addition to the educational programs I attended, I participated in a ProQuest Congressional Focus Group with other government documents librarians and an ALL-SIS Legal Research Roundtable on distance learning, both of which were thought-provoking experiences, of which I could write much more if space permitted.

In my opinion, the best part of attending professional conferences like the AALL Conference is the ability to connect with professional colleagues in a way that is not possible over the phone or by email. In Seattle, for example, I was happy to reconnect with three law librarians I met at CONELL last year and one of whom I met at the Federal Depository Library Conference last October. But there were so many opportunities

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to make new connections with colleagues as well: the Thomson Reuters and AALL Member Appreciation Event, hosted at the Experience Music Project Museum, and the ALLUNY, LLAGNY, and NJLLA Joint Reception are two such events that I attended and very much enjoyed. It is the individuals I meet at the AALL Annual Conferences, as much as the educational programming, that makes these conferences so rewarding for me to attend as a young law librarian.

Last but not least, a highlight of my trip was attending the Award Recipients Breakfast to accept the AALL Excellence in Marketing Award for Best Campaign on behalf of New York Law School for our "Elevator Ed" campaign. It is a privilege to work with such a dedicated staff of law librarians at New York Law School, and I look forward to attending the AALL Conference in San Antonio next year!



(From Left to Right): Caren Biberman, Elaine Egan, (LLAGNY VP), and Bob Lemmond, the president & CEO of Wolters Kluwer Law & Business at the dinner Wolters Kluwer gave at the Space Needle

# AALL Conference Reports: *Chris Lowden*



I was excited to have the opportunity to travel to Seattle to attend the 2013 AALL Conference—although I had attended other professional conferences in years past, this was my first experience at AALL, as well as my first time visiting Seattle. I

am happy to say that both of my “firsts” exceeded my expectations!

On Saturday morning, I attended the PLL Summit *Shaping our Success*. The keynote was given by Bruce MacEwen, author of the much-followed *Adam Smith, Esq.* blog (<http://www.adamsmithesq.com/>). Mr. MacEwen dissected the sea changes in the business of law over the past decade, and particularly since the most recent financial crisis. He suggested that the legal industry is suffering from excess capacity as well as an obsolete business model. All the Summit attendees received a copy of his new self-published book, *Growth is Dead: Now What?*, which lays out his case in greater detail. I found Mr. MacEwen’s talk to be well-informed and thought-provoking—he was not afraid to share his ideas on changes firm leadership might begin making. I learned that Bruce is an Upper-West-sider, so perhaps I will run into him around town.

The Summit afternoon breakout sessions were also of interest. In her presentation *Changing Perceptions: Selling Your Role as a Strategic Partner*, HR consultant Sally Phillips challenged the audience with tough questions, e.g., How exactly are we perceived? What are the elements of our personal “brand”? What do we personally want to accomplish, to be known for? And, what are the top things we can do to be of true value to the firm? As if these questions were not hard enough to answer once, she asked that last question of the group three times! Ms. Phillips suggested that we had to “own” our brand, that the elements of a good brand were authenticity, consistency, and evocative of strong (positive) emotions. In terms of value, we had to make our great ideas tangible, and we had to tell a story. And she left us with homework: to ask five attorneys to write down three things that describe our role, and to ask ourselves

if this is consistent with how I wish to be known. If not, we will want to identify opportunities to shift perceptions others have about us.

The PLL Summit set the stage for the rest of my Conference experience, as I found the Conference programs to be uniformly very good; there was always something useful or inspiring to take away. As someone who has only recently taken on the electronic services role at my firm, I found the ILTA co-sponsored programs highly relevant. A Tuesday program on Business and Competitive Intelligence consisted of three panelists who presented case studies on developing and building custom newsletters and reports for key constituents. It was helpful to hear panelists describe not only the tools they used (e.g. content aggregators), but the process they went through at their respective firms; I was impressed with the time and energy required to create something truly useful! Finally, the panelists gave us a sense of how the librarian role in each firm had expanded to include new responsibilities.

With all the wonderful programming, I found it hard to break away to the exhibit hall, and it wasn’t until the last day, Tuesday morning, that I was able to spend some solid time there. I was most interested in seeing recent and upcoming enhancements to some of our major services, such as the new Alert Center on WestlawNext. I was impressed with some vendors had brought along their development people; some had even prepared materials outlining their latest enhancements—a real time-saver when it came time to engage attorneys back home. For example, the folks over at The Deal had prepared a four-page handout reviewing enhancements to the Deal Pipeline over the past two years, as well as an illustrated handout on their new source documents collection. Note to self for next year: enter all the exhibit hall raffles!

As four days of whirlwind conference came to a close, I was able to reward myself with a couple of slower days exploring Seattle before returning home. Looking back at the city from a ferry in the middle of Puget Sound, I realized I had come a long way!

I would like to thank LLAGNY and Kirkland & Ellis for making it possible for me to attend the 2013 Conference.

# My First AALL!: *Mary G. Thompson*

First of all, I want to thank the members of LLAGNY for awarding me the grant to go to this year's AALL conference. The conference happened during my second term in the MLIS program at St. John's University, and my goal for the conference was to learn as much as possible about the profession. As it turned out, I not only learned a lot, but I also had a great time in Seattle!



*Mary and Mt. Rainier*

Ah, Seattle... As soon as I stepped off the plane and felt the cool air, I knew I was in the right place. As everyone probably recalls, New York was going through a major heat wave at the exact time of the conference. Seattle, on the other hand, was in the seventies with no humidity. Also, it was perfectly clear the whole time and didn't rain a drop. It was the kind of weather that tricks unsuspecting sun lovers into moving to the Northwest, before nature pulls a bait and switch and opens up the fall-winter-spring season of nonstop drizzle. Don't get me wrong, I actually love rain—I'm from Oregon! I am just saying that this was Seattle at its all-time best. Naturally, the first thing I did was post a gloating tweet for all my friends stuck in New York. Once I had that necessary task out of the way, it was time for CONELL!

CONELL had been built up for me by LLAGNY members. My mention of CONELL during an education event elicited sighs of "ah, CONELL!" by at least three seasoned librarians. Not only that, but the first speaker during the actual event described his CONELL experience as "life changing." So I was almost expecting a herd of unicorns or a magic lamp complete with a genie and three wishes. Well, it turned out that there was no magic, but there

were a lot of fun and interesting people and a lot of good information about my future career choices. Also, breakfast and lunch were provided; since I become less than human when starved, this was an important touch. *And* they gave out free water bottles during the bus tour. I got to sip on fresh, cool water while viewing the beautiful silhouette of Mt. Rainier on a perfect, non-humid Seattle day. It was the perfect end to my CONELL experience.

But the day was not over yet! That night I went on a "dine around," where I was able to have dinner with several more fun and interesting law librarians. During the bus tour we visited the locks and saw the salmon swimming through the fish ladder, so I felt kind of guilty about having a nice salmon dinner. Okay, not that guilty. The fish was delicious, and I ended my first day at AALL with a great feeling about my future.

Sunday was my introduction to the educational programming, and I was impressed with the selection. If I had Hermione's time turner, I definitely would have gone to all the programs. Unfortunately, that was not possible because this is real life and not the world of Harry Potter, a fact that often annoys me. However, I did manage to learn about lots of different things, including understanding vendor statistics, how giving a good presentation is possible even if you use PowerPoint, and most importantly, how to approach getting a job without making a fool of yourself. Throughout all the programs I attended, I was impressed with how respectful people were of me and my voice even though I was a just a student. Seasoned librarians made me feel as if I had something to offer, and as a result, I felt more engaged in the programs than I would have felt otherwise. This experience only reinforced my growing confidence that librarianship is the right place for me.

And then came Monday. I was anticipating Monday night almost as highly as CONELL because the scuttlebutt around the conference was that magical amazing things happened every year at the Thomson Reuters party. It turned out that there were no unicorns at the EMP museum either, but apparently there was the *Game of Thrones* throne, cruelly hidden away behind closed

(cont'd)

doors. I guess you can only have so much excitement, which was provided by the swell band and most importantly, the rad group of librarians who danced the night away. Librarians get a bad rap for being spoilsport “shushers,” but this reputation is not deserved! I already knew that librarians were an awesome bunch—a fact only reinforced by the rest of the conference—but the Thomson Reuters party sealed the deal for me. Professionalism and dancing do go together; this is a fact we *must* keep in mind year after year!

Now that I am back from AALL, I feel more like a real librarian than ever. I still do not know for sure where I will end up when I graduate in May or exactly what I’ll be doing. But, now that I have met and mingled with a nation-spanning group of fun, welcoming, brilliant, and all around awesome people, I am looking forward to my future more than ever!



(From Left to Right): Bess Reynolds, Ben Toby, and John Davey



(In Foreground, from Left to Right): Elyssa Kroski, and Eileen Dolan



*(From Left to Right): Caren Bieberman, Bill Mills, and John Davey*



*(From Left to Right): Ed Walters, Jean O'Grady, and Scott Meiser*

# On the Legal Aspects of Internships – a Selected Bibliography

By Debbie Melnick and Lisa Spar

For those entering a new field or seeking to gain valuable experience, internships - mostly unpaid - have become a rite of passage. Aspiring librarians are no different. [LLAGNY](http://www.llagny.org/internship-listings) (<http://www.llagny.org/internship-listings>) and other librarian organizations in NY (see e.g. Metro – the [Innovative Internship Program](http://metro.org/innovative-internship-program/) - <http://metro.org/innovative-internship-program/>; [SLA Internships](http://slaintern.blogspot.com/) - <http://slaintern.blogspot.com/>) provide listings for organizations offering internships and those seeking internships.

Anecdotally, several LLAGNY members providing internships and interns participating in them have expressed great satisfaction with the internship process. The organization and veteran librarian enjoys developing new talent, working with enthusiastic librarians-in-training and contributing to the profession; and the intern gains valuable experience possibly in a position he/she hopes to pursue as a career. This experience can be quite valuable since in hiring, some supervisors highly value the internship participation even for entry-level positions.

Internships have recently been in the news from both a legal and ethical perspective.<sup>1</sup> Most notably, institutions have been sued for violating federal and state labor laws by classifying their positions as unpaid interns instead of paid employees<sup>2</sup>; and many an opinion

As organizations consider whether to initiate an internship program, and for those with already established programs, awareness of the relevant laws and potential pitfalls could be most valuable. For those considering establishing an internship program, make sure you know your organization's policies regarding hosting interns. Some organizations will not permit it, others will be enthusiastic.

This bibliography references the prominent federal, New York and New Jersey statutes, regulations and administrative guidance along with some selected leading and recent cases discussing various aspects of internships. Finally, we have listed a number of useful secondary references (selected but certainly not exhaustive), and search tips for further exploration of resources.

## FEDERAL

### Legislation

- Fair Labor Standards Act, [29 USC Chapter 8 Fair Labor Standards §§ 201-219](http://www.gpo.gov/fdsys/browse/collectionUSCode.action?collectionCode=USCODE) (2011)
- [29 USC §203\(e\)\(1\)](http://www.gpo.gov/fdsys/browse/collectionUSCode.action?collectionCode=USCODE) - defines "employee" as "any individual employed by an employer." Lists some exceptions.

United States Code: FDsys browse - <http://www.gpo.gov/fdsys/browse/collectionUSCode.action?collectionCode=USCODE>

### Regulations

- [29 CFR Part 520](http://www.gpo.gov/fdsys/browse/collectionUSCode.action?collectionCode=USCODE) (2013) - Employment Under Special Certificate of Messengers, Learners (Including Student-Learners), and Apprentices

- [29 CFR Part 553](http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR) (2013) -Application of the Fair Labor Standards Act to Employees of State and Local Governments; see Subpart A - General (for volunteers see Subpart B)

US Code of Federal Regulations -FDYS browse - <http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>

### Administrative Guidance

[U.S. Department of Labor. Wage and Hour Division](http://www.dol.gov/whd/) - <http://www.dol.gov/whd/>

- [Final Rulings and Opinion Letters](http://www.dol.gov/whd/opinion/opinion.htm) - <http://www.dol.gov/whd/opinion/opinion.htm>
- [Opinion Letters - Fair Labor Standards Act](http://www.dol.gov/whd/opinion/flsa.htm) - <http://www.dol.gov/whd/opinion/flsa.htm>
  - [FLSA2004-5NA](http://www.dol.gov/whd/opinion/FLSANA/2004/2004_05_17_05_FLSA_NA_internship.pdf) Internship program and employment relationship under FLSA May 17, 2004 - [http://www.dol.gov/whd/opinion/FLSANA/2004/2004\\_05\\_17\\_05\\_FLSA\\_NA\\_internship.pdf](http://www.dol.gov/whd/opinion/FLSANA/2004/2004_05_17_05_FLSA_NA_internship.pdf)
  - [FLSA2005-16NA](http://www.dol.gov/whd/opinion/FLSANA/2005/2005_12_20_16_NA_FLSA.pdf) Public agency employee and volunteer services under section 3(e)(4)(A)(ii) December 20, 2005 - [http://www.dol.gov/whd/opinion/FLSANA/2005/2005\\_12\\_20\\_16\\_NA\\_FLSA.pdf](http://www.dol.gov/whd/opinion/FLSANA/2005/2005_12_20_16_NA_FLSA.pdf)
  - [Regulatory Library](http://www.dol.gov/whd/reg-library.htm) - <http://www.dol.gov/whd/reg-library.htm>

See especially: [Fact Sheets](#)

1 Unpaid Interns: Silent No More, Ross Perlin, New York Times, <http://www.nytimes.com/2013/07/21/jobs/unpaid-interns-silent-no-more.html> online July 20, 2013, p. BU7 July 21, 2013

2 Glatt et al. v. Fox Searchlight Pictures Inc. et al., No. 11 Civ. 6784 WHP, 2013 WL 2495140 (S.D.N.Y. June 11, 2013).

3 Do Unpaid Internships Exploit College Students? - <http://www.nytimes.com/roomfordebate/2012/02/04/do-unpaid-internships-exploit-college-students> (Feb. 4, 2012); Thomas Friedman, The Internship-Not the Movie - <http://www.nytimes.com/2013/06/09/opinion/sunday/the-internship-not-the-movie.html> (online June 8, 2013, p.SR11, June 9, 2013) ;

(index:  
<http://www.dol.gov/whd/fact-sheets-index.htm> )

**Fact Sheet #71:** Internship Programs Under The Fair Labor Standards Act (April 2010)  
<http://www.dol.gov/whd/regs/compliance/whdfs71.pdf>

This often cited guidance provides a list of six factors when considering whether an internship can be excluded from the requirements of the FLSA. The six factors are:

- “1. The internship, even though it includes actual operation of the facilities of the employer, is similar to training which would be given in an educational environment;
2. The internship experience is for the benefit of the intern;
3. The intern does not displace regular employees, but works under close supervision of existing staff;
4. The employer that provides the training derives no immediate advantage from the activities of the intern; and on occasion its operations may actually be impeded;
5. The intern is not necessarily entitled to a job at the conclusion of the internship; and
6. The employer and the intern understand that the intern is not entitled to wages for the time spent in the internship.”

EEOC – Informal Discussion Letter - **Federal EEO Laws: When Interns May Be Employees** - [http://www.eeoc.gov/eeoc/foia/letters/2011/eo\\_laws\\_when\\_interns\\_may\\_be\\_employees.html](http://www.eeoc.gov/eeoc/foia/letters/2011/eo_laws_when_interns_may_be_employees.html)

IRS - **PLR 201020023** (IRS PLR released 5/21/2010) - A private letter ruling issued by the IRS discussing grants to interns as taxable expenditures  
<http://www.irs.gov/pub/irs-wd/1020023.pdf>

## NEW YORK

Legislation - <http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS>

Generally, refer to New York State Labor Law. Simply stated for this purpose, the main litigation issues focus on the status of intern as employee and thus whether an intern should be subject to wage and hour etc. laws under the FLSA and NY Labor Law. An employer contracting with a municipality - NY City, or County, for example - may want to investigate municipal "living wage" laws.

Other laws which have been brought into labor disputes are NY State Workers' Compensation Law (§ 2 definition of employee section does not contain the words "intern" or "student"), and civil rights laws, where workplace operatives or state law do not specifically mention interns or students.

"Employee" defined in NY Lab Law sec. 651(5):

- § 651. Definitions. As used in this article:
5. "Employee" includes any individual employed or permitted to work by an employer in any occupation, but shall not include any individual who: ... (f) as a volunteer, learner or apprentice by a is employed or permitted to work corporation, unincorporated association, community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, no part of the net earnings of which inures to the

benefit of any private shareholder or individual;... (h) in or for such a religious or charitable institution, which work is incidental to or in return for charitable aid conferred upon such individual and not under any express contract of hire; (i) in or for such a religious, educational or charitable institution if such individual is a student; ... (m) in or for a college or university fraternity, sorority, student association or faculty association, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and which is recognized by such college or university, if such Individual is a student; (n) by a federal, state or municipal government or political subdivision thereof...

NY State Labor Law Article 19 (650 - 665)  
**MINIMUM WAGE ACT**

NY State Wage & Hour Laws  
<http://www.labor.ny.gov/workerprotection/laborstandards/workprot/lshmpg.shtm>

NY State Wage Theft Prevention Act  
 (eff April 2011)  
<http://www.labor.ny.gov/workerprotection/laborstandards/employer/wage-theft-prevention-act.shtm>

New York State Rules and Regulations  
 Unofficial NYCRR - <http://government.westlaw.com/linkedlist/default.asp?li={B086659B-54A2-46B5-9269-17BD5E51CFFB}&RS=GVT1.0&VR=2.0&SP=nycrr-1000>

Title 12 Department of Labor => Chapter II  
 Division of Labor Standards SubChapter B  
 Minimum Wage Orders -

Part 141 - SubPart 141-2

# On the Legal Aspects of Internships – a Selected Bibliography (cont'd)

By Debbie Melnick and Lisa Spar

## § 141-2.14 Student obtaining vocational experience

A student is not deemed to be working or to be permitted to work if, in order to fulfill the curriculum requirements of the educational institution which the student attends, such student is required to obtain supervised and directed vocational experience in another establishment.

## Part 142 - SubPart 142-2

### § 142-2.1 Basic minimum hourly wage rate and allowances

### § 142-2.2 Overtime rate

### § 142-2.11 Student obtaining vocational experience

A student is not deemed to be working or to be permitted to work if, in order to fulfill the curriculum requirements of the educational institution which such student attends, such student is required to obtain supervised and directed vocational experience in another establishment.

### § 142-2.12 Learner and apprentice rates

No learner or apprentice shall be paid less than the minimum rate prescribed in this Part.

### § 142-2.14 Employee

(a) Employee means any individual employed, suffered or permitted to work by an employer, except as provided below.

(b) Employee does not include any individual employed by a Federal, State or municipal government or political subdivision thereof.

(c) Employee also does not include any individual permitted to work in, or as:...

#### Administrative Guidance

NY State Department of Labor - <http://www.labor.ny.gov/home/>

Commissioner - issues administrative regulations governing aspects of NYS Labor Law

Counsel's Office - issues general guidance on workforce concerns, no longer issues formal opinion letters though past opinion letters (for 2007-2011) are available online and are searchable (see below).

Administrative Adjudications Unit - conducts hearings on underpayment of wages etc. and issues reports and recommendations to the Labor Commissioner. The Commissioner then issues Determinations and Orders. The earliest Determination and Order within the online database is 2002, most are dated 2009 forward.

NY State Dept of Labor, Division of Labor Standards  
[http://www.labor.ny.gov/workerprotection/laborstandards/labor\\_standards.shtm](http://www.labor.ny.gov/workerprotection/laborstandards/labor_standards.shtm) -ie. Claim for Unpaid Wages  
<http://www.labor.ny.gov/formsdocs/wp/LS223.pdf> .

NY State Dept of Labor Opinion Letters - search database  
<http://labor.ny.gov/legal/counsel->

[opinion-letters.shtm](#) - Examples:

Educational Internship Program:  
[RO-09-0189](#) 12/21/2010 - <http://www.labor.ny.gov/legal/counsel/pdf/Other/RO-09-0189.pdf>

Student Vocational Experience -  
[RO-10-0005](#) 03/11/2010  
<https://www.labor.ny.gov/legal/counsel/pdf/Other/RO-10-0005%20-%20Vocational%20Experience.pdf>

Libraries - [RO-09-0071](#) 11/12/2009 –  
<http://www.labor.ny.gov/legal/counsel/pdf/02-PUBLIC%20WORK/RO-09-0071.pdf>

Volunteers: [RO-09-0068](#) 07/24/2009 -  
<http://www.labor.ny.gov/legal/counsel/pdf/volunteers-interns/ro-09-0068.pdf>

#### NY State Fact Sheets

• [Rules for Government Volunteers, Students, Trainees and Interns Under the NYS Minimum Wage Act and Orders](#)  
<http://labor.ny.gov/formsdocs/factsheets/pdfs/p727.pdf>

• [Wage Requirements for Interns in Not-For-Profit Businesses](#) <http://labor.ny.gov/formsdocs/factsheets/pdfs/p726.pdf>  
• [Wage Requirements for Interns in For-Profit Businesses](#)  
<http://labor.ny.gov/formsdocs/factsheets/pdfs/p725.pdf>

#### **NEW JERSEY**

Legislation -  
<http://tinyurl.com/ng2ngzm>

New Jersey Minimum Wage Act - Title 34. Labor and Workmen's Compensation > Chapter 11. Wages > Article 2 Minimum Wage Standards

Definitions - N.J.S.A. 34:11-56a1 ; definition of employee - N.J.S.A. 34:11-

56a1(h) - "'Employee" includes any individual employed by an employer."  
[New Jersey Regulations - http://www.state.nj.us/oal/rules.html](http://www.state.nj.us/oal/rules.html)

12:56-2.1 Definitions - lists exceptions to the definition of employee which include trainees that meet various criteria

12:56-3.2 Exemptions from the statutory minimum wage rates - Exempts full-time students employed by the college or university at which they are enrolled at not less than 85 percent of the effective minimum wage rate

[New Jersey Courts Directives - http://www.judiciary.state.nj.us/directive/index.htm](http://www.judiciary.state.nj.us/directive/index.htm)

[New Jersey Directives Dir. 19-06 - http://www.judiciary.state.nj.us/directive/2006/dir\\_19\\_06.pdf](http://www.judiciary.state.nj.us/directive/2006/dir_19_06.pdf) (October 27, 2006)

Directive 19-06. Judiciary Volunteers--(1) Code of Conduct; (2) Litigation Reporting Policy - "These policies apply to "individuals who provide services without remuneration or academic credit in certain court-connected programs." They expressly do not apply to "unpaid student interns;..." (Supplements Directive #4-05)

[New Jersey Directives Dir. 4-05 - http://www.judiciary.state.nj.us/directive/vicops/dir\\_04\\_05.pdf](http://www.judiciary.state.nj.us/directive/vicops/dir_04_05.pdf)

Directive 4-05. Judiciary Volunteer Services Program Standards--Promulgation; Request for Implementation Report

Administrative Guidance  
[New Jersey Department of Labor – Wage and Hour Laws and Regulations](http://www.lwd.dol.state.nj.us/labor/wagehour/lawregs/wage_and_hour_laws.html)

[http://www.lwd.dol.state.nj.us/labor/wagehour/lawregs/wage\\_and\\_hour\\_laws.html](http://www.lwd.dol.state.nj.us/labor/wagehour/lawregs/wage_and_hour_laws.html)

Exclusions from Covered Employment  
 - Generally, all employment in New Jersey is covered under the Unemployment and Temporary Disability Benefits Laws. The following is a list of the most common types of services which are excluded from coverage - <http://www.lwd.dol.state.nj.us/labor/ea/empreg/exempt.html>

**CASE LAW**

Decided

[Glatt et al. v. Fox Searchlight Pictures Inc. et al.](http://www.nysd.uscourts.gov/cases/show.php?db=special&id=300), US Dist Ct, S.D.N.Y., No. 11-Civ-6784 WHP (2013). "Considering the totality of the circumstances, Glatt and Footman were classified improperly as unpaid interns and are "employees" covered by the FLSA and NYLL." Considers NY Labor Law class certification and FLSA collective action. <http://www.nysd.uscourts.gov/cases/show.php?db=special&id=300>

[Wang v. Hearst Corp.](http://scholar.google.com/scholar_case?case=11937174495112794424&q=12-CV-793&hl=en&as_sdt=4,351), US Dist Ct, S.D.N.Y., No. 12-CV-793, 5/8/13, Opinion & Order at: [http://scholar.google.com/scholar\\_case?case=11937174495112794424&q=12-CV-793&hl=en&as\\_sdt=4,351](http://scholar.google.com/scholar_case?case=11937174495112794424&q=12-CV-793&hl=en&as_sdt=4,351)

"Disputed status of interns precluded partial summary judgment. Class certification of state law claims denied."

"Court finds employee status, right to pay, would require "individualized" proof of job duties." see also: *Discovery on 'Good Faith' Defense Ordered Produced in Suit Over Use of Unpaid Interns*,

N.Y.L.J., December 28, 2012 at pg. 21, col. 1. and Xuedan Wang v. Hearst Corp., 20 Wage & Hour Cas. 2d (BNA) 1490. Appealed - [Wang v. The Hearst Corporation](http://www.unpaidinternlawsuit.com/documents/Charlie_Rose_Summons_&_Complaint.pdf), Docket No. 13-02616 (2d Cir. Jul 08, 2013)

[Bickerton v Charlie Rose](http://www.unpaidinternlawsuit.com/documents/Charlie_Rose_Summons_&_Complaint.pdf), [settled] NY Sup Ct, NY County, Index No. 650780/2012, filed 3/14/2012. Class action unpaid interns performing productive work. [http://www.unpaidinternlawsuit.com/documents/Charlie\\_Rose\\_Summons\\_&\\_Complaint.pdf](http://www.unpaidinternlawsuit.com/documents/Charlie_Rose_Summons_&_Complaint.pdf) see also: (Reuters) - PBS talk show host Charlie Rose and his production company will pay roughly \$110,000 to settle a lawsuit brought by former unpaid interns, under an agreement approved by a New York state judge.

[Walling v. Portland Terminal Co.](http://tinyurl.com/qa28egc), 330 U.S. 148 (1947). Judicial analysis credited with the development of the criteria in the DOL Intern Fact Sheet #71. <http://tinyurl.com/qa28egc>

Pending - NY

[Salaam v. Universal Musical Group, Inc. and Bad Boy Entertainment, Inc.](http://www.classaction.org/blog/bad-boy-entertainment-hit-with-unpaid-internship-class-action--1-197597.html), US Dist Ct, S.D.N.Y., No. 13-CV-05822, filed 8/20/2013. See also: Bad Boy Entertainment Hit with Unpaid Internship Class Action. ClassAction.org, 8/23/2013. <http://www.classaction.org/blog/bad-boy-entertainment-hit-with-unpaid-internship-class-action--1-197597.html>

[Casey O'Jeda v. Viacom Inc., MTV Networks Music Production Inc. and MTV Networks Enterprises Inc.](https://www.prbuzz.com/entertainment/149484-ex-intern-files-pay-class-action-suit-against-mtv.html), US Dist Ct, S.D.N.Y., No. 13-CV-05658, filed 8/13/2013. Class action involving interns at this corporation since 2007 - CUNY student in unpaid internship suing for back wages. See also: Ex-Intern Files Pay Class Action Suit against MTV. PR Buzz, 8/21/2013. <https://www.prbuzz.com/entertainment/149484-ex-intern-files-pay-class-action-suit-against-mtv.html>

# On the Legal Aspects of Internships – a Selected Bibliography (cont'd)

By Debbie Melnick and Lisa Spar

[Henry v. Warner Music Group Corp.](#), US Dist Ct, S.D.N.Y., No. 13-CV-5031, filed 7/19/2013.

[http://www2.bloomberglaw.com/public/desktop/document/Henry v Warner Music Group Corp et al Docket No 113cv05031 SDNY J/1](http://www2.bloomberglaw.com/public/desktop/document/Henry_v_Warner_Music_Group_Corp_et_al_Docket_No_113cv05031_SDNY_J/1)

[Moore and Eliastam v. NBCUniversal, Inc.](#), US Dist Ct, S.D.N.Y., No. 13-CV-4634, filed 7/3/2013. The Saturday Night Live intern suits.

[http://www.unpaidinternslawsuit.com/images/documents/nbc\\_complaint.pdf](http://www.unpaidinternslawsuit.com/images/documents/nbc_complaint.pdf)

[Mark v. Gawker Media LLC](#), US Dist Ct, S.D.N.Y., No. 13-CV-04347, filed 6/21/2013. Class action - former unpaid interns (including "telecommuting interns") alleging unpaid wages, denial of benefits. See also: Smythe, Christie. Gawker's Unpaid Interns Sue after Fox Searchlight Ruling. Bloomberg News, 6/22/2013.

<http://www.bloomberg.com/news/2013-06-21/gawker-s-unpaid-interns-sue-after-fox-searchlight-ruling.html>

[Henry v. Warner Music Group Corp.](#), NY Sup Ct, NY County, Index No. 155527/2013, filed 6/17/2013. Claimed to be the 'first internship lawsuit filed against any music entity' - former interns sued under NY Labor Law as the statute of limitations outreach that of FLSA - unpaid wages and overtime. Was removed to federal court.

[http://www2.bloomberglaw.com/public/desktop/document/HENRY JUSTIN v WARNER MUSIC GROUP Docket No 1555272013 NY Sup Ct](http://www2.bloomberglaw.com/public/desktop/document/HENRY_JUSTIN_v_WARNER_MUSIC_GROUP_Docket_No_1555272013_NY_Sup_Ct) See also: McQuade, Laura. Former Record Company Intern's Class Action Suit for Unpaid Wages Removed to Federal Court. Bloomberg Law <http://bloomberglaw.com/content/former-record-company-interns->

[class-action-suit-unpaid-wages-removed-federal-court](#)

[Ballinger and Leib v. Advance Magazine Pub d/b/a Conde Nast](#), US Dist Ct, S.D.N.Y., No. 13-CV-4036, filed 6/13/2013. Class action unpaid interns performing productive work. <http://www.scribd.com/doc/147674440/Ballinger>

[Rabenswaay v. Kamali](#), US Dist Ct, S.D.N.Y., No. 13-CV-3594, filed 5/29/2013. Class action unpaid interns alleging wage and hour violations under FLSA & NY Labor Law. Rabenswaay later hired for pay doing same work. (unconfirmed: settlement was being negotiated) <http://www.scribd.com/doc/144757915/Norma-Kamali-Lawsuit>

[Poff v. Portela Law Firm](#), US Dist Ct, E.D.N.Y. No. 13-CV-1317, filed 3/15/2013. <http://www.scribd.com/doc/130569424/poff-v-the-portela-law-firm> See also: Zara, Christopher. Law Office or Intern Mill? Class-Action Suit against NYC Law Firm Expands Ongoing Unpaid Internship Debate [EXCLUSIVE], International Business Times, 3/15/2013. <http://www.ibtimes.com/law-office-or-intern-mill-class-action-suit-against-nyc-law-firm-expands-ongoing-unpaid-internship>

## **BOOKS and ARTICLES**

### **Books**

Cunningham, Julie. NACE's building a premier internship program: a practical guide for employers. NACE (National Association of Colleges and Employers), 2010. (see ch. 8: Legal Aspects of Internship Programs for a discussion of the requirement to pay interns as well as other legal concerns such as workers compensation.)

Perlin, Ross. Intern nation : how to earn nothing and learn little in the brave new economy. Verso, 2011. (see, especially "Appendix B: Internships and the law".)

### **Articles**

Adcock, Thomas. Evaluating summer programs. N.Y.L.J. (Lexis: Online), March 6, 2003.

\_\_\_\_\_. Are your interns legal? Library Personnel News; Winter/Spring 2002, Vol. 15 Issue 1/2, p14-14, 1p

Bacon, Natalie. Unpaid internships: the history, policy, and future implications of "Fact Sheet #71." (2010-2011) 6 Ohio St. Entrepreneurial Bus. L.J. 67.

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Coker, Lindsay. Legal implications of unpaid internships. (Winter 2009) 35(3) Employee Relations Law Journal 35.

Cowart, Tammy and Mildred J. Blowen. Legal issues in college and university internship programs. (Spring 2011). 12 ALSB J of Emp. and Lab. Law 58. Available at <http://ssrn.com/abstract=1987082> or [http://castle.eiu.edu/~alsb/Archives/JELL\\_vol12/Legal%20Issues%20Internship%20paper%20final%20edit.pdf](http://castle.eiu.edu/~alsb/Archives/JELL_vol12/Legal%20Issues%20Internship%20paper%20final%20edit.pdf)

Curiale, Jessica L. America's new glass ceiling: unpaid internships, the Fair Labor Standards Act, and the urgent need for change. (July 2010). 61 Hastings L.J. 1531. Available

at <http://ssrn.com/abstract=1473618>

Durrant, Craig William. To benefit or not to benefit: mutually induced consideration as a test for the legality of unpaid internships. (2013). 162 U. Pa. L. Rev. (Forthcoming). Available at <http://ssrn.com/abstract=2279243>

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to work on pro bono matters in a real-life practice setting.")  
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### DEFINITIONS AND SEARCH TIPS

Definitions:

- Volunteer - 29 USC 203(4)(A), FS #71
- Intern - FS #71

•Employee - 29 USC 203(e)(1); NY Lab Law §651(5); N.J.S.A. §34:11-56a1(h)

Keywords:

interns, internship(s), labor law, wages, wages and salaries, wage and hour, employee status, commonality in class actions, employment law, nonprofit, public agency, government, fair pay, academic credit, unpaid internships

Subject Headings:

Internship programs; Labor laws & legislation; Labor supply; Layoffs; Employers; United States; United States. Dept. of Labor; Government policy; Employee training; United States. Fair Labor Standards Act of 1938; Interns -- Legal status, laws, etc.; Illegal employment; Interns -- Salaries, wages, etc.; Interns (Library science) -- United States.

Locating recently filed court documents:

US Dist Ct, S.D.N.Y. etc: register with PACER at <http://www.pacer.gov/>  
NY Sup Ct: NYS Unified Court System, E-Courts for Civil Supreme; at <https://iapps.courts.state.ny.us/webcivil/ecourtsMain>

News:

Articles in the New York Times - search Labor & Workplace correspondent, Steven Greenhouse. ie. Greenhouse, Steven. [Judge Rules That Movie Studio Should Have Been Paying Interns](#). The New York Times, 6/12/2013 pg 1.

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Websites:

[Intern Aware](#) - London - <http://www.internaware.org/>  
"Intern Aware is the campaign for fair, paid internships. The UK is at risk of creating a society that throws on the scrap heap those who are unable to intern for free for long periods of time. Intern Aware campaigns for interns to be paid at least the national minimum wage, so all are able to afford to get the work experience they deserve."

[National Association of Colleges and Employers](#) - <http://www.naceweb.org/>  
- resources on internships at <http://www.naceweb.org/internships/index.aspx>

Labor & Employment Law Firms:

ie. [Unpaid Interns Lawsuit](#) web from Outten & Golden LLP (NYC) at <http://www.unpaidinternslawsuit.com/> | [New York Labor and Law Report](#) from Bond Schoeneck & King (Syracuse) at <http://www.nylaborandemploymentlawreport.com/> | [Wage & Hour Insights](#) web from Franczek Radelet P.C. (Chicago) at <http://www.wagehourinsights.com/>.

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<http://www.lexology.com/> various articles ie. client information posted by law firms, specialists in area of law or in employment and labor (ie. human resources). Ex: Eleventh Circuit: "externs" who received academic credit are not employees under FLSA - Jackson Lewis LLP Noel P. Tripp USA February 4 2013

Social Science Research Network:

SSRN - <http://ssrn.com/> for full text articles (see titles in Articles section of this bibliography)

# 60 sites abridged – 5 sites per newsletter

By *Gayle Lynn-Nelson*

**T**his month we will focus on one app, one food, one travel, one technology and one reference site.

## App:

**Seamless:** [www.seamless.com](http://www.seamless.com)

Seamless – the app that allows you to order food when you need it! This site exists to make hungry people happy. You put in your zip code and get back a list of places that will deliver food. The first time you place an order they will then ask to you to create a profile which will be kept for the future. You enter your address only the first time.

## Food:

**Edible School Yard** – [www.edibleschoolyard.org](http://www.edibleschoolyard.org)

This one is all about education and our children learning to eat the right foods. The site originated from Berkeley, CA. The founders envisaged teaching fractions in the kitchen as a way of making math interactive, and growing heirloom grains in the garden as a way of teaching early civilization. They are combining education with food and include growing food and understanding the value of food.

## Travel:

**Virtual Tourist** – [www.virtualtourist.com](http://www.virtualtourist.com)

This is a site you need to join to use, of course it is free. And you can just use your Facebook account, which is what I did! If you want to go somewhere and get recommendations from the people that know this is the site for you. Virtual Tourist is a great resource for travelers seeking an insider's

perspective. Real travel tips, reviews and photos from real people who have actually been there and done that.

## Technology:

**Boy Genius Report** – [www.bgr.com](http://www.bgr.com)

This is the leading mobile and technology news source for breaking news, reviews, insights and opinions. BGR features the latest in tech, mobile and gadget news, exclusive content, in-depth features, and coverage of the gadget space. It started as a column written by Internet personality Jonathan Geller on the popular consumer electronics blog Engadget. Geller, known as “Boy Genius” at the time, quickly rose to Internet stardom as he became one of the biggest draws on Engadget. At age 19, Geller spun off his column into a website devoted to bringing exclusive mobile and gadget news to the masses – and Boy Genius Report was born. This site does not allow personal attacks.

## Reference:

**ABA Preview** –

[http://www.americanbar.org/publications/preview\\_home.html](http://www.americanbar.org/publications/preview_home.html).

Preview is an eight-issue subscription publication that provides, in advance of oral argument, expert, plain-language analysis of all cases given plenary review by the Supreme Court. It also provides you with downloadable, .pdf copies of briefs. Archives are free. New subscribers can pay a nominal fee for access.

# Legends of LLAGNY: *Libby Jessup*

**By Dolores Canning**

**L**ibby Jessup (nee Fiordalisi) was born in 1912 to a large family. During her childhood the Women's Movement was in full swing cumulating with the signing of the 19th Amendment on August 26, 1920. As now women had the right to vote, this was a monumental step for what men used to refer to women as the "fairer sex" and the consequences were not lost on young Libby. She wanted a career path for herself and wished to forge ahead in this new world of opportunity. According to her niece Judie Canavan, Libby worked her way through school while at the telephone company. Libby was a graduate of Hunter College and after that was one of the first women to graduate from the illustrious Columbia University School of Law in the 1930's.

Libby married David Jessup who started his career in insurance. David later became a librarian at New York Law School and subsequently the assistant librarian at Carter, Ledyard & Millburn. David died at 49 years of age in 1961. They did not have any children but Libby doted on her nieces and nephews. According to her niece Judie, Libby was a very strong, determined woman who was able to hold her own in a male world, yet still be a lady of the times. She was both elegant and earthy. She was also brilliant, well-traveled, and well-informed.

Libby Jessup was the law librarian at Cadwalader, Wickersham & Taft before she became the library director at the Law Library of Brooklyn. She was a member of the New York Bar Association, American Association of Law Libraries, and the Law Library Association of Greater New York, where she was the president of the latter from 1966-1967. Embracing technologies to facilitate the answering of requests is not new and Libby

was one of its forerunners. In 1966, Libby Jessup was part of a panel discussion on *Automation and the Private Law Library*. 59 LAW LIBR. J. 22 (1966). Libby spoke on "The Possibilities of Information and Dissemination in Private Law Libraries." *Id.* at 30-36. Here, Libby detailed different storage and retrieval systems. Upon reading the article, even back then, keywords in context were the mainstay in order to retrieve information. Costs were also noted in her article and Ms. Jessup highlighted that according to *A Yardstick for Legal Records and Information Retrieval* prepared by the Standing Committee on Economics of Law Practice of the ABA that "[o]ne thing is certain—an information retrieval system can be found or custom-tailored to fit both your situation and your budget." *Id.* at 30 (internal citation omitted). Libby Jessup also wrote the following: LAW FOR THE FAMILY MAN (1958); LAW OF RETIREMENT (1959); MANUAL OF PROCEDURES FOR PRIVATE LAW LIBRARIES (1962); NEW LIFE STYLE AND THE CHANGING LAW (1971); HOW TO BECOME A CITIZEN OF THE UNITED STATES (1972); and LANDLORD AND TENANT (1974).

*Note: many thanks to my mentor from St. Francis College Lucy Curci-Gonzalez Library Director of Kenyon & Kenyon for providing information for this article and an introduction to Libby Jessup's niece Judie Canavan.*

# Librarians in the Real World: Parenting 2.0

By *Kristen Perez*

I have a confession to make: I may be losing my mind. It's something that I must accept as a way of life. I used to have it together, but I have come to the realization that I have turned into exactly the sort of person I used to look upon with pity: the harried working parent, the frantic mother trying to navigate a big box store with an overactive young child in tow. Has anyone else's child ever managed to turn off the lights in the Target pharmacy department? Mine has. I have become *that* parent, with *that* child. I feel like I run air traffic control all day, at work and at home. I leave chaos behind at work only to face chaos and destruction at home (my son likes to take things apart). Do you feel the same way? We live in an age where we have so much technology at our fingertips and so many ways to communicate with colleagues, friends and family, it should make our lives easier. I am not sure that is always the case. Arguments can be made for both sides of the debate. I wanted to reach out to others in our LLAGNY community who juggle work, raising children, commuting, traveling for business and trying to keep the household unit somewhat intact. Misery does love company, and I have to admit that was my true motive behind this article. I needed to know the answer to the question, is everyone else out there as crazy as I am?

When I began working on this article, I made plans to meet Jim Murphy from Bloomberg Law for lunch. That was my first mistake: trying to make lunch plans. I almost NEVER make lunch plans because I am unable to predict what will happen during the day. As if on cue, I received an urgent research request about fifteen minutes before I was to meet Jim. The project was going to take some time, so I warned Jim I would be a bit late. Then, the attorney who made the request was having problems opening embedded

e-mails on his iPad and I had to resend all of the documents I just sent, taking more time. In the end, I was forty-five minutes late meeting Jim, and I felt terrible. I kept apologizing and reiterating that I hate to keep people waiting and that, "I don't do this to people. This isn't me!" Jim understood the situation and, in a way, that was the perfect segue into a discussion of managing our time and responsibilities both at work and at home.

On the inside, Jim may feel like the figure in Edvard Munch's "The Scream" painting, but externally, he projects a sense of calm. This is likely a survival mechanism he has perfected over the years spent working in the legal field. Jim's position as a Law Librarian Relationship Manager at Bloomberg Law has required a fair amount of travel in the two years he has held the position. This, of course, means time away from his husband and their four-year-old son. Our sons are the same age, so I know how difficult it is to leave your spouse behind to manage the home front and child care while you are on a multi-city tour of the United States. Their son is resilient and adapts well to change. However, he does question what it means when Jim says he is leaving for work: does that mean going to the office and returning home for dinner, or does that mean he is taking a business trip and will be gone for several days?

To ease any uncertainty surrounding his absence, Jim and his husband have put up a map of the United States and use stickers to show where Jim will travel on his upcoming trip and that he will plan to call from each location. He stays in touch by phone and also via FaceTime. FaceTime allows him to participate in family dinner or bedtime rituals so his son can see him as well as hear his voice.

Unfortunately, time differences can create a problem when Jim is on the West Coast and has promised to call, but was kept busy with meetings and dinners until after bedtime at home.

On the plus side, Jim's family is sometimes able to join him when he travels to conferences, so his work provides them some adventures as a family. This past summer, they attended AALL in Seattle and Jim's husband and son got to see him on the job in the exhibit hall. They were able to sightsee when Jim was working at the conference and met up during his downtime.

It's not easy being on the road a lot, but Jim receives 'earned days off' when he works on weekends. This gives him the flexibility to have a day off during the week to do things he can't do on weekends, like visit his son's preschool and read to the class. Other times, he might visit a zoo with his family during the week. For Jim, the key to making a job with travel requirements work with family life is for all members to 'buy in' to the situation. His son understands and accepts that Jim's work involves travel and with that comes things that are good: occasionally getting to accompany Daddy on work-related trips. He also understands that Jim's work comes with the not-so-good: Daddy is not always home for dinner.

My position as the Reference Supervisor at Hughes Hubbard and Reed does not require travel; but my husband and I each commute about three hours round-trip every day. We are the parents of a wonderful four-year-old son who is equal parts charm and mischief, and we consider ourselves very fortunate to have the help of my parents who take turns watching our son while we are at work. They are able to make sure he gets to preschool, as well as appointments and activities that are logistically impossible for me during

the week. In addition, we are lucky to have someone clean the house for us twice a month. But, all of this takes coordination amongst the various parties and part of that entails knowing the preferred method of communication for each individual. My parents like phone calls, my husband prefers e-mail, but the cleaning ladies and one of my son's instructors only want to use text-messaging. I am the point of contact when anything changes, regardless of the fact that, many times, there is either no need to involve me or not much I can do. I spent an hour one evening taking calls alternatively from my mother and husband, who were locked out of the pool where my son was attending swimming lessons (locked out at different times, during the same lesson while dropping off and picking up). I was waiting in line for my ferry at Pier 11 at the time, not exactly in a position to remedy a situation playing out in Asbury Park, NJ.

Due to the varying technological habits and skills of my family members, we do not have a centralized, electronic calendar. We rely on a hard copy calendar hung in the kitchen to track appointments, PTO days and classes my son attends. This, of course, means that everyone needs to remember to write things down and to check the calendar on a daily basis. Of course, this doesn't always happen and updates often go unnoticed since we are all coming and going at different times. Our tag-team approach to child care is wonderful in that my son is constantly surrounded by love and is getting to enjoy a very close relationship his grandparents. It also means the right hand doesn't know what the left hand is doing (or forgets to tell the left hand something important). Do not ask me to state with absolute certainty what or when my son last ate or why he is wearing what he is wearing, because

honestly, I often don't know, and my son can't be relied upon to tell me. Many times, he is in bed by the time I get home. During the day, my poor mother is so busy trying to stay on top of my son, that she doesn't have time to leave notes, which is completely understandable. It would have been nice, though, to have had a heads up that the white, granular specs I recently discovered all over my black cat were not symptomatic of a case of rapid-onset dandruff, but rather, the result of my son emptying an entire salt shaker on him earlier in the day.

The recent purchase of a new family vehicle has added another layer of technology to the Perez household. My iPhone, which is synchronized to my work e-mail, calendar and other applications, is now synchronized to the Bluetooth in my SUV. So, I have the capability to do all sorts of amazing things while driving to and from the ferry each day.

**S**ince the entire firm-wide directory is loaded into my iPhone, which is synchronized to the car, probably the most amazing thing I will do will be to accidentally call a senior partner when I am trying to remind my husband to pick up milk and cat litter after work.

Once on the ferry, I have forty-five minutes of quiet to check work e-mail, read the *Wall Street Journal* (hard copy and app) and *The New York Times* (app). Even with a jumpstart on the e-mail before arriving at the office, my inbox is always overflowing.

Kathleen Feerick, a Research Consultant for LexisNexis, can relate to the complexities of technology and managing both work and family life. She, too, has Bluetooth in her car, synchronized to her iPhone. She loves

the fact that she can participate in conference calls while commuting into the city from her home in Rockland County, New York. Dialing in is a breeze; the problem comes after she is connected to the call. Inevitably, her iPhone will start playing music in the middle of a call, which forces her to disconnect and try to reconnect while driving. The relationship between the iPhone, iTunes and Bluetooth is apparently a complex one. I recently realized that I couldn't see all of my music on Bluetooth and thought I would make sure the iPhone was synchronized to iTunes. In doing so, I somehow managed to wipe out all of my work settings, leaving me without access to my work e-mail or calendar from Friday until Monday. (Cue sheepish call to the firm's Help Desk). I was told that I should probably have an Apple account that is separate from my family's Apple account, contrary to what I was told when I initially got the phone. Being without a fully-functioning phone for a few days made me realize how much I do rely on my smartphone to remember not only my schedule for the work-week, but simple things that I don't trust myself to recall, like putting gas in the car. While I do not have all of the entries on the family calendar at home on my iPhone calendar, it is a huge convenience to be able to track work and personal appointments in one place.

Kathleen has also run into problems associated with a shared Apple account. She and her fiancée have four children in the house and all of their devices are connected to the same account. It is not unusual for one of her children to reply to a text message she sent to a co-worker or for her to respond to a text one of the kids sent to a friend, adding to the confusion in her life. Also, forget about keeping her iPhone charged. Kathleen said, "I never have enough battery power. When I get home, I

put the phone on my charger and when I wake up, it is either no longer on the charger because someone else's phone is on my charger, or someone is playing a game on my phone and when I need it for a conference call it has under ten percent battery capacity."

Mayra Cabrera, a Business Librarian at Cahill Gordon, is also living at the intersection of work, home and raising a young child. Due to Superstorm Sandy, Mayra's firm was out of its office space for months. The firm eventually found temporary space in Midtown, but for the initial weeks after the storm, employees worked from home. This meant structuring her four-year-old daughter's day so Mayra could work without constant interruption from a sweet girl wanting Mommy's undivided attention. Her daughter went to preschool in the mornings and Mayra's partner scheduled outings and play dates for her in the afternoon.

Mayra has the only smart phone in the household, so she and her partner don't have electronic calendars. "We are always forgetting what day it is," Mayra commented. She tries not to check work e-mail on weekends if she can help it, so Monday mornings on the train are all about wading through e-mail. Her daughter, like all children, is fascinated by technology. "For some reason," Mayra said, "I have Subway Surfers on my phone. I wonder who did that."

With her work schedule, Mayra often feels like she is not privy to everything that goes on in her daughter's life until after the fact. She tries to make it to every other school function as it is not feasible to attend everything. While having lunch with one of her daughter's schoolmates and parents, she learned quite by accident that her daughter had been in time out several times at school. "The other little girl's parents knew all about it," Mayra laughed. "I had no idea."

She cited another example of miscommunication in her family: her daughter recently wanted a goldfish (as in ONE fish in a bowl). Mayra sent her partner and daughter out to buy a fish and they returned with a huge tank and all the accessories for an aquarium. Despite her daughter's excitement, Mayra said all she could think was, "Oh, no! Mommy doesn't have time to take care of an aquarium full of fish on top of work and everything else!"

Marshall Voizard, who is a Reference Librarian at Sullivan and Cromwell, has not yet arrived at the stage of parenthood where his child wants a pet or is involved in activities. He and his wife are parents to a one-month old son. They went from being a young couple living in an apartment in Queens to homeowners and new parents in a matter of months. Marshall's commute is now two hours each way. "The baby, new house, and longer commute have been a tremendous change, and time is now at a premium. I make the most of it by using a laptop on my train ride," Marshall said.

He and his wife like being on Long Island, close to family, but miss certain aspects of city life, such as being able to walk everywhere instead of drive. They also long for the free time they had when they were renting an apartment and didn't have the maintenance and yard work that goes with homeownership. "Parenting is a whole adjustment of its own, of course," Marshall said, "and I think we're still getting used to everything and waiting to settle into a routine. Each day is a little different with the baby so we still don't know quite what to expect."

So, how are the new parents dealing with the sleepless nights? They are

armed with an iPad mini. Marshall said they wanted the iPad mini so they could quickly and easily share pictures of the baby without having to constantly connect a camera to the computer and upload pictures. But, they have found other uses for it as well. They have downloaded several whitenoise apps that help the baby sleep.

The iPad mini also allows Marshall's wife to snap pictures of the baby and send them to Marshall so he gets occasional updates on his son during the workday. "Of course," Marshall remarked, "the only time she has to do this is when the baby is sleeping so the pictures tend to be very similar. But it's nice to receive them." Marshall says that even with the convenience of photo-sharing and Flickr as electronic back-up, they still want to make hard copy photo albums. I hope they find time to follow through on this. My son is now four and I still have not made hard copies of his pictures!

So, what's a working parent to do when long commutes, work and family responsibilities collide? Kathleen said that she long ago accepted unpredictability as a way of life in her role as a working parent. She said that there is no use getting upset when the kids' schedules change because it there is usually nothing you can do about it. "You have to learn to roll with it," she said. Asked to summarize her life, Kathleen laughed and said, "Chaos, chaos and more chaos. I guess I like it that way, since I have been doing it for so long." The constant need to adapt, then re-adapt, has its advantages, though. Kathleen went on to say that being working parents "probably actually helps us with all of the changes in technology. We're not used to anything staying the same!"

# Librarians in the Real World: LLAGNY Members, Fitness, and the Marathon (reprint)

By **Kristen Perez**

Last fall, I was asked to write an article about three LLAGNY members who were training for the New York City Marathon. (You know, the annual 26.2 mile jaunt through the five boroughs.) I gladly jumped at the chance to discuss one of my favorite topics (running) with some of my favorite people (librarians). As we all know, the marathon was ultimately canceled in the aftermath of Superstorm Sandy. I personally can't imagine training for a big race only to have it canceled, let alone training for THE RACE and not getting to compete. Here are the stories of three busy, accomplished professionals: Valerie Carullo, Brooke Raymond and Steve Lastres, their passion for running, their advice for others looking to begin a fitness program, and what they took away from the race that wasn't.

When I caught up with Valerie Carullo from Bloomberg Law last October to discuss her marathon training plans, she was at the airport, heading to St. Louis for the Mid-America Association of Law Libraries Conference. Valerie is a law librarian relationship manager at Bloomberg Law and was representing the company in the vendor hall at the conference. As if finding the time to train for a marathon wasn't challenging enough, Valerie saw an uptick in her work travel in the month leading up to the race. I asked how she scheduled training time with so many professional commitments. "Flexibility is key," she said, though there were always days when life would get in the way. Valerie's preference was to



*Brook Raymond*

run outside at 5:00 a.m. with a friend if she was home during the week. She planned her long runs for the week-ends when she was home and hit the treadmill at the hotel gym for early or late runs while out of town. For the most part, she was able to

stick to her training schedule while traveling for work.

New York has definitely been on the 'bucket list' for Valerie. "I attended the marathon in person fifteen years ago and it was so exciting. I loved the energy," she explained. When she moved to New York three years ago, she knew she wanted to run the marathon. She took a class at JackRabbit Sports running store to 'learn' how to run, specifically how to incorporate strength training into a running regimen to avoid injury. She decided 2012 was the year and did the 9+1 program with the New York Road Runners in order to gain entry to the marathon. The 9+1 program entails becoming a NYRR member by January 31 of the year prior to the year you plan to run the marathon. You then must run nine qualifying races during that calendar year, and volunteer at one event. But, if you fulfill these obligations you are guaranteed a spot, unlike the lottery system which offers no guarantees.

Brooke Raymond, Reference Librarian at Goodwin Procter, found out firsthand how random the lottery system can be. After years of volunteering at the Saturday pre-marathon pasta dinner for the runners, Brooke decided to make an

attempt at running the marathon herself. She talked her boyfriend into running the race and they entered the lottery system. He received a number, but Brooke did not. Ironically, Brooke was the one pushing him to enter the race; he was more reticent. So now, Brooke had to find a way into the marathon. She began applying to charity teams as a means to gain entry and found that this was practically a full-time job unto itself. After filling out applications for several teams, Brooke was accepted to the Campaign for Female Education (Camfed) team, a charity that supports the education of girls in Africa. This was a dream come true for Brooke, who started running on her track and cross-country teams in the ninth grade. Now, she just had to juggle a full time job, a training schedule and a fund-raising requirement.

Librarians are resourceful creatures and masters at multi-tasking, as we all know. When asked how she scheduled her training runs around her work hours, Brooke replied that she would often run home from work. Depending on the route she took, she could log 12 to 14 miles from her office in Manhattan to her home in Brooklyn. Efficient use of time and an environmentally friendly way to commute, indeed! She would bring a change of clothes to work, then head out after hours with her 'old school' radio headphones, ID, keys and cash. Running after work allowed her to sort through thoughts and ideas and relieve the stresses of the day.

Regarding fundraising, Brooke posted information about her run for charity in common areas in the office and found that her coworkers

# Librarians in the Real World: LLAGNY Members, Fitness, and the Marathon (cont'd)

were very supportive. She was ultimately able to raise over \$3,000 for CamFed. "My employer, Goodwin Procter, as well as the local law librarian community, have been very supportive of my marathon training and participation. Many colleagues have offered kind words of encouragement. I can't tell you how comforting that was when fears would arise."

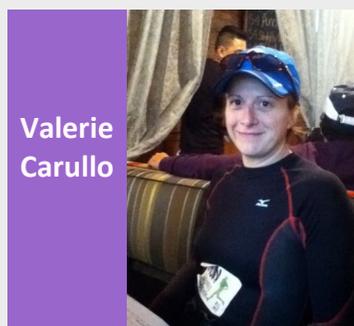
Steve Lastres is the Director of Library and Knowledge Management at Debevoise & Plimpton.

Like Brooke, Steve signed on with a charity to run the marathon, but his reasons were very personal. He teamed up with his nephew to support the Leukemia & Lymphoma Society in memory of his father, Fernando Lastres, and his sister-in-law, Deborah Lastres. With the help of friends, family and his colleagues in LLAGNY and PLL, the Private Law Libraries section of American Association of Law Libraries, Steve was able to raise over \$5,000 for the Leukemia and Lymphoma society.

Steve actively returned to running in June 2011 and New York was to have been his first marathon. Since he was running for the Leukemia and Lymphoma Society, there were team runs to attend each week. That meant leaving the office by 6:30 p.m. to make a 7:00 p.m. group run at Astoria Park. Long runs with the group were scheduled for Saturday morning. Solo runs took place at 6:00 a.m. before work, or at the gym during lunch, assuming there were no meetings scheduled mid-day. Steve was so determined in his preparation for the marathon that he ran a 26.2 mile practice run while at the ARMA (Association of Records Man-

agers and Administrators) Conference in Chicago last September.

While he doesn't always run a full marathon distance while traveling, he does make running a priority while on the road. He has run in conference destinations such as Boston, Chicago and Washington, D.C., as well as countries he has visited, including the Dominican



Valerie Carullo

Republic, Germany, Ireland and Spain. Locally, he enjoys running by the Cross Island bike path near the Bayside Marina. One thing he never leaves home without is his iPhone. He uses it to listen to music and for the MapMyRun app which has a GPS application to track your run and measure distance, duration, pace and calories.

Stress relief was cited as a common benefit of running among Valerie, Brooke and Steve. When my alarm clock goes off at 4:40 a.m., there is always the temptation to hit the snooze button but I know that nothing clears my mind and energizes me for the day like an invigorating pre-dawn run. Valerie uses her runs as time to mentally work through things that have been bothersome or stressful as well as

to strategize for the work day. She does not listen to music while running and finds that this 'quiet time' enables her to come up with new ideas and plans for work. Brooke agreed, saying that running allows her to sort through her thoughts in a timeless zone and solutions will frequently come to her almost without effort. Steve indicated he used runs and workouts to brainstorm about work-related issues or professional association projects. His hour-long spin classes, however, "are all about 'me' time," where he can simply block out the world.

When asked about his dedication to fitness and the sport of running, Steve had this advice, "You need to schedule exercise into your life the way you would a meeting. No one is going to look out for your mental and physical well-being but you." This ideology led Steve to lose over fifty pounds in just over a year. In addition to running, Steve has also completed two 'century' bike rides (100 plus miles) and plans to participate in a triathlon in 2013.

Brooke's advice to other busy professionals looking to get in shape was, "Start small and start today. Competing in a marathon may not be right for you but you can incorporate a fitness routine for twenty minutes, three times per week. Choose something you enjoy, such as walking, water aerobics, shooting hoops, etc. This will make a 'must do' fun." Valerie said, "make yourself accountable. Sign up for a class or make a date to run, walk or go to the gym with a friend. If you have made a commitment to someone or paid for a class, that is a

# Librarians in the Real World: LLAGNY Members, Fitness, and the Marathon (cont'd)

motivator.” She also recommends getting up early and working out before heading to the office. That way, you have your exercise over with before other things can get in the way. We all know how unpredictable the work day can be, not to mention the weather....

Enter Superstorm Sandy. After New York City and the surrounding regions were hit hard by this massive storm, the New York City Marathon was canceled for the first time in its 42-year history. Unfortunately for those who traveled long distances, the decision was not made until two days before the race. There were mixed feelings among the public and the running community about the cancellation. Some felt the marathon should have taken place, while others agreed that calling off the race was the right thing to do. Our LLAGNY runners all agreed that while the day turned out to be not at all as they had planned, they found ways to turn a negative into a positive.

Valerie went to Central Park on the day of the race and ran the full 26.2 mile distance along with countless other runners. “It was a pretty uplifting, if not bittersweet, experience. Had the decision to cancel been made earlier in the week, I would have been totally supportive, but to have it canceled essentially 36 hours before race day was pretty deflating.” Valerie went on to say that she felt very fortunate to not have had any personal losses or damage as a result of the storm and chose to focus on that, knowing that so many others really suffered.

Brooke admitted she was disappointed as well and was thankful for the moral support from her boyfriend. She was actually standing in line at the Javits Center, waiting to pick up her bib and racing chip when she learned the race was canceled. Brooke decided that she wanted to give back to the city, rather than run on Sunday, November 4th. She went to Pelham Bay Park in the Bronx where she raked leaves and helped clear brush from downed trees. It helped lift her spirits to be out doing something and taking part in the post-Sandy efforts. Brooke had raised \$3,400 for Camfed and assured her sponsors that the money she raised during training would be donated to the charity and would be put to good use to help educate girls in Africa.

Since Steve and his fellow Queens Leukemia and Lymphoma Society Team in Training members prepared for the marathon together, they decided to spend the weekend of the race together helping others. On Saturday, Steve and the team collected food and supplies for a soup kitchen. The next day, they met in Staten Island to participate in clean-up efforts in the New Dorp Beach area, one of the many communities devastated by the storm. Many runners wanted to show their support for Staten Island, the traditional starting point of the marathon, by volunteering there on the day of the race. Undeterred by the cancellation of the marathon, Steve went on to run the Philadelphia Marathon on November 18, 2012, with about 3,000 other displaced New York marathoners. He said a number of cities opened up additional spots in their local marathons to accommodate runners

who had trained for New York. Steve was heartened by the fact that he was able to cap his months of training by racing 26.2 miles, even if it wasn't in the five boroughs.

While our LLAGNY marathoners were disappointed that they did not get to run the New York City Marathon in 2012, they are guaranteed entrance for 2013 and all three plan to run this year's big race. Others might have thrown in the towel after months of rigorous preparation, feeling that they simply could not muster the energy to train for the marathon a second year in a row. But not these ambitious law librarians. Steve remarked, “I am now hooked on running and biking and will [also] be training for a triathlon. Participating in events gives you the incentive you need to make the time to practice despite your busy schedule and provides me with the internal drive to compete.” Valerie also explained that her training for the 2012 New York City marathon was not a one-time athletic endeavor; running is part of a general commitment to fitness and healthful eating for her. “Overall,” she said, “it's a lifestyle choice.”

Here's to your health, Valerie, Brooke and Steve! Good luck in the 2013 New York City Marathon.

Below is a picture of **Steve Lastres** crossing the finish line at the Staten Island Half Marathon.



# Make Your Bed in the Morning: A Tale of a Long Termed Unemployed Librarian

By [Dolores Canning](#)

*Note: below are hyperlinks to music videos*

**D**uring the last economic downturn of 2001, I was a happy but harried evening shift corporate reference librarian at Goldman Sachs. I just came back from a Memorial Day Weekend holiday in Ireland's 33<sup>rd</sup> County, Greene County, East Durham, New York. One of my jobs on that shift was to pick up all the assignments in the basket and work on them. If I remember correctly, I had 5 and I immediately plunged in. While immersed, I was called in by the Library Manager. Since I was not there a full 5 years as a permanent employee they were letting me go. I also discovered that later on, Goldman dissolved the evening shift. They asked if I needed security to escort me out. I said no, I will go quietly. I regretfully handed in my id card, ran the assignments over to my direct supervisor, and explained what happened and within 10 minutes (I was not allowed to linger) my stuff was packed and out the door.

Thus began my journey back, for the most part, as a legal consulting reference librarian. I was employed by 10 different law firms, an investment firm, and a publishing company; and I thoroughly enjoyed my time. Some places really were impressed by my work ethic and attention to detail, and I was invited back as a consultant numerous times. I met some great supervisors and colleagues and I was quick to adapt to changing environs. My last assignment in April 2008 was at Davis Polk & Wardwell, where I was covering a maternity leave and looking with eager anticipation to my next assignment. I have always consulted but the truth of the matter is that I longed to obtain a permanent assignment. I just consulted to pay my bills. That was when the 2008 economic downturn hit. I was devastated. The agencies that used to call me with assignments

stopped. I called them every week and I heard the same message; sorry Dolores, we do not have a position for you. This lasted weeks, then months, then years. I have been steadily unemployed since July 2008. I leave voice and email messages to the agencies and 90% of them don't get back. My unemployment benefits ran out and it is only because I am married that I am not homeless. I have always heard that one needs to network in order to gain employment. I have been going to LLAGNY Educational seminars, and I've been to the dinners where I volunteered to be a greeter. This year, I joined the Education Committee and will try to aid the Law Lines Committee in the composition of articles.

I sometimes tend to view events with a somewhat dark view, but I try my best not to dwell there. One morning I was watching a show and they had a segment on how to foster a positive attitude to your everyday life. The first item they suggested was to make your bed in the morning. The presenter stated that it was something that you could do at a moment that could bring order to your life. You have performed a positive task and with this you behind you, you can have a brighter focus to your day. I love listening to music on my local radio station WHUD. I draw a lot of inspirational thoughts from songs. I could be just driving in my car and hear something that makes me think about my situation and how to deal with it.

This year Kelly Clarkson added a new song to her repertoire, [People Like Us](#). The words that really struck me were "hey everybody loses it; everybody wants to throw it all away sometimes. And hey yeah I know what you're going through don't let it get the best of you,

you'll make it out alive." When I heard those words, I knew that I was not alone. There were others in my predicament and believe me, some a lot worse. I have my health, a wonderful husband, a good dog, and friends.

Yes, I'll admit/confess that I am a big fan of the Bravo TV channel. Earlier this year there was a show entitled, Kandi Factory, where aspiring singers were chosen by Kandi Burrese to compete, and the winner was put in a music video. Kandi would compose a song that mirrored each contestant's life. When I heard about Tasha Williams's predicament it surely sounded like my own. I also am having house issues. The song Kandi wrote is entitled [Rock Bottom.](#)

**T**he message is you're at the bottom now, the only direction is up. Don't complain, don't mope; turn your hardship into an opportunity.

Another morning when I was in the midst of doing my hair, Script & will.i.am's song, [Hall of Fame](#), came on the radio. I enjoyed the song and since I love watching music videos, I tracked the video down on the Internet and watched it. I am so glad that I did! It showed 2 teenagers that were dreaming what they would like to be when they were older; one wanted to be a prize fighter the other, a world renowned ballerina. But when both were just starting out, they were not that good. It was only through hard work and a never say die attitude that they gained their dream. The song encourages the listener to be the best at what they can be and because of that, they will be in the hall of fame. Sometimes ultimate success is based on a myri-

ad of failures. I am facing my failures now but I know that in the future with my hard work and determination, I will have success and be in the hall of fame.

Lastly, on the Kandi Factory there was a young man who had various medical issues. He was always told no, you can't do that. Cory Singer defied all odds and became a theatre performer. Kandi composed the song, [I Can Do Anything](#), for him. The video shows a variety of people who were told no countless times, but who thru perseverance kept their dreams alive and were ultimately recognized for their efforts. I too am hearing a lot of no's now: you are unemployed too long, you can't get a job, and no one will hire you. I too will persevere, and not let the naysayers get inroads into my spirit.

**S**o the key to a positive attitude is making your bed first thing in the morning and listen to words that will lift your spirit. We are all in this together, some longer than others.

Keep your head up and in the words of Fun. be sure to [Carry On.](#)

# Board Meeting Minutes

## Minutes of the LLAGNY Board Meeting

June 27, 2013

Landmarc Restaurant

In Attendance: Bill Mills, Janice Henderson, John Davey, Harold O'Grady, Anthony Amabile, Bess Reynolds, Elaine Lee, Nathan Rosen, Cecilia Curran

The meeting convened at approximately 7:35pm.

Approval of the Minutes from May 30<sup>th</sup> – The minutes were corrected to reflect the fact that the budget for the talent show was not due at the June meeting but will be prepared for a future meeting. Approved (O'Grady). Second (Henderson). Board approved the corrected minutes.

Consent Agenda Item – approved prior to the meeting through consent agenda:

"Sandy: Making It through the Storm" program announcement

Action Items:

1. Revised Financial Aid Policy for LLAGNY CLE – the Board discussed the proposed revised Financial Aid Policy which will be submitted to the NY CLE Board for approval. The changes were based on the CLE Board's recommendations. Approved (Henderson). Second (Rosen). Motion passed unanimously by hand vote.
2. Budget Request for LLAGNY/SLA KM program – the Board approved a budget of \$5,000 for a joint KM program proposed by Steve Lastres. If additional funds are needed

they can be obtained through registration fees and/or via the Corporate Sponsorship Committee, provided that none of the 75<sup>th</sup> Anniversary sponsors are approached. Approved (Rosen). Second (O'Grady). Motion passed on hand vote of 7 to 1.

Reports and Discussions:

1. Special Bylaws Committee Report – Janice Henderson provided an update on the Committee's work and on the new proxy voting form. The Board decided not to vote on the changes and the Committee will continue working until the next members' vote.
2. Special 75th Anniversary Committee Report – John Davey and Janice Henderson presented information about the planned talent show. The Committee will meet in July to determine a venue and the talent show will take place in April of 2014.
3. Technology Committee Report – Bill Mills provided updates on the new LLAGNY website. The new site will go live on July 1<sup>st</sup> with an announcement being sent out to members. Some features such as the listserv will be phased in later. Anthony Amabile set up a Moolah account which will allow members to pay online for dues and event fees with credit cards.

The next meeting will be held in August.

The Meeting adjourned at approximately 8:50pm.

Respectfully submitted,  
Cecilia Curran, LLAGNY Secretary

## Minutes of the LLAGNY Board Meeting

August 8, 2013

Alston & Bird

In attendance: John Davey, Harold O'Grady, Elaine Egan, Elaine Lee, Anthony Amabile, Bess Reynolds, Nathan Rosen, Cecilia Curran

The meeting convened at 6:28 pm.

Approval of the Minutes from June 27<sup>th</sup>. Approved (Egan). Second (Amabile).

Action Items:

1. Budget for fall Knowledge Management programs – after discussion of the program the Board approved an additional \$5,000, bringing LLAGNY's total contribution to \$10,000. Approved (O'Grady). Second (Rosen).
2. Budget for Fall Soiree – the Board approved a budget of \$11,000 for the event, which will occur in October. Approved (Reynolds). Second (Amabile).
3. LLAGNY Acronym – the Board agreed to file a Certificate of Assumed Name (DBA) form with the Secretary of State, allowing the organization to accept payment under the name LLAGNY. Approved (Rosen). Second (O'Grady).
4. Budget for One Day Conference and Winter Social – the Board discussed possible venues for the conference and other details of the event and approved a budget

of \$30,000 for the conference and \$20,000 for the social. Approved (Egan). Second (Rosen).

Reports:

1. Education Committee – Rosen reported that in addition to the fall KM sessions the Committee will put on three additional evening events which will require minimal funding.
2. Outreach Committee – Davey reported that LLAGNY's CLE status was approved.
3. Special Bylaws Committee – the Board discussed the proposed proxy voting changes but agreed to have a conference call in September to further address the issue.
4. 75<sup>th</sup> Anniversary Committee – Davey requested that Lee and Voizard act as liaisons for the Committee.
5. Technology Committee – Davey and Amabile reported on upcoming features for the new website including the new listserv and photo gallery as well as the ability to accept electronic payments. The Board discussed the fees involved in accepting credit card payments and possible ways to recoup the cost.

The next meeting will be held in September. The Meeting adjourned at approximately 8:15pm.

Respectfully submitted,  
Cecilia Curran, LLAGNY Secretary

**Minutes of the LLAGNY Board  
Conference Call**

September 16, 2013

In attendance: John Davey, Elaine Egan, Elaine Lee, Anthony Amabile, Bess Reynolds, Nathan Rosen, Cecilia Curran, Bill Mills, Marshall Voizard

The meeting began at 12:30 pm.

Agenda: discussion of issues regarding the proposed new bylaws.

The board discussed the proposed changes to the voting process at length.

-Elaine Egan presented information from a similar organization which hires a proxy company to run their annual meetings and stressed that we need to be in compliance with state law.

-Marshall Voizard suggested that LLAGNY could look into re-incorporating in Delaware.

-Bill Mills pointed out the risks to adopting the bylaws include loss of members due to potential dues increases and complications of combining the annual meeting and election with the current June dinner.

The board agreed to vote on the proposed bylaws at the next meeting.

The next meeting will be held on September 23rd.

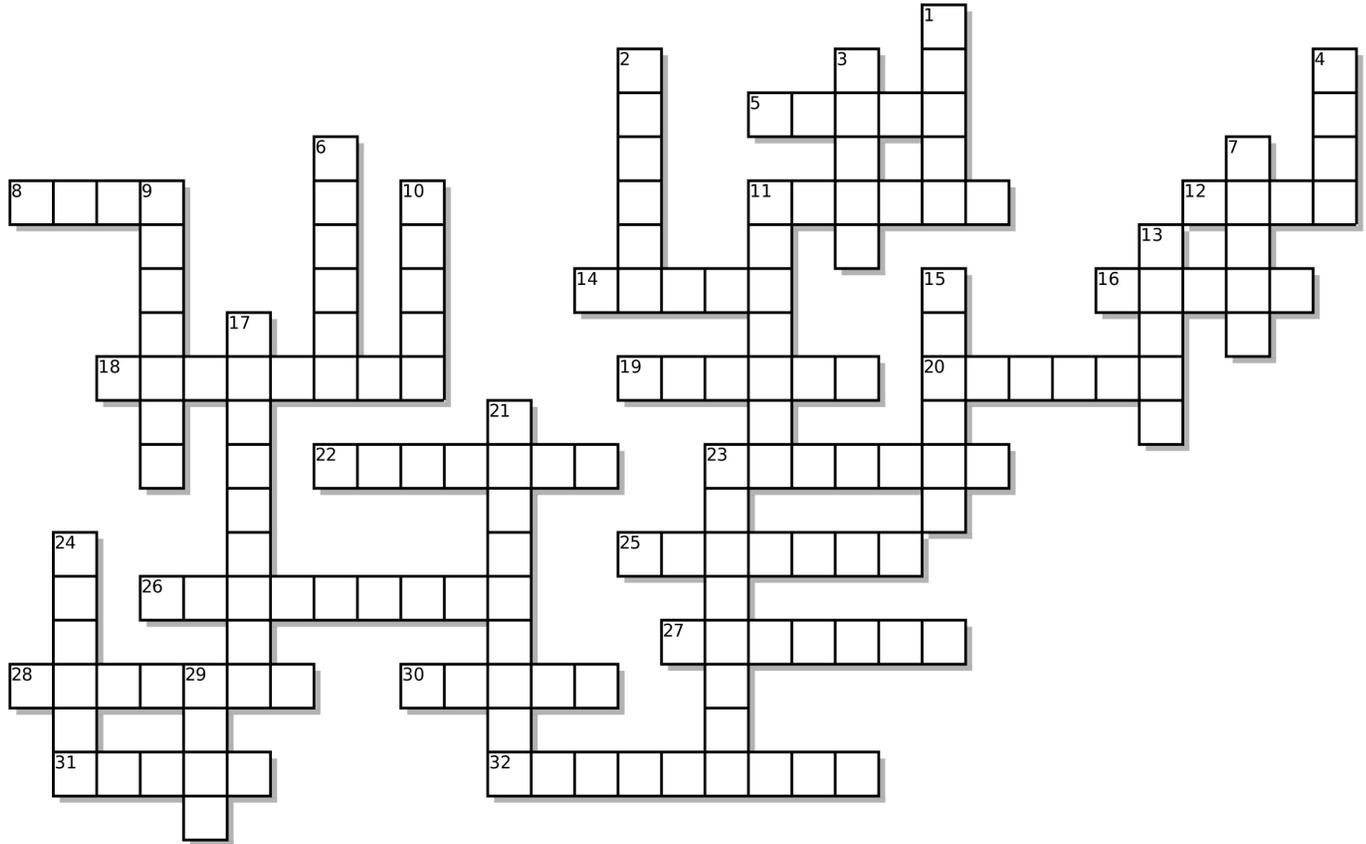
The Meeting adjourned at approximately 1:09 pm.

Respectfully submitted,  
Cecilia Curran, LLAGNY Secretary

# Seattle Crossword

## "Seattle, Washington"

by Emily Moog



### ACROSS

- 5 the final frontier
- 8 LLAGNY's annual meeting mo.
- 11 thread's companion
- 12 AALL's convention mo.
- 14 outfitter Eddie
- 16 used to keep out (or keep in!)
- 18 its MLB
- 19 1950's old fogie
- 20 S.A. river
- 22 they often wear shades
- 23 its islands
- 25 TV's radio psychologist
- 26 its caffiene of choice
- 27 its mountain
- 28 early settler
- 30 to transport
- 31 Alexander's adjective

32 "MSFT" is its ticker

### DOWN

- 1 don't reinvent it!
- 2 its flower
- 3 TV's Goliath's companion
- 4 urban center
- 6 its alt rock
- 7 its sound
- 9 May's Birthstone
- 10 Lowell, MA factories
- 11 Buddhism's goal
- 13 its weather?
- 15 Its airport
- 17 its marketplace
- 21 Dept. store founded here
- 23 its gridiron
- 24 once, its aerospace manufacturer
- 29 Westlaw's MN. city

