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### AALL Special Interest Section Recommended Reading Lists: Social Responsibilities SIS

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## **Law Library Journal Centennial Feature**

### **AALL Special Interest Section Recommended Reading Lists\***

¶1 To celebrate the centennial volume of *Law Library Journal*, each of the Special Interest Sections was invited to contribute a “recommended reading list” to this final issue of volume 100. The goal was for the SIS to put together a list of articles from *Law Library Journal*’s first century that it would suggest as reading for its members. Eight of the Special Interest Sections responded to the invitation, and their selections follow in alphabetical order by the name of the SIS.

¶2 The invitation intentionally left the format choice open, and as you will see, this led to a number of different approaches. What they have in common, though, is that all resulted in bibliographies that highlight the wide variety of topics LLJ has covered over the years, and that demonstrate the continued relevance of articles published decades ago.—The Editor

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## Foreign, Comparative and International Law SIS\*

### Introduction

¶1 In celebration of *Law Library Journal*'s centennial, the following list of articles on topics in international, foreign, or comparative law was prepared; it is a kaleidoscopic presentation of past, current, and emerging issues that have influenced and are still impacting international law. The FCIL-SIS has an interesting history, which illustrates in itself the growth of interest in the subject matter of the section. The Foreign, Comparative and International Law SIS was created in 1985, but it had existed as an AALL committee since 1947, albeit under varying names.<sup>1</sup>

¶2 The excellent quality of all the articles written over the period made any selection a particularly challenging process, and it was decided instead to include all articles on the subject. It is notable that established legal scholars and holders of chairs or named professorships, such as Thomas E. Carbonneau<sup>2</sup> and John E.C. Brierley,<sup>3</sup> have been among our contributors. One general trend that may be noted briefly here is a change in the focus of the articles over time: moving from collections, and particularly the difficulty of acquiring foreign materials, to topical international and foreign legal bibliography and legal systems in the abstract. Finally, a significant number of the articles on foreign law focus on Canadian law, and this should not be surprising, given that in 1963 Canadian librarians formed an association chapter within AALL as a prelude to their emergence, in 1970, as an independent association.<sup>4</sup>

¶3 To add additional interest to the list, a very rough citation analysis was undertaken. We wondered how often articles had been cited in other legal and law-related journals. Articles were located through HeinOnline, LexisNexis, Westlaw, and the *Index to Legal Periodicals and Books*, both current and retrospective, which covers the entire publication run of *Law Library Journal* from 1908 onwards. The citation analysis was performed utilizing Westlaw's KeyCite and the LexisNexis's Shepard's features. In addition, Academic Search Premier's Cited References was used for cross-checking purposes, as well as in an attempt to retrieve citations for the older articles; however the number of target journals on law is small in that database. HeinOnline also provides a feature indicating articles that cite any particular article, and this was used as well. The limitations of the

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1. See Am. Assoc. of Law Libraries, Foreign, Comparative and International Law SIS, [http://www.aallnet.org/sis/sis.asp?code=COMMITTEE/SIS\\_F](http://www.aallnet.org/sis/sis.asp?code=COMMITTEE/SIS_F) (last visited Aug. 14, 2008).

2. Samuel P. Orlando Distinguished Professor of Law, Penn State Dickinson School of Law, University Park, Pennsylvania.

3. Former Wainwright Professor of Civil Law, McGill University, Montreal, Canada.

4. Janine Miller, *The Canadian Association of Law Libraries: AALL Shares a History of Partnership with Its Neighbor from the North*, AALL SPECTRUM, Mar. 2005, at 16, 17.

databases' citation analyses are due to coverage in the analysis feature, resulting in a (not surprising) lack of citation data for older articles. The number of citations found is indicated in parentheses at the end of the bibliographic citation. Articles are in alphabetical order.

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- Williamson, Linda. "International Law Librarians. Guidelines for Planning an Exchange." *Law Library Journal* 79 (1987): 727–47.
- Young, Stephen E. "'By Command of Her Majesty': An Introduction to the Command Papers of the United Kingdom." *Law Library Journal* 92 (2000): 81–90.
- Young, Stephen E. "'Shepardizing' English Law." *Law Library Journal* 90 (1998): 209–18. (1 citation)
- Yu, Charles Y. S. "China's Law Library—Soochow University Law School Library." *Law Library Journal* 34 (1941): 65–66.
- Zagayko, Florence Ferner. "Guide to a Basic Library on International Law." *Law Library Journal* 53 (1960): 118–28.
- Zagayko, Florence Ferner. "International Documentation and Treaty Problems." *Law Library Journal* 43 (1950): 85–98.

## Legal History and Rare Books SIS\*

### *Top Ten (and Then One)*

¶1 When the Publications Committee of the LHRB-SIS began the selection process for our recommended list of articles, we decided to follow one clear guideline—illustrate the incredible breadth and depth found in the subjects of legal history and rare books. First we agreed to pick one article from each ten-year period of the *Journal*, showing both the continuity and fresh thinking of 100 years of scholarship. After that we looked for articles to represent the diverse topics that live and breathe within the larger rubric of “legal history and rare books.” We hope we have picked a wide-ranging list of articles that is not only of academic importance, but lively and engaging as well.<sup>1</sup> Articles are in chronological order.

### *The Top Ten*

Chipman, Frank E. “The Beacon Lights of the Law.” *Law Library Journal* 2 (1909): 6–10.

Short essays on the lives of Henry Bracton and William Blackstone and their influence on English law.

Parma, Rosamond. “The Origin, History, and Compilation of the Casebook.” *Law Library Journal* 14 (1921): 14–19.

History of the casebook, from Christopher Columbus Langdell’s first texts at Harvard Law School to the American Casebook Series developed by the West Publishing Company in response to Harvard’s publication efforts.

Klapp, S. D. “The Drama of the Law Library.” *Law Library Journal* 21 (1928): 42–47.

Describes the wealth of historical information included in texts such as *Howells State Trials* and the moralizing comments included by the editors in the *Newgate Calendars*.

Friend, W. L. “A Survey of Anglo-American Legal Bibliography.” *Law Library Journal* 33 (1940): 1–18.

Historical discussion of legal bibliographies in England and the United States from the first English bibliography in 1671.

Graham, Howard J. “The Rastells and the Printed English Law Book of the Renaissance.” *Law Library Journal* 47 (1954): 6–25.

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1. For an exhaustive annotated bibliography of legal history and rare books articles published in *Law Library Journal*, see Joel Fishman et al., *Bibliography of Legal History Articles Appearing in Law Library Journal, Volumes 1–94 (1908–2002)*, 95 LAW LIBR. J. 217, 2003 LAW LIBR. J. 13.



Recounts the history of John and William Rastell, lawyers, scholars, and publishers.

Klingelsmith, Margaret Center. "Report of the Librarian on Her Trip to England and the Continent 1910." *Law Library Journal* 58 (1965): 251–69.

Recounts Klingelsmith's travels to Europe in 1910 to purchase books for the University of Pennsylvania Biddle Law Library on the early sources of American, British colonial, and continental law.

Brock, Christine A. "Law Libraries and Librarians—A Revisionist History; or More than You Ever Wanted to Know." *Law Library Journal* 67 (1974): 325–61.

Details the history of law libraries from their inception as private collections in the eighteenth century to their status in 1974. Poses questions about the role of law libraries in the future.

Parrish, Jenni. "Law Books and Legal Publishing in America, 1760–1840." *Law Library Journal* 72 (1979): 355–452.

Discusses the history of law book publishing in the United States and provides a lengthy bibliography of American law books published from 1760 to 1840.

Topoulos, Katherine. "A Common Lawyer's Bookshelf Recreated: An Annotated Bibliography of a Collection of Sixteenth-Century English Law Books." *Law Library Journal* 84 (1992): 641–86.

Presents a scholarly review of a sixteenth-century law library. Based on William Rastell's (1508–1565) library.

Hoeflich, Michael H. "Annals of Legal Bibliography: J.G. Marvin." *Law Library Journal* 96 (2004): 333–43.

Explores the importance of Marvin's *Legal Bibliography*, a milestone in the history of American legal bibliography and bookselling.

### *And Then One . . .*

Cohen, Morris L. "Researching Legal History in the Digital Age." *Law Library Journal* 99 (2007): 377–93.

Professor Cohen surveys the effects of sophisticated digital research techniques and sources on research in American legal history, and in the process leads us all into the twenty-first century.



## Legal Information Services to the Public SIS\*

### Introduction

¶1 As a continuation of the celebration of the centennial volume of *Law Library Journal*, the Legal Information Services to the Public SIS chose a selective, annotated list of articles from the first ninety-nine volumes of *Law Library Journal* on the topic of legal reference services to the public. The list, presented in chronological order, reflects librarians' continuing quest to provide effective ways to meet the legal information needs of the public. A survey of *Law Library Journal* articles for the past 100 years shows an ebb and flow of interest in legal reference services for the public. As early as the first quarter of the twentieth century, librarian authors recognized the importance of meeting the public's need for legal information. On the one hand, librarians recognized that they were dependent on the public for their financial support, and they wished to keep their clientele happy.<sup>1</sup> On a less selfish note, they also saw the importance of having a citizenry who were knowledgeable about legal issues.<sup>2</sup>

¶2 The topic of legal reference services for the public fell off the radar somewhat in the years before the Depression, and it was not until the 1960s that there was a resurgence of interest in this topic as reflected by articles published in the *Law Library Journal*. Initially, reference services to the public were discussed only incidentally to a discussion of reference services in general.<sup>3</sup> Law librarians' concern for the public patron was just part of their overall concern for providing effective service to their clientele as a whole.

¶3 Over time, however, several specific areas of interest emerged. In the late 1970s, an article by Robin Mills introduced the question of whether librarians might be at risk for malpractice liability resulting from interactions with public patrons. This became one of the most written-about topics within the area of reference services to the public, culminating with several lengthy articles on this topic by Paul Healey. Healey's articles have rebutted arguments by authors raising the specter of reference librarian liability, but narrower aspects of this topic still receive attention from *Law Library Journal* authors.<sup>4</sup>

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1. See, e.g., A.H.R. Fraser, *The Duty of the Librarian of a University Law Library Towards the Library's Patrons*, 4 LAW LIBR. J. 5 (1911); Sumner York Wheeler, *County Law Libraries and Their Services to the Community*, 10 LAW LIBR. J. 55 (1917-1918).

2. See, e.g., Frederick C. Hicks, *Law Libraries and the Public*, 6 LAW LIBR. J. 52 (1913); Lawrence Kelly Smoot, *The Value of the Law Library to Layman, Lawyer and Legislator*, 19 LAW LIBR. J. 2 (1926).

3. E.g., Carleton W. Kenyon, *The Mission of the Legal Reference Librarian*, 58 LAW LIBR. J. 123 (1965).

4. See, e.g., John Cannan, *Are Public Law Librarians Immune from Suit? Muddying the Already Murky Waters of Law Librarian Liability*, 99 LAW LIBR. J. 7, 2007 LAW LIBR. J. 1.

¶4 Another significant thread of articles deals with access and service policies for patrons. Allen, Murray, and Snow have tackled the difficult issue of what level of access public patrons should have to law libraries that have other primary constituencies, such as law students and law faculties. Foster also addresses the availability to the public patron of specific library resources, such as interlibrary loan and computer-assisted research.

¶5 Finally, other articles reflect librarians' efforts to protect access to legal information on the part of the public and to improve the delivery of reference services. These articles culminate with Grey's excellent bibliography of legal reference sources and articles by Pettinato and Dyer dealing, respectively, with the Federal Depository Library Program and applying cognitive linguistic theory to interactions with public patrons.

¶6 While there is much new scholarship regarding legal reference services for public patrons, AALL's institutional commitment to protecting public access to legal information dates back many years. Richard Danner's "From the Editor" column, published in the *Law Library Journal* in 1987, reflects this commitment.<sup>5</sup> In the column, Danner emphasized the importance of law librarians' work with the general public and concluded that:

Certainly, in a year when we are celebrating the bicentennial of our constitution, it is appropriate to consider seriously what responsibilities we have as legal information specialists to improve public access to the law. As information of all sorts becomes more and more complex and access to it more difficult, the need for our expertise will increase. It is appropriate that we share that expertise not only with our professional clientele but also with those members of the public who need it.<sup>6</sup>

Danner's remarks seem prescient when viewed in today's light. They serve as a reminder of the importance of the services law librarians provide to the public and the need for an ongoing commitment to this work.

### Articles

Fraser, A. H. R. "The Duty of the Librarian of a University Law Library Towards the Library's Patrons." *Law Library Journal* 4 (1911): 5-6.

A law librarian with Cornell University, Fraser had these inspiring words about academic law libraries' duty to the public:

*Lay inquirers.* The librarian must always remember that his library enjoys many benefits from the public, such as exemption from taxation, and the right to the importation of knowledge free of custom charges. He should therefore seek to advance the knowledge of all inquirers by directing them to the particular books where their queries may be answered and also explain to them the difference between the lawyer's and the layman's point of view, and do his best to show them the relative spheres, rights, duties

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5. Richard A. Danner, *From the Editor: Public Access to the Law*, 79 LAW LIBR. J. 163 (1987).

6. *Id.* at 167.

and privileges of persons and things as recognized by the constitution, laws and courts of various countries. The layman, thus aided, is likely to go on his way rejoicing that his country possesses such an institution that seeks to advance his intellectual and material interests, and so gladly contribute to their upbuilding and support (p.6).

Hicks, Frederick C. "Law Libraries and the Public." *Law Library Journal* 6 (1913): 52–55.

At the time of writing, Hicks was Assistant Librarian of Columbia University. He advocated a greater liberality in granting public access to legal collections. In his view, the public needed legal materials to deal with the issues raised by the social legislation of the progressive movement and "globalization."

Strange, Joanna Gleed. "Library By-Products." *Law Library Journal* 9 (1916): 72–80.

Strange was with the New York Public Library. She advanced the "novel" idea that libraries should adopt business practices, such as advertising, to become more efficient. For the most part she speaks of eliminating "waste" by-products, but she also makes a call to arms for bringing together libraries and the public in a manner that still resonates today:

I think of one other library by-product. How are we to utilize our waste public? From the library point of view a person is wasted until he "finds" the library. When we remember that no document or book or periodical or clipping or pamphlet is worth anything until it is read, it is obvious that we must get the people and the books together. This same statement has been made in one way or another at every library meeting since the library movement began.

[T]oo small a percentage of our population forms our library clientele. We must have more library patrons. We must have our reference collections used more. Not only must they be used by students. They must be realized as research laboratories for the business man, the man of affairs, the practical man (pp.78–79).

Wheeler, Sumner York. "County Law Libraries and Their Services to the Community." *Law Library Journal* 10 (1917–1918): 55–60.

Wheeler's article shows that the county law librarian, back during the era of Woodrow Wilson and World War I as now, enjoyed a diverse patron base, the most challenging of whom was the "layman."

It is with the public at large that the interesting and puzzling part of the county law librarian's work reaches its climax, for while the layman does not resort frequently to our library, yet his presence is always more or less felt, and the librarian is constantly aware that it is public money which is supporting his library and that he should serve the layman with the same fidelity that he extends to a member of the bar.

There are, unfortunately, some individuals who expect a law librarian to be a court of last resort upon every known and unknown legal point and who are greatly surprised if he is unable to answer their questions or if he suggests a lawyer's office as the proper place for presenting their inquiries. . . .

Most of our callers are not, however, of this sort, but come into the library for such information as can be readily given . . . and in answering questions in these and many other kindred subjects I believe the law librarian performs a very helpful service to the community (pp.56–57).

Stebbins, Howard L. "The County Library System in Massachusetts." *Law Library Journal* 14 (1921): 69–78.

Stebbins wrote a paragraph on what he considered the perils of serving the public:

Laymen make comparatively little use of these libraries, but they take up an undue proportion of the Librarian's time and he or she must "use discretion" as Jeff is always urging upon Mutt. Your lawyer, no matter how little he knows, will never go out and say "This is the law; the young lady in the library told me so," but your layman may do this or worse. He is surely entitled to consideration and service, for it is his money that supports the Library, but fortunately, to the lawyer is delegated most of the research work of the community (p.73).

Harris, Arthur M. "The Value of the Law Library to Layman, Legislator and Lawyer." *Law Library Journal* 18 (1925): 72–78.

Harris was a "Member of Seattle Bar" whose oratory ranged from windy to downright bombastic, but he describes the library's importance to laypersons interested in economics, business, and history.

Smoot, Lawrence Kelly. "The Value of the Law Library to Layman, Lawyer, and Legislator." *Law Library Journal* 19 (1926): 2–8.

Smoot's article is slightly more accessible than Harris's, and he discussed at length the law library's purpose for the layman:

To give the layman a legal education will not affect the practice of the honest attorney, in fact it will help him. The layman, knowing the general principles of the law, will know his rights; he will know how to present his case to his attorney; he will know how and when to arbitrate, and above all he will know how to deal justly with his fellow-man. For him to know the general principles of law and how to find them in the law books of a law library, will result in a better, stronger and more consistent government with fewer "jack-leg lawyers" sitting around the courthouse door sapping the life, and money, out of the poor and ignorant who, when in trouble, will grasp at any straw that floats by (p.5).

Smoot also suggested that the law library become a source for legal education of the public.

Gardner, Dillard S. "'A Case Like Mine from Georgia': A Note on Legal Research." *Law Library Journal* 46 (1953): 21–28.

Written by the librarian for the Supreme Court Library of North Carolina, this article deals primarily with the process of answering a legal research question, though the introduction involves the perils of dealing with a pro se patron. An interesting quote from the piece is: "Jurors, it is assumed, know *no* law; lawyers are required to know *some* law; laymen are presumed to know *the* law; only law librarians are expected to know *all* the law" (p.21).

Kenyon, Carleton W. "The Mission of the Legal Reference Librarian." *Law Library Journal* 58 (1965): 123–29.

The author, an experienced law librarian, sets out his view of the role of the legal reference librarian and the qualities of a good reference librarian. Unfortunately, this article is now somewhat dated. Other articles listed below are more useful

for their portrayals of legal reference work. The one highlight of the article is a list of the traits of the ideal reference librarian found on the last page of the article. This list includes qualities such as literacy, imagination, resourcefulness, enthusiasm, and love for serving people, all qualities that are as important today as they were in 1965.

Allen, Cameron. "Whom Shall We Serve: Secondary Patrons of the University Law School Library." *Law Library Journal* 66 (1973): 160–72.

This article reports on a survey of the policies of law school libraries regarding admitting patrons other than their own law students. It includes tables summarizing the survey results and a narrative discussion of the results. The article could be of interest to a library in the process of reviewing its access policies. However, the article is limited in scope and, while the author describes the access policies of the libraries surveyed, he does not discuss the relative merits of the various policies that are described in it.

Begg, Robert T. "The Reference Librarian and the Pro Se Patron." *Law Library Journal* 69 (1976): 26–32.

This anecdotal article examines why people represent themselves in court and discusses issues confronting the librarian who assists a pro se litigant, including unauthorized practice of law. The article casts the pro se patron in a somewhat negative light, although the author does emphasize the librarian's responsibility to make sure that patrons can take full advantage of library resources. A unique aspect is the focus on the patron who is choosing to litigate a matter him or herself rather than on public patrons in general.

Wolfe, Charles B. "Current Problems Facing State Law Libraries," *Law Library Journal* 71 (1978): 108–14.

Wolfe was Acting State Law Librarian at the Michigan State Law Library. His survey showed that "Increased Demands for Service from Client Groups" was a significant problem for state law libraries. Slightly over half of survey respondents reported problems from the lay public.

"Legal Reference Service: The Delivery Process." *Law Library Journal* 72 (1979): 47–64.

A panel discussion on legal reference services was presented by the Michigan Association of Law Libraries. Of particular interest is Peter Schanck's presentation on "Unauthorized Practice of Law and the Legal Reference Librarian." This reviewed the perennial issue of providing reference assistance without giving legal advice, comparing two vignettes of how to serve a pro se patron.

Mills, Robin K. "Reference Service vs. Legal Advice: Is It Possible to Draw the Line?" *Law Library Journal* 72 (1979): 179–93.

Mills covers the topics of legal advice, when reference service crosses the line into legal advice, the potential for liability, and suggestions for dealing with nonlawyers.

Leone, Gerome. "Malpractice Liability of A Law Librarian." *Law Library Journal* 73 (1980): 44–65.

Leone notes that law libraries were experiencing increased demands by the public—which he viewed as a new phenomenon—and that this raised concerns of the unauthorized practice of law and malpractice liability.

- Allred, Carol B. "Negligence Law for Libraries." *Law Library Journal* 77 (1984-1985): 195-222.

Allred discusses several theories of negligence that might apply in the public services area of the law librarian profession.

- Murray, James M. "Limiting Secondary Patrons' Use of Academic Law Libraries During Exam Periods." *Law Library Journal* 84 (1992): 365-82.

This work builds on the research on access policies done by Cameron Allen in the 1960s and includes the results of a survey on general access policies as well as a discussion of policies on access to law school libraries during exam periods. It also includes a discussion of practical problems involved in enforcing access policies.

- Snow, Barbara J. "When Goals Collide: Planning and Implementing a Restricted Access Policy at the University of Michigan Law Library." *Law Library Journal* 84 (1992): 383-400.

Snow provides a case study describing the development and implementation of the University of Michigan Law Library's restricted-access policy. This article is of particular note because of its in-depth coverage of the practical details involved in implementing such a policy.

- Crowther, Janet L. "Legal Information for the Public: A Public Library Perspective." *Law Library Journal* 84 (1992): 559-65.

This article should be read by anyone who provides legal reference services at a public library. Although public libraries often have minimal legal collections, the article notes that many patrons come to those libraries for legal information even when specialized law libraries are available in the community. This article is valuable because it provides an honest and critical look at the state of legal reference in public libraries. One of the most important points made is that legal reference questions differ from many general reference questions because they often have no single right or wrong answer. Librarians who work in reference need to understand this so that they do not misinform patrons or overstate the level of services that can be provided by the public library.

- Foster, Lynn. "Access to Academic Law Library Services: A Survey." *Law Library Journal* 84 (1992): 741-58.

This article summarizes the results of a survey covering not just access to the library, but also the eligibility of various classes of patrons for different library services. It includes a discussion of policies on circulation, interlibrary loan, access to the Internet, and access to other forms of computer-assisted legal research. It provides a framework for possible future research in this area.

- Mosley, Madison, Jr. "The Authorized Practice of Legal Reference Service." *Law Library Journal* 87 (1995): 203-09.

Mosley surveys issues relating to unauthorized practice of law at the reference desk and presents a rationale for providing a more expansive range of legal reference services to members of the general public. He urges librarians not to unduly restrict the assistance they give to patrons who seek legal information because of a fear of engaging in the unauthorized practice of law.



Healey, Paul D. "Chicken Little at the Reference Desk: The Myth of Librarian Liability." *Law Library Journal* 87 (1995): 515–33.

In this AALL award-winning article written while he was a student, Healey traces the origins of librarians' fear of liability resulting from providing legal reference services and examines the potential theories of liability mentioned in library literature. He then demonstrates through a review of existing case law that these potential theories of liability do not apply in the reference context. He further supports his position that librarian liability is a "myth" by pointing out that he could not find any instances in which librarians were successfully sued on the basis of their reference work. This is a must-read article for anyone concerned about this issue.

Healey, Paul D. "In Search of the Delicate Balance: Legal and Ethical Questions in Assisting the Pro Se Patron." *Law Library Journal* 90 (1998): 129–47.

This article follows Healey's earlier work on the issue of unauthorized practice of law at the reference desk. It presents a thorough and insightful look at issues presented by the pro se patron. The author's focus is on maximizing services to public patrons, and he argues that librarians frequently overstate the risk that legal reference librarians will run afoul of laws governing unauthorized practice of law.

Healey, Paul D. "Pro Se Users, Reference Liability, and the Unauthorized Practice of Law: Twenty-Five Selected Readings." *Law Library Journal* 94 (2002): 133–39.

Healey has provided a valuable service by surveying the literature on three related topics: liability of reference librarians for professional malpractice, unauthorized practice of law by reference librarians, and laws relating to unauthorized practice. The survey covers articles from 1976 to 2001. Healey prefaces this annotated bibliography by clearly stating his view that there is virtually no risk that a reference librarian will be found liable because of information given during the course of providing reference services. Similarly, he asserts that, while it is theoretically possible that a librarian could engage in unauthorized practice of law while helping a patron, it is extremely unlikely that any librarian would ever be prosecuted for doing so.

Grey, Debbie. "Legal Reference Services: An Annotated Bibliography." *Law Library Journal* 97 (2005): 537–64.

This bibliography summarizes articles addressing many different areas of law librarianship, including reference and teaching. It includes a good core of articles on legal reference, including reference services to the public.

Cannan, John. "Are Public Law Librarians Immune from Suit? Muddying the Already Murky Waters of Law Librarian Liability." *Law Library Journal* 99 (2007): 7–32.

This article builds on Healey's writings regarding reference liability and examines the specific issue of whether public librarians enjoy immunity from suit. The article provides an in-depth analysis of tort law concepts and discusses how they apply to public librarians. The author concludes that public librarians do, in some circumstances, enjoy immunity from suit, thus making the likelihood of a successful lawsuit against a public librarian arising out of reference activities even more remote.

Pettinato, Tammy R. "Legal Information, the Informed Citizen, and the FDLP: The Role of Academic Law Librarians in Promoting Democracy." *Law Library Journal* 99 (2007): 695–716.

This article discusses the Federal Depository Library Program (FDLP) and stresses the important role that academic librarians play in ensuring access to public documents and information. Pettinato asserts that, "[a]cademic law librarians are specially equipped to ensure that law-related government documents are both accessible and understandable. Because of this, they play a valuable role in democracy by contributing to the ideal of the informed citizen" (p.716). She makes the case that it is important for libraries to continue to participate in the FDLP.

Dyer, Charles R. "The Queen of Chula Vista: Stories of Self-Represented Litigants and a Call for Using Cognitive Linguistics to Work with Them." *Law Library Journal* 99 (2007): 717–56.

The author uses anecdotes from his years working as a reference librarian, including the story of the "Queen of Chula Vista," to illustrate the difficulty of providing effective legal reference services to members of the general public. He examines various aspects of thinking and learning theory that can assist librarians who provide reference services to pro se patrons. This article is significant in that it presents a new way of looking at librarian-patron interactions.



### Online Bibliographic Services SIS\*

The following articles, presented in alphabetical order, were chosen for their emphasis on library automation through the years:

- Amelung, Richard C. "The Mid-America Law School Library Consortium Catalog on CD-ROM." *Law Library Journal* 85 (1993): 801–12.
- Benemann, William E. "Cataloging of Legal Research Data Bases Using RLIN: A Practicum." *Law Library Journal* 79 (1987): 53–65.
- Boissonnas, Christian M. "The Quality of OCLC Bibliographic Records: The Cornell Law Library Experience." *Law Library Journal* 72 (1979): 80–85.
- Bluh, Pamela. "Barcoding a Library Collection." *Law Library Journal* 82 (1990): 727–36.
- Bluh, Pamela. "Perception Versus Reality: Electronic Data Interchange in the Law Library Environment." *Law Library Journal* 93 (2001): 269–84.
- Bluh, Pamela. "Striking a Balance: Document Delivery in the Nineties." *Law Library Journal* 85 (1993): 599–608.
- Briscoe, Georgia, Karen Selden, and Cheryl Rae Nyberg. "The Catalog vs. the Home Page—Best Practices in Connecting to Online Resources." *Law Library Journal* 95 (2003): 151–74.
- Briscoe, Georgia K. "Why Not a Shared Database for Legal Serial Patterns?" *Law Library Journal* 87 (1995): 465–70.
- Brock, Christine A. "Introduction: Why Networks for Libraries?" *Law Library Journal* 70 (1977): 54–59.
- Burnett, Stephen L., and Michael J. Petit. "The Use of Microcomputers at George Mason University Law Library." *Law Library Journal* 77 (1984–1985): 132–45.
- Calk, Jo. "USMARC Self-Defense." *Law Library Journal* 82 (1990): 683–701.
- Dalehite, Michele I. "Vendor-Supplied Automated Authority Control: What It Is and How to Get It." *Law Library Journal* 81 (1989): 117–29.
- Daly, Gail M. "Bibliographic Access to Legal Research Databases Reconsidered." *Law Library Journal* 87 (1995): 192–202.
- Daly, Gail M. "Library-Vendor Cooperation in Cataloging Legal Research Databases: The Minnesota/WESTLAW Experience." *Law Library Journal* 82 (1990): 331–40.

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\* Compiled by Susan Karpuk, Catalog Librarian for Operations, Yale Law School, New Haven, Connecticut, and Andrea R. Rabbia, Technical Services Librarian, Syracuse University College of Law, Syracuse, New York.

- Fay, Robert J. "Full-Text Information Retrieval." *Law Library Journal* 64 (1971): 167-75.
- Fishlyn, Fannie Szathmary. "Geac Computerized On-Line Circulation in University Libraries: Should the Law Library Join the System?" *Law Library Journal* 77 (1984-1985): 87-99.
- Galligan, Sara. "County Law Library Cataloging by the Minnesota State Law Library: A Ten Year Review." *Law Library Journal* 86 (1994): 529-40.
- Goldblatt, Margaret A. "Legal Looseleaf Services: A Computer-Based Approach." *Law Library Journal* 75 (1982): 420-26.
- Grossman, George S., Dan F. Henke, and Betty W. Taylor. "Law Library Consortium Data Base Components and Standards Study Group Report." *Law Library Journal* 70 (1977): 74-84.
- Grossman, George S. "The Totally On-Line Library: Northwestern's Integrated Library System." *Law Library Journal* 77 (1984-1985): 47-57.
- Jackson, Mary E. "Integrating Document Delivery Services with Electronic Document Delivery Technologies." *Law Library Journal* 85 (1993): 609-18.
- Kauffman, S. Blair. "Planning for Automation: Microcomputers in the Law Library." *Law Library Journal* 77 (1984-1985): 6-25.
- Kawamoto, Chizuko. "File Analysis for Retrospective Conversion: The Case of the California State Library, Law Library." *Law Library Journal* 79 (1987): 455-67.
- Krause, Margaret Maher. "Look beyond LEXIS and WESTLAW: Other Computer Applications in the Practice of Law." *Law Library Journal* 85 (1993): 575-82.
- Leonard, James. "OCLC's Serials Control Subsystem: Its Suitability to Legal Serials and Continuations." *Law Library Journal* 75 (1982): 403-19.
- Marek, Kate. "Automation in the Private Law Library." *Law Library Journal* 73 (1980): 134-42.
- Marion, Phyllis C. "Technical Services Aspects of Data Base Integration into the Law Library." *Law Library Journal* 77 (1984-1985): 146-50.
- Matthews, Elizabeth W. "Cataloging Legal Materials On-Line." *Law Library Journal* 70 (1977): 36-38.
- Matthews, Elizabeth W. "Integrating Remote Computer File Databases into the Collection with Bibliographic Description." *Law Library Journal* 82 (1990): 341-49.
- Matthews, Elizabeth W. "Quality Control for Archival Tapes." *Law Library Journal* 78 (1986): 711-18.
- Matthews, Elizabeth W. "Uses of OCLC Archival Tapes and Planning for On-Line Catalogs: A Descriptive Survey." *Law Library Journal* 80 (1988): 651-64.

- Myers, Anne K. "Acquiring Minds Want to Know: Integrating Automated Acquisitions with Other Library Functions." *Law Library Journal* 83 (1991): 479-91.
- Norten, Melanie Nietmann, and Donna Hirst. "Computerized Cataloging in Law Libraries: OCLC and RLIN Compared." *Law Library Journal* 73 (1980): 107-28.
- Paulus-Jagric, Deborah. "Online Law Library Maps." *Law Library Journal* 98 (2006): 691-702.
- Royle, Mary Anne. "Microcomputers and Law Library Automation: New Directions." *Law Library Journal* 77 (1984-1985): 104-31.
- Royle, Mary Anne. "Speak Memory: Microcomputers in Law Library Automation." *Law Library Journal* 74 (1981): 101-20.
- Sandmeyer, Ellen C. "Subject Access to a Bibliographic Data Base for Law and Related Fields." *Law Library Journal* 70 (1977): 349-59.
- Schriefer, Kent, and Linnea Christiani. "Ballots at Boalt." *Law Library Journal* 72 (1979): 497-512.
- Schriefer, Kent. "Serials Control at Boalt Hall." *Law Library Journal* 77 (1984-1985): 58-75.
- Selden, Karen. "Linking Globally, Coping Locally: Cataloging Internet Resources at the University of Colorado Law Library." *Law Library Journal* 92 (2000): 439-57.
- Thomas, David A. "Peaceful Partnerships: Suggestions for Law School Libraries Sharing Local Computer Systems." *Law Library Journal* 77 (1984-1985): 26-35.
- Thomas, Joseph W. "Cataloging Reform: An Overview for Academic Law Librarians." *Law Library Journal* 85 (1993): 99-111.
- Thomas, Julie A. "Use Study of OCLC Cataloging in an Academic Law Library." *Law Library Journal* 89 (1997): 31-40.
- Trelles, Oscar M. "Automation in Law Libraries: The State of the Art." *Law Library Journal* 68 (1975): 209-33.
- Vambery, Joseph T. "The New Scope and Content of Cooperative Cataloging for Law Libraries." *Law Library Journal* 60 (1967): 244-48.
- Veaner, Allen B. "Approaches to Library Automation." *Law Library Journal* 64 (1971): 146-53.
- Welsh, William J. "Considerations on the Adoption of the Library of Congress Classification." *Law Library Journal* 61 (1968): 242-47.
- Williams, Leonette M. "Automating with Another Library's Bibliographic Records." *Law Library Journal* 86 (1994): 169-75.

Wynne, Joseph. "LAMBDA at the University of Virginia Law Library." *Law Library Journal* 77 (1984–1985): 76–86.

Zick, Kenneth A. "The Impact of Automation on Small and Medium-Sized Law School Libraries." *Law Library Journal* 77 (1984–1985): 36–46.

### Private Law Libraries SIS\*

¶1 When *Law Library Journal* began publication 100 years ago in 1908, corporate legal department and private law firm libraries were in the very early stages of development. Thirty years later, when Elizabeth Finley joined AALL, she was one of two law firm librarians in the Association. By 1961, twenty-two years after she joined AALL, Finley was the first law firm librarian to become AALL president.<sup>1</sup> By 1977 the extraordinary growth in the number of private law firm and corporate legal department librarians resulted in the formation of the Private Law Libraries Special Interest Section.<sup>2</sup> The publication in *Law Library Journal* of articles specific to private law librarianship follows this same timeline, and our list is presented in chronological order.

“Automation and the Private Law Library.” *Law Library Journal* 59 (1966): 22–42.

Librarians are increasingly aware of their responsibility to understand the uses of automated equipment and the techniques this equipment requires so that they can begin to adapt them to their library operations. This panel offers three speakers who seek to help listeners gain an understanding of automation as it applies to the private law library.

Harrington, William G., H. Donald Wilson, and Robert L. Bennett. “Mead Data Central System of Computerized Legal Research.” *Law Library Journal* 64 (1971): 184–89.

The Mead Data Central System of computerized legal research (now LexisNexis) offered a multi-purpose system that could be applied to a number of different fields of library research. This article describes the features of the system for law librarians.

Kulpa, Lorraine. “Corporate Law Libraries—A Profile.” *Law Library Journal* 67 (1974): 244–58.

General Motors Corporation’s Legal Staff Librarian’s survey demonstrates that corporate legal department libraries have characteristics peculiar unto themselves which distinguish them from law firm libraries.

Begleiter, Ronni F. “Private Law Librarian—A Complete Library Professional.” *Law Library Journal* 71 (1978): 91–95.

As private law librarians have grown in the past fifty years from a position of relative professional weakness to a position of relative professional strength, so

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\* Compiled by Lucy Curci-Gonzalez, Director of Library Services, Kenyon & Kenyon LLP, New York, New York, and Private Law Libraries SIS Chair 2007–2008, and Kate Springer, Circulation Coordinator, Kenyon & Kenyon LLP, New York, New York.

1. Elizabeth Finley & David S. Mao, *Recollections of a Mid-Twentieth-Century Law Firm Librarian*, 97 LAW LIBR. J. 565, 567 (2005); FRANK G. HOUEK, THE FIRST CENTURY: ONE HUNDRED YEARS OF AALL HISTORY, 1906–2005 at 67 (AALL Publ’ns Series No. 75, 2008).

2. See Frank G. Houdek, *Frequently Asked Questions about AALL’s First Hundred Years*, 98 LAW LIBR. J. 157, 164, 2006 LAW LIBR. J. 6 (discussing the approval of the first seven Special Interest Sections, including the Private Law Libraries SIS, in December 1976).

have their contributions to AALL grown. This article describes many of their contributions to the profession and the Association.

Myers, Mindy J. "Impact of Lexis on the Law Firm Library: A Survey." *Law Library Journal* 71 (1978): 158-69.

While there are sure to be differences in the way various users have integrated use of computerized retrieval systems such as LexisNexis with use of the law library or the librarian, some trends are developing. A questionnaire was prepared in order to investigate this impact.

Johnson, Beverlee, and Verlinda C. Rose. "New Law Firm Partnership: Administrators and Librarians." *Law Library Journal* 71 (1978): 279-82.

Discusses the benefits enjoyed from a mutually supportive librarian-administrator relationship.

"Law Librarian as Consultant: Spreading the Law Library Message." *Law Library Journal* 72 (1979): 645-58.

The panelists discuss some of the ways that librarians can be of service to law, to lawyers, and to other librarians in providing the consulting help that so many people need.

Marek, Kate. "Automation in the Private Law Library." *Law Library Journal* 73 (1980): 134-42.

Concludes that the librarian in the firm should be active in both the automation of technical service and of legal research.

Lee, Frank. "Expanding Your Base: The Law Librarian as Records Manager." *Law Library Journal* 80 (1988) 123-29.

Discusses how, in a time of rapid change in private law firms, librarians can expand their role by becoming involved in records management.

Hambleton, James. "Electronic Technology and the Law Firm Librarian." *Law Library Journal* 81 (1989): 551-54.

Automating the law firm library requires understanding the firm's culture and structure as well as the ability to work with systems personnel and select appropriate software. This article discusses how to do that, as well as providing examples.

Callinan, Ellen M. "Research Protocols in Reference Service: Informal Instruction in Law Firm Libraries." *Law Library Journal* 82 (1990): 39-59.

Increasingly, attorneys are acquiring practice skills through formal in-house training at their law firms. However, legal research training is more effective at the point of need. Since reference service also occurs at the point of need, it is the logical place for an informal training program based on research protocols.

Jay, Marjorie. "User Manuals for the Private Law Firm Library: Planning, Design, and Development." *Law Library Journal* 83 (1991): 91-108.

Jay discusses the characteristics of user manuals and suggests guidelines for preparation of a law firm library manual. Areas addressed are the planning process, content, organization, writing style, format and design, distribution, revision, and alternative methods of library user instruction.

Craig, Edward L., Jr. "Usage of Nonlegal Databases in Law Firm and Academic Law Libraries." *Law Library Journal* 83 (1991): 705–19.

Craig reports the results of a survey of academic and law firm libraries designed to obtain information on usage rates and other characteristics of nonlegal database searching in the legal community.

Shimpock-Vieweg, Kathy. "How to Develop a Marketing Plan for a Law Firm Library." *Law Library Journal* 84 (1992): 67–91.

Shimpock-Vieweg argues that the importance of marketing is often ignored by law firm libraries. She provides guidelines for formulating a marketing plan, and includes a sample plan for reference.

Tilevitz, Sarah Laidlaw. "Reconciling Space and Access Needs in a Small Law Firm Library: A Modest Proposal." *Law Library Journal* 88 (1996): 96–120.

This article addresses the problem of how to reduce library overcrowding while continuing to maintain an appropriate level of access to information.

Mackler, Mark, and Michael Saint-Onge. "Sky May Yet Fall on Firm Librarians: A Reply to Chicken Little at the Reference Desk." *Law Library Journal* 88 (1996): 456–60.

Law firm librarian liability is not a myth. Discusses librarian liability in special libraries, particularly law firm libraries.

"Future of the Law Firm Library." *Law Library Journal* 89 (1997): 99–149.

Transcript of the AALL Task Force on the Value of Law Libraries Conference, designed to explore several compelling issues relating to law firm libraries: the place of the library within the firm, technology, and outsourcing.

Houdek, Frank G., comp. "Day in My Law Library Life, Circa 1997." *Law Library Journal* 89 (1997): 157–237.

As part of this compilation, firm librarians Carol Bannen (p.162), Karen Brunner (p.165), Mark Mackler (p.191), and Barbara Cornwell Holt (p.178) describe what they really do at work.

Abrahams, Sharon M. "Librarians Training Lawyers." *Law Library Journal* 90 (1998): 71–75.

Abrahams offers a framework for librarians to use when developing a program to train lawyers, particularly in the law firm setting.

Nemcheck, Lee R. "Records Retention in the Private Legal Environment: Annotated Bibliography and Program Implementation Tools." *Law Library Journal* 93 (2001): 7–70.

This article provides a foundation for librarians seeking to understand records retention in the private legal environment, as records management is increasingly a part of a private law librarian's job.

Sanders, Catherine, David Whelan, and Molly Flood. "Feasibility and Viability of the Digital Library in a Private Law Firm." *Law Library Journal* 95 (2003): 369–81.

The authors conducted a study on the feasibility and viability of the digital library and used information derived from surveys of law librarians, legal pub-

lishers, and attorneys. The article provides a snapshot of the current state of the digital library in a law firm setting.

Finley, Elizabeth, and David S. Mao. "Recollections of a Mid-Twentieth-Century Law Firm Librarian." *Law Library Journal* 97 (2005): 565–74.

Elizabeth Finley, one of the first law firm librarians, describes the development of the Covington & Burling library over twenty years (1943–63). Mao adds to the history with descriptions of the Covington & Burling library both before and after Finley's tenure.

Houdek, Frank G. "Frequently Asked Questions about AALL's First Hundred Years." *Law Library Journal* 98 (2006): 157–67.

A guide that answers some basic questions about the history of AALL, including the creation of the Private Law Libraries SIS.



### Social Responsibilities SIS\*

The articles chosen by the Social Responsibilities SIS are presented in reverse chronological order.

Mart, Susan Nevelow. "Protecting the Lady from Toledo: Post-USA PATRIOT Act Electronic Surveillance at the Library." *Law Library Journal* 96 (2004): 449–73.

"The USA PATRIOT Act will, unless amended by legislative or court action, alter the traditional role libraries have played as neutral, private places to investigate the full range of ideas necessary to be an informed citizen of a democracy" (p.449). With this sentence, the author paints the landscape she subsequently fills in with detailed descriptions of how selected provisions of the USA PATRIOT Act impact libraries. These provisions deal with pen register orders, roving wiretaps, and releasing library records to the government. She explains pen register orders in the world of telephones and computers, and highlights the potential danger posed by the government's over-collection of content data when monitoring library computer usage (e.g., web pages, e-mails). She includes commentary from several legislators regarding the possible dangers of this over-reaching legislation and legislative proposals to redress the imbalances. She explores the impact on First and Fourth Amendment protections and the role libraries play in supporting citizens' right to receive information and "remain neutral, private places to investigate ideas" (p.449).

Gerken, Joseph L. "Does *Lewis v. Casey* Spell the End to Court-Ordered Improvement of Prison Law Libraries?" *Law Library Journal* 95 (2003): 491–513.

Gerken provides an overview of major cases defining prisoners' right of "access to court" as it relates to prison law libraries and offers a positive strategy for moving forward. He lays the foundation with cases including *Bounds v. Smith*<sup>1</sup> (delineating the obligation of prisons to provide "meaningful access to the courts" as demonstrated through the provision of a law library or legal assistance) to *Lewis v. Casey*<sup>2</sup> (limiting *Bounds*). Gerken explores the subsequent case law and the paradox raised by the requirements of *Lewis*. He then explores three types of prisoner pro se litigation (federal habeas petition, § 1983 claim, segregated housing) and describes why prisoners need access to legal materials to pursue these claims.

Carter, Nancy Carol. "American Indians and Law Libraries: Acknowledging the Third Sovereign." *Law Library Journal* 94 (2002): 7–26.

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\* Compiled by Camille Broussard, Director, New York Law School Library, New York, New York; Ann Hemmens, Assistant Librarian for Reference Services, University of Washington Gallagher Law Library, Seattle, Washington; Margaret Butler, Reference Librarian, New York Law School Library, New York, New York; Christine Hepler, Associate Law Library Director, University of Maine Donald L. Garbrecht Law Library, Portland, Maine; and Courtney Selby, Collection Development/Instructional Services Law Librarian, University of Tulsa College of Law, Tulsa, Oklahoma.

1. 430 U.S. 817 (1977).

2. 516 U.S. 804 (1996).

American Indian tribal governments are the third sovereign within our federal system. Although each tribe governs and adjudicates, many in the legal profession are unaware of their governmental powers and the tribal law that emanates from the hundreds of sovereign Indian tribes. This article provides the legal background of tribal sovereignty and explains why enhancing our understanding of tribal primary law is important for law librarians. Carter challenges law librarians to reevaluate the place of these materials within our core collections and to make the collection more accessible through our reference, cataloging, and classification efforts. As noted by Karen Selden in "The Essential *Law Library Journal*,"<sup>3</sup> Carter's call to action has inspired several projects in both law and general libraries regarding tribal law, including the creation of a new Library of Congress classification schedule due for release in 2008.

Campbell, Leslie M. "Keeping Watch on the Waterfront: Social Responsibility in Legal and Library Professional Organizations." *Law Library Journal* 92 (2000): 263–85.

In this article, Campbell frames the issues faced by legal organizations, including AALL, as they define their roles and responsibilities in speaking to controversial topics. She provides history and context to the struggles that accompany organizational decisions to take stands on social and political issues. At the 1997 Annual Meeting of the American Association of Law Libraries, the Social Responsibilities Special Interest Section (SR-SIS) sponsored a program titled "Keeping Watch on the Waterfront: A History of Social Responsibility in Legal and Library Professional Organizations." The speakers were Ann Puckett, past chair of the Contemporary Social Problems Special Interest Section (predecessor of the SR-SIS) and past member of the AALL Executive Board; Patricia Glass Schuman, past president of the American Library Association; and George Bushnell, past president of the American Bar Association, who discussed the many challenging internal issues raised by their organizations' social and political activism. Campbell includes excerpts of the speakers' remarks at that program and thus adds an excellent supplement and summation to that program's discussion. This article also recounts the significant contributions the SR-SIS has made to the development of AALL policy and educational programming.

Chandler, Yvonne J. "Why is Diversity Important for Law Librarianship?" *Law Library Journal* 90 (1998): 545–59.

Dr. Chandler's brief article describes the great diversity of our country and the critical need for legal information professionals to respond to diversity, both by working to increase the diversity of our profession and by designing collections and services for diverse patrons. The article describes the importance of increasing the diversity in the workforce and difficulties with recruitment for both law schools and library schools, and makes suggestions on ways to improve recruitment. Suggestions include creating multicultural curriculums and designing collections and services for diverse populations.

Westwood, Karen. "'Meaningful Access to the Courts' and Law Libraries: Where Are We Now?" *Law Library Journal* 90 (1998): 193–207.

Westwood provides a brief overview of *Bounds v. Smith*, which held that a right

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3. Frank G. Houdek, *The Essential Law Library Journal*, 100 LAW LIBR. J. 137, 145 (2008).

of access to the courts requires prison authorities to provide adequate law libraries, and *Lewis v. Casey*, which revisited the definition of “meaningful access.” To guide law librarians as they attempt to provide service that meets the *Lewis* standard, Westwood includes a selective bibliography in two parts. Part one includes articles, books, and court decisions defining “meaningful access to the courts” in the context of providing law library services in correctional settings; part two addresses the changes to meaningful access under *Lewis*.

Standing Committee on Lesbian and Gay Issues, AALL Social Responsibilities SIS. “Sexual Orientation and the Law: A Selective Bibliography on Homosexuality & the Law 1969–1993.” *Law Library Journal* 86 (1994): 1–103.

Originally drafted in response to AALL’s 1987 passage of a resolution urging libraries to acquire legal materials concerning lesbian and gay people in society, this bibliography includes citations to works from the late 1960s through mid-1993.<sup>4</sup> The bibliography incorporates writings on a number of issues including legal status, discrimination, family law, privacy, wills and trusts, criminal law, and education. Additionally, a table of cases is available to assist users in locating discussion of a particular case within the various sections of the bibliography.

Torres, Arturo L. “The Social Responsibility Movement Among Law Librarians: The Debate Revisited.” *Law Library Journal* 78 (1986): 405–24.

Torres’s work provides an opportunity for librarians to examine the origins and evolution of attitudes toward the social responsibility movements within the profession of librarianship, and particularly law librarianship, in the twentieth century. He specifically chronicles the initiatives undertaken by individuals involved in social responsibility movements within the American Association of Law Libraries. He also carefully reflects on the arguments made by others in the organization who favor a separation between advocacy for social issues and the profession of law librarianship. Torres ultimately calls for continued open discussion in AALL about the place of social responsibility within the profession.

Werner, O. James. “Law Library Service to Prisoners—The Responsibility of Nonprison Libraries.” *Law Library Journal* 63 (1970): 231–40.

In this article, Werner discusses the state of library services to prisoners and suggests that the courts are struggling with the extent of a prisoner’s right to access legal materials as there are no cases that have addressed this exact issue. Until this issue is directly addressed by the courts, the author argues that the best that can be done is to draw inferences from the cases that involve a prisoner’s access to the courts, arguing that the access to the courts implies access to adequate legal materials. He then takes the reader through several cases that support this assumption. After discussing the case law, the author provides the results of a survey he conducted in an effort to find out what kind of law library service prisoners now receive from nonprison libraries. The first half of the author’s questionnaire dealt with library services to prisons and inmates, while the second half dealt with library experience in servicing them. Included in the article are

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4. An updated and annotated extension to this bibliography was published by W.S. Hein in 2006 as part of the AALL Publications Series. AM. ASSOC. OF LAW LIBRARIES, STANDING COMMITTEE ON LESBIAN AND GAY ISSUES, SEXUAL ORIENTATION AND THE LAW (AALL Publ’ns Series No. 74, 2006). It covers publications from 1994 to 2005 and is updated quarterly online at <http://www.lgbtbib.org>.

charts that provide a summary of his survey results. Finally, the author provides practical suggestions of what librarians can do to improve library services to prisoners, such as providing interlibrary loan services, and donating advance sheets, superseded volumes of *American Jurisprudence*, *Corpus Juris Secundum*, and Martindale-Hubbell's law digests and court information volumes to the prison libraries. In conclusion, the author argues that although the services he suggests are feasible, prisoners need basic legal collections on-site, in the prison libraries, and these libraries will need financial support from all levels of government.

Werner, O. James. "Present Legal Status and Conditions of Prison Law Libraries." *Law Library Journal* 66 (1973): 259–71.

The author argues that the position of prison libraries has greatly improved in light of the Supreme Court's decision in *Gilmore v. Lynch*.<sup>5</sup> He then summarizes the procedural history and the legal issues involved in *Gilmore*, concluding that the importance of *Gilmore* is that the United States Supreme Court "has accepted the view that prisoners have a constitutional right to an adequate law library, unless an equally effective method of legal assistance is offered them by the prison authorities" (p.259). In so holding, the Court broadened the meaning of access to the courts. The summary of the *Gilmore* case is followed by the author's analysis of several cases dealing with prison libraries. He then discusses the results of a survey he conducted to determine the present condition of law libraries in state and federal prisons. Based on his survey results, the author concludes that the prison law libraries near the end of 1972 inadequately served the nation's prison population and that this was primarily due to a lack of funding. The author concludes that what the nation's prisoners need is legal services, provided by individuals qualified to counsel them, help draft documents, and represent them in court actions.

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5. 404 U.S. 15 (1971).

## State, Court and County Law Libraries SIS\*

### *Introduction*

¶1 The committee members reviewed the articles in *Law Library Journal* to locate those that were written either by members of SCCLL or by those who would have qualified as members if the SIS had existed at that time. This annotated list includes articles we consider witty, useful, reflective of scholarship, and historically significant.

¶2 When we volunteered to review the articles in *Law Library Journal* and choose ones we found to be worthy of recommending to the members of SCCLL, we didn't know what we were in for! We were so delighted and impressed that we decided to prepare a bibliography for the SCCLL web site and possibly the newsletter as well. We have learned more about our SIS and hopefully have also highlighted the scholarship of our members. Articles are in chronological order.

Small, A. J. "Library Essentials." *Law Library Journal* 8 (1916): 77–79.

This is a good article to read when trying to envision the future. Using broad categories such as librarians, ideas and ideals, time and labor-saving devices, readers may find that law library essentials have not changed much over time.

Smoot, Lawrence Kelly. "The Value of the Law Library to Layman, Lawyer and Legislator." *Law Library Journal* 19 (1926): 2–8.

The author noted that for those libraries that are open to the public, the layperson trying to use the library can present the most challenges. "Is it expedient to educate the layman in the use of law books or should we let him go on in his blissful ignorance?" (p.4) The challenge of the self-represented litigant began earlier than many may have believed.

Wheeler, Sumner York. "County Law Libraries and Their Services to the Community." *Law Library Journal* 10 (1917): 55–60.

An early look at the types of services a law library should provide to the community at large.

Wire, G. E. "How One Law Library is Administered." *Law Library Journal* 20 (1927): 3–12.

This is a look at issues faced by the Worcester County Law Library, which was open to the public. Dust was a big problem. "We insisted on water sprinkling or oiling all roadways near the library until they were hard surfaced . . ." (p.6). Other concerns will be more familiar to modern readers.

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\* Selections from volumes 1–25 compiled by Barbara L. Fritschel, Librarian, U.S. Courts Library, Milwaukee, Wisconsin; volumes 26–50 by Betsy A. Vipperman, Senior Law Librarian for Public Services, Appellate Division Law Library, Rochester, New York; volumes 51–75 by Joel Fishman, Senior Law Librarian for Public Services, Appellate Division Law Library, Pittsburgh, Pennsylvania; and volumes 76–100 by Meg Martin, Senior Law Librarian for Public Services, Appellate Division Law Library, Cheyenne, Wyoming.

Gardner, Dillard S. "A Law Librarian's Ten Commandments." *Law Library Journal* 46 (1953): 235–38.

A timeless homily on the treatment of library patrons. "[B]y ignoring these elementary factors, we are steadily losing more potential good will to our libraries than all of the costly, aggressive public relations activities are building up" (p.237).

Glasier, Gilson G. "History of the American Association of Law Libraries: The Founders and the Early Years, 1906–1929." *Law Library Journal* 49 (1956): 82–149.

The article recaps the first twenty-four Annual Meetings and highlights founders of the Association.

Graham, Howard Jay. ". . . Be Those That Multiply the Commonweale." *Law Library Journal* 49 (1956): 363–74.

Graham's article was awarded first prize in the Golden Jubilee Essay Contest. It provides a century-long view of law librarianship.

MacDonald, Harrison M. "History of the American Association of Law Libraries: Up Until Now, 1943–1955." *Law Library Journal* 49 (1956): 118–27.

This article chronicles the activities of the Association and included highlights from the war years, despite no Annual Meetings during 1943 and 1944. It also notes the lighter side of the conferences for this time period.

Newman, Helen. "History of the American Association of Law Libraries: The Roalfe Plan and the Middle Years, 1930–1942." *Law Library Journal* 49 (1956): 105–17.

This historical reference article highlights the work of the Annual Meetings beginning with the Silver Anniversary and continuing through 1942.

Engle, Virginia E. "Budgets Need Supporting Data." *Law Library Journal* 50 (1957): 186–99.

Practical advice that remains useful today on budget planning and control, salaries, cost of materials and operations, and annual reports.

Kenyon, Carleton W. "The Mission of the Legal Reference Librarian." *Law Library Journal* 58 (1965): 123–29.

Kenyon discusses the philosophical and practical needs of the legal reference librarian in performing his/her duties. His article concludes with a list of traits for reference librarians which are still applicable.

Hecht, Rachel. "Survey of Federal Court Libraries." *Law Library Journal* 67 (1974): 259–75. Ochal, Bethany. "County Law Libraries." *Law Library Journal* 67 (1974): 177–234. Pershing, William E., and Laura M. Pershing. "State Law Libraries and Supreme Court Law Libraries." *Law Library Journal* 67 (1974): 235–43.

These three articles are the results of a 1973 survey by the authors of each type of law library, updating after twenty years the survey performed by William Roalfe. They provide an overall view of state, court, and county law libraries in the early 1970s.

Nycum, Peter. "Law and Computers: Overview Update 1975." *Law Library Journal* 68 (1975): 234–53.

Nycum wrote one of the earliest articles on the sources of legal information available when using computerized legal research (Lexis, FLITE, Juris, etc.) and included a bibliography.

Meadows, Judith A. "Where are they Now? The Founding Members of the State, Court & County Law Libraries Special Interest Section of the American Association of Law Libraries." *Law Library Journal* 87 (1995): 50–68.

The story of SCCLL told through the varied careers and interests of the founding members.

Shull, Janice K. "The Library as Storyteller." *Law Library Journal* 90 (1998): 149–57.

Shull shares with us the unique position we may have as the library's storytellers. She challenges each of us to spread the importance and relevance of what we know and do each day in a way that's easily accessible to all.

Fritschel, Barbara L. "An Index to Special Court Sessions in West's Federal Reporters." *Law Library Journal* 93 (2001): 109–72.

For researchers who need information about a federal judge, Fritschel's article provides an index to more than 600 special court sessions found in West's *Supreme Court Reporter*, *Federal Reporter*, and *Federal Supplement*.

Cannan, John. "Are Public Law Librarians Immune from Suit? Muddying the Already Murky Waters of Law Librarian Liability." *Law Library Journal* 99 (2007): 7–32.

John Cannan suggests answers to the questions: can librarians be held liable for negligence, and is the profession in danger of having its members taken to court?



### Technical Services SIS\*

¶1 The list of *Law Library Journal* articles on Technical Services is divided into four sections: Acquisitions, Cataloging and Classification, Preservation, and Serials. Articles are in alphabetical order within each section.

#### *Acquisitions*

- Alford, Duncan E. "Negotiating and Analyzing Electronic License Agreements." *Law Library Journal* 94 (2002): 621-44.
- Bluh, Pamela. "The Acquisition and Handling of Foreign Legal Serials: The Practical Aspects." *Law Library Journal* 79 (1987): 115-23.
- Bluh, Pamela. "The Winds of Change: Acquisitions for a New Century." *Law Library Journal* 88 (1996): 90-95.
- Boner, Marian O. "Acquisition of Microforms in Law Libraries." *Law Library Journal* 63 (1970): 66-69.
- Casey, Evelyn M. "Book-Buying in the One-Librarian Law Library." *Law Library Journal* 63 (1970): 62-65.
- Clark, Mae M., and Donna Alsbury. "Back to the Future: Predicting Materials Costs by Analyzing Past Expenditures." *Law Library Journal* 92 (2000): 147-56.
- Dickson, Lance. "Law Library Book Orders: An Analysis of Current Practice." *Law Library Journal* 73 (1980): 446-50.
- Figueredo, Fernando J. "Acquisition of Latin American Legal Materials: A Burdensome Task." *Law Library Journal* 64 (1971): 46-51.
- "Getting the Ungettable: Hard to Locate Federal Documents: A Panel." *Law Library Journal* 72 (1979): 659-73.
- Gilliam, Mary Cooper. "The Acquisitions of Out-of-Print and Antiquarian Law Books." *Law Library Journal* 85 (1993): 385-89.
- Gilliam, Mary Cooper. "Problems in Foreign Legal Acquisitions." *Law Library Journal* 79 (1987): 125-31.
- Goderich, Mario. "Cooperative Acquisitions: The Experience of General Libraries and Prospects for Law Libraries." *Law Library Journal* 63 (1970): 57-61.
- Goldblatt, Margaret A., and Bernard D. Reams. "Cooperative Acquisitions among Law Libraries: A Review." *Law Library Journal* 77 (1984-1985): 657-65.
- Gordon, Edward M. "Acquiring International Legal Materials: Some Things to Bear in Mind." *Law Library Journal* 72 (1979): 476-83.
- Kearley, Timothy. "International Law Book Prices." *Law Library Journal* 87 (1995): 239-44.

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\* Compiled by the Acquisitions, Cataloging and Classification, Preservation, and Serials standing committees of the Technical Services SIS.



- Kulpa, Lorraine A. "Corporate Law Libraries—A Profile." *Law Library Journal* 67 (1974): 244–58.
- Lane, Margaret M. "Acquisition of State Documents." *Law Library Journal* 63 (1970): 92–99.
- Leary, Margaret A. "Building a Foreign Law Collection at the University of Michigan Law Library, 1910–1960." *Law Library Journal* 94 (2002): 395–425.
- Levy, Charlotte L., and Gregory E. Koster. "Starting a Law School Library." *Law Library Journal* 70 (1977): 290–308.
- Marke, Julius J. "The Gentle Art of Making Enemies. . . ." *Law Library Journal* 63 (1970): 3–13.
- Milunovich, Kent. "Issues in Law Library Acquisitions: An Analysis." *Law Library Journal* 92 (2000): 203–15.
- Moody, Myrtle A. "Library Administration of Historical Materials, Part I—Acquisitions." *Law Library Journal* 69 (1976): 314–17.
- Musmann, Klaus. "Acquisitions: Some Functions and Problems." *Law Library Journal* 63 (1970): 28–31.
- Myers, Anne K. "Acquiring Minds Want to Know: Integrating Automated Acquisitions with Other Library Functions." *Law Library Journal* 83 (1991): 479–91.
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