



LAW LINES

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Fall 2007

President's Message

Andrew Tschinkel



The Fall season is well underway with lots of LLAGNY events and projects. Among the most important is the work of the nominations committee. John Davey of Alston Bird has agreed to chair the nominations committee this year. The committee's purpose is to recruit the next slate of candidates for leadership, including officers and directors. Please consider volunteering to serve LLAGNY as an officer or director. I believe you will find it a great opportunity for professional development.

The Fall Soiree and New Members Reception serves to remind all veteran LLAGNY members of the importance of recruitment of new members to our profession. Mentoring a new member is both a wonderful opportunity to

cultivate and sustain our profession and to learn from a new generation of law librarians. The LLAGNY student relations committee offers an internship program that many of your colleagues have utilized to evaluate LIS graduate students who may soon apply for that opening on your professional staff. For more information please visit the LLAGNY Web site.

The education committee has successfully conducted two programs: "Competitive Intelligence" and "Managing Across the Generations." A program on corporate law is in the works for December. Please watch for the announcement. The education committee was awarded an AALL grant for the "Managing across the Generations" program. Congratulations to committee co- chairs, Janet Peros and Kathleen Moringiello.

President's message continued on p. 2

In This Issue	
President's Message.....1	LLAGNY Leadership 2007-08.....20
Displays: All That You Have to Offer.....4	In Memoriam.....24
Educational Programs: Competitive Intelligence.....9	Web Published Materials and the Challenges faced by Libraries.....27
Researching Legislative Intent in New York.....13	Legal Trivia.....30
Fall Soiree Photos.....17	LLAGNY Board Minutes.....32
Membership News.....19	



President's message continued from p. 1

The LLAGNY Electronic Union List (EUL) , continues to add records to the database. If you are a paid participant and haven't uploaded your holdings to the EUL please do so right away. For more information about adding your library's records to the EUL please contact either Karen Campbell or Stacey Pilson., Union List co-chairs.

Too often the many significant accomplishments of our members go unpublicized. If this year you have been involved in a major professional project, participated as a speaker at a conference or seminar, or contributed a publication to the literature, don't hide your work, but rather share it with your colleagues. Your contribution may serve as an inspiration and a resource to other LLAGNY members. Please contact Christine Dubuque, public relations committee chair, with the details.

Save the Date!

The 2008 Winter Meeting will be held on January 16th.

The meeting will be held at Tavern on the Green.

LexisNexis will again be the sole sponsor.

Please watch the LLAGNY Web site for an announcement.



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Displays: All That You Have To Offer In Your Library

The Art Of Deciding Topics And Arranging Displays In Your Law Library

Astrid Emel, St. John's University School of Law

In October 2005, the United Nations celebrated its sixtieth anniversary. When our government documents department wanted to do something to commemorate the occasion, I suggested a display table with books from our United Nations depository collection. Since then, two tables take center stage at the entrance of the library and it is never empty. It is here that monthly rotations of library materials are on display; but how do we keep the table occupied?

Designing a Space

Library displays must be approached as a creative endeavor. Creating library displays only takes a crafty mind and a creative touch. Everyone in the entire library should be involved; different departments can work on specialty displays or wherever their passion lies. For example, the government documents department does the yearly New York State, United Nations and federal document displays. One clever staff member is our resident pro when it comes to banners and signs. Often, we solicit ideas from the staff as a whole, sending emails and keeping an open door policy. "Got an idea, a research topic, a database you love? A holiday you want to see represented? All of these can be used for our displays."

Anywhere and Everywhere

Library displays work best in a central location that many people must pass.

Entrances always work well. Got a table? Ours is just a recycled study table from an area we no longer use. Got an empty corner? Books can be arranged on any flat surface. For a banned book display, we stacked banned books under a broken mail cart top that looked like a cage. Got an easel? Get some poster board and paste away. We have created posters of library staff, banned books and Christmas-themed trials. Got a bulletin board? We have one glass-enclosed board at the entrance to the library, which we often use it to display materials in conjunction with our table display or for a topic of its own. We scan book jackets and post them there, and print screen shots from our catalog and create historical timelines to tell a story about civil rights, military history and elections. We once posted a copy of the Constitution with constitutional trivia questions, answers, and display maps.

No Advertisement Necessary

Displays that advertise your collections advertise themselves. Although we list upcoming displays in the *Word @ Rittenberg*, our library newsletter, nothing advertises itself like a display does. Eye-catching displays do it all; patrons walk by, stop and take a look, and bingo you have marketed your goods. Whenever I see someone picking up a book and leafing through it, or better yet reading excerpts, then I know the display has done its job. If only we had headcount statistics of the display table, then we could use statistics to



know which displays are most popular! One student asked to borrow all the books from the table! Our September display had titles on censorship and book banning which had inspired him to write his term paper on the subject.

Holidays and Everyday

In the Rittenberg Law Library, we have prepared displays that coordinate a topic and a holiday such as Black History Month or Martin Luther King Day with materials from our Civil Rights collection. Other holidays we highlight are:

- Constitution Day with titles about the Constitution;
- President's Day with presidential documents;
- Election Day with books from our collection about election law.

We also are inspired by celebratory weeks or days, and coordinate them with a monthly display; we have created displays for:

- National Library Week and Library Legislative Day with books on libraries and librarianship;
- Banned Books Week with books from the banned book list and titles on censorship;
- Clean Air Month with environmental law books;
- Election Day with materials on elections and election law;
- Martin Luther King Day with titles about Martin Luther King and the civil rights movement;
- Veterans Day with military law materials.



Holidays, celebrations, events and observances can be found listed on these Web sites:

<http://www.holidaysmart.com>;
<http://www.earthcalendar.net>;
<http://www.holidays.net>.

We have also given selected months topical titles. For example for "Monograph Month," we displayed new acquisitions that were monographs, and for "Palsgraf Month," we exhibited titles on *Palsgraf v. Long Island Railroad* and torts. We celebrated "Military Month" with journals and books related to military law, and "Election Month" during November. We also celebrated "A/V Month" by displaying all the materials we have on CD's, DVD's and videotapes.

Our 2005 "United Nations Month" was in October because it coincided with the the UN's sixtieth anniversary. We used this month to advertise our United Nations collection, displaying UN material, such as new acquisitions or important serial titles. We also choose topics that relate to some professors' specialty, such as sports and maritime law last summer, and legal history during fall registration. We also advertised our new database, *The Making of Modern Law*," with a book display, exhibiting print versions of titles available in the database, printed screen shots from the publisher's Web site.

Props and Locks

Our commencement display included a mannequin (really just a tripod) dressed in a cap and gown, and a few papers designed to look like diplomas and old

yearbooks. This was one of our well received displays, as students, parents and visitors expressed appreciation for the unusual, yet poignant display. Our banned books display featured caution tape, a cage, chains and locks, and for Library Week we had the librarian action figure on display. For certain exhibits, we add easels with pictures and newspaper articles and handouts on the topic. Even the display table can be part of the prop, which we make stand out with banners and borders. We once decorated ours as a dinner table complete with University brand china and table cloths and napkins in our school colors. Other props have included timelines, and pictures from important events in history for civil rights and all for branches of the military

The Same but Different

Some displays are done yearly, but not exactly in the same way as the year before, including:

- New York State Documents;
- Federal Depository Program;
- United Nations Month;
- Civil Rights Month;
- Library Week;
- Banned Books Week;
- Monograph Month.

For example, the Library Week display focused on famous libraries one year, and audio visual materials the next. The United Nations display used items from the collection on the subject of terrorism one October, and women's rights the next. The subjects of federal displays have included voting or famous documents, such as the Constitution and the Bill of Rights. New York State displays have showed information from

various state agencies the public might be interested in, such as motor vehicles and education. This lets us have a few months where we can change topics every year.

Where Can I Find It?

For "Banned Books Week" and National Library Week," we used toolkits for holidays available from ALA. (Posters and downloadable materials are available at <http://www.ala.org>.) Web sites to check for toolkits, press kits and marketing tools with legal research handouts, newsletters, Web-casts, user guides, maps, pictures, graphs, diagrams, PDF files, and lots of good ideas are:

- <http://lawschool.westlaw.com>;
- <http://west.thomson.com>;
- <http://www.lexisnexis.com/lawschool/learning/reference>;
- <http://www.cal-webs.org/cday>;
- http://www.galegroup.com/free_resources;
- <http://www.ocls.info/about/Prom/default.asp?bhcp=1>;
- <http://www.abffe.org/bbw-handbook.htm>;
- <http://www.un.org>;
- <http://www.archives.gov/national-archives-experience>;
- <http://www.librarysupport.net/librarylovers>;
- <http://memory.loc.gov/ammem/index.html>.

There are always new ideas burning in the back of our minds that anyone can use. How about a TV or screen playing (a silent) court trial or power point presentation? Other possibilities include a display that focuses on famous women



for Women's History Month, or Native American law for harvest months. Try looking at the cultural diversity in your school or neighborhood and create displays about people from specific backgrounds and their contributions to law. For example, display books on marriage laws in February, and Salem witchcraft trials or capital punishment



during October. State displays can feature famous lawyers and trials in your state. Look to the classes and course work given in your school and create immigration, war, or Hollywood-related trials displays. Wherever your imagination can take you, a display is the way to assure interest in a topic and the books in your collection.

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**Two Recent LLAGNY Educational Programs:
Competitive Intelligence & Managing Across the Generations**
Janet Peros, co-chair, LLAGNY Education Committee

An educational program on competitive intelligence was offered on Tuesday, September 25, and was attended by more than thirty chapter members. Thanks to Dr. Jefferey Olsen, we were able to hold the program on the downtown campus of St. John's on Murray Street. Thanks also to Krista Friedman and Mark Schwartz at Thomson West who provided us with a hearty breakfast.

Our two speakers were Roberta Brody and Joseph Mattera. Dr. Brody, professor at the Graduate School of Library and Information Studies at Queens College, teaches courses on business research and competitive intelligence. She is a founding member of SCIP (the Society of Information Professionals). Mr. Mattera is founder of International Trade Information Resources. Prior to that, he developed and managed the library for the New York office of the U.S. Customs Service and served as head librarian for the U.S. Court of International Trade.

Dr. Brody provided an overview of what encompasses CI and a brief history of how the field started. She discussed how librarians are particularly suited to perform competitive intelligence. She reviewed her favorite sites and search engines, and pointed out other sites and sources that researchers often forget to check. Verifying the basics is often the hardest part, according to Dr. Brody. This includes assuring that you have the

correct name of the company or organization you are researching and determining the industry and jurisdiction. Getting the basic facts straight is an essential part of the research process, particularly in CI.

Mr. Mattera offered his expert advice on how to research trade and customs issues. He took us through how to research import/export statistics and summarized how to interpret a bill of lading. He reviewed Piers data, available through their Web site (www.piers.com), Dialog and Westlaw. Mattera also discussed how to search for rulings from the U.S. Department of Customs that are not available on Pacer, Courtlink, etc.

On Wednesday, October 10, LLAGNY offered a program at the New York County Lawyer's Association: "Managing Across the Generations: Recruitment, Retention & Retirement Strategies for the Librarian Profession." LexisNexis generously provided breakfast and AALL provided a grant to pay for the space at NYCLA — and a podcast of the program which will soon be made available on the AALL Web site. The speakers for this program included Gayle Lynn-Nelson of LexisNexis, Kit Hartnett of Proskauer Rose, Ralph Monaco of the New York Law Institute and Jeff Olsen and Kathy Shelfer of St. John's University Library School.

Educational Programs continued on p.11



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Educational Programs continued from p. 9

Ms. Lynn-Nelson started the program off by discussing a recent survey of library professionals that addressed educational backgrounds, job satisfaction, salary and retirement. She found that many librarians who are 55 and older are not yet ready to retire. She also found that most librarians would choose their career again if they could and that they are generally satisfied with their positions and compensation.

Ms. Hartnett spoke about how Proskauer recruits and retains staff in today's competitive climate of frequent job jumping. Offering flextime schedules is one way. She addressed how organizations (law firms) need to change their practices to remain vital. For example, Proskauer has recently changed its employee review process so that employees get formal feedback more than once a year. She also discussed the different generations currently in the workplace (veterans, boomers, generations X and generation Y) and the expectations that each brings and what they require to value and enjoy their job.

Mr. Monaco described what his staff does at New York Law Institute as a form of outsourcing. He also talked about his teaching experience with St. John's and then introduced Dr. Olsen, director of the library science program at St. Johns. Dr. Olsen reviewed new graduate certificates and continuing ed certificates that will be offered at St. Johns in the near future on such topics such as corporate librarianship, competitive intelligence, knowledge management, records management and marketing research. Dr. Kathy Shelfer is a new faculty member at St. Johns who spearheaded a program in competitive intelligence at Drexel. She was also a recent fellow of SCIP (the Society of Competitive Intelligence Professionals). She also spoke about St. John's efforts to offer various certificate programs and to expand their course offerings. Dr. Shelfer invited anyone who is interested in offering his or her ideas to come speak with her personally. Dr. Olsen closed by discussing the need for library schools to partner more with professional organizations such as LLAGNY.



Kit Hartnett
Director of Library Services
Proskauer Rose LLP
New York, NY

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Researching Legislative Intent in New York

William H. Manz, St. John's University School of Law

This article is an updated and revised version of an article which appeared in the Mar./Apr. 2005 issue of the *New York State Bar Association Journal*.

Researching the legislative intent of New York State statutes is often a situation of “is that all there is?” As one commentator has observed, “anyone accustomed to researching legislative intent on the Federal level will be in for a massive shock when attempting the same thing with New York State documents,” and as Judge Judith Kaye once noted “the tonnage is entirely on the federal side.”

Although New York legal research guides typically describe an extensive list of potential sources of legislative history, the courts usually have available only the contents of governor's bill jackets. Typically, a bill jacket may contain the governor's approval memorandum, sponsor's memorandum, state agency memoranda prepared by their legal counsel, and letters from constituents.

Unfortunately, many of the bill jacket memoranda are quite brief — often only a few lines — offering little more than a summary of the bill's provisions. However unimpressive they may appear to a researcher used to federal materials, the memos are the legislative history documents most cited by the New York courts. Although the courts cite all types of bill jacket memos, those potentially most useful in determining intent are those prepared by the sponsor since they are written before the bill is passed; they are also the type of memoranda most likely to be available since they are

required by the Assembly and Senate rules. The courts also refer to the bill jackets because of the bill-related correspondence they contain. Available only in the bill jackets, and increasingly cited in recent years, the letters may have value because they tend to focus on the key issue(s).

Bill jackets exist for 1905 and from 1921 onwards. Comprehensive bill jacket collections on microfilm and microfiche are held by the New York State Archives, the New York State Library, and the New York City Public Library's Science, Industry, and Business Library. The complete microform collection is also held by the New York Legislative Service, which offers same-day delivery of requested bill jackets. Entire bill jackets in html and pdf formats are also available on Westlaw (NY-LH-BILLJACKET database) from 1996 to 2005.

Although the courts most often refer to the bill jackets for copies of memoranda, there are three other widely-held print sources. Overall, the most comprehensive collection is provided by the *New York Legislative Annual*, published by the New York Legislative Service since 1946. Since 1990, the *Annual* has become even more complete since the former practice of omitting memoranda for laws deemed to be unimportant was discontinued. The second source is the collection of memoranda reprinted in chapter law

order in the second volume of each annual edition of *McKinney's Session Laws*. Until recently, the *McKinney's* collection was far more selective than that in the *Legislative Annual*, but since the 1990s it has been greatly expanded. For recent years, the coverage of the *Legislative Annual* and *McKinney's* largely overlap, but they should both be checked since selected memos may appear in one but not the other. A final print source for memos is the annual *CLS* edition of the session laws, but here coverage is restricted to governor's approval memoranda.

There are also options for those seeking electronic sources of memoranda. Since 1996, governor's, legislative, and judicial memoranda had been available on Westlaw, in the NY-LEGIS and NY-LEGIS-OLD databases as part of the online version of *McKinney's Session Laws*, but their presence there was not readily apparent to the typical researcher. Since late 2004, they have also been provided in separate databases (NY-LH and NY-LH-REP), where the back file starts with 1998. LexisNexis now also has a database, which contains sponsors' memos since 2005 (NYLH file). Legislative memoranda are also available through the Bill Drafting Commission's online subscription service, the Legislative Retrieval System, which has a ten-year back file. Legislative memos are also available at the Commission's public Web site at <http://public.leginfo.state.ny.us/menuf.cgi> and the Assembly Web site at <http://assembly.state.ny.us>, but both of these offer materials only from the current legislature.

Although the usual legislative history research scenarios will not require going beyond the memoranda and bill jacket correspondence, there are a variety of sources which occasionally may be relevant to the history of selected statutes. One set of documents that might mislead the researcher into believing that more New York legislative history material is available than really exists is the legislative documents series which was published annually as a bound compilation until 1975. In most cases, however, these materials were not generated by the Senate and Assembly as part of the legislative process, but were instead reports to the legislature from various state departments, agencies, committees, or commissions. Two types of these reports, however, are relevant to legislative history research. These are the reports of bodies charged with the revision and/or recodification of parts of the Consolidated Laws, and the annual reports of the Law Revision Commission.

Law Revision Commission reports may be applicable to legislative intent if the relevant enactment was one proposed by the Commission. The annual reports of the Commission (1935–94) included, until 1970, proposed bills, studies made for the Commission's deliberation, and a detailed analysis and justification for the Commission's recommendations. Beginning in 1970, the reports consist only of the recommendations and justification. No formal annual reports have been printed since 1994, although individual reports resumed in 2001. In addition to the bound documents compilation (which is also available on microfilm), the annual reports are

available in separate volumes. They were also reprinted in *McKinney's Session Laws* from 1951–94, which means they are available on Westlaw in the NY-LEGIS-OLD database.

One type of document that is almost always unavailable for New York enactments is a committee report on a bill of the type routinely prepared in Congress. Although both the Assembly and Senate do publish reports, their rules have not required reports on specific legislation, meaning their reports concern only general topics. According to the Brennan Center for Justice at NYU Law School, the Senate produced no reports on 152 major pieces of legislation between 1997 and 2001, while the Assembly produced only two on the 181 bills for which the researchers had complete data. Similarly, the legislature holds hearings, but does so only rarely with regard to specific legislation. Hence, the Brennan Center reports that between 1997 and 2001 both the Senate and Assembly held only one hearing each on major bills.

Researchers hoping for access to transcripts of debates as found in the *Congressional Record* will also be disappointed. Unlike the *Congressional Record*, the New York State Senate and Assembly journals contain only summaries of the daily transactions, and are therefore of little use when compiling a legislative history. Although debates have been officially recorded in the Senate since 1960, and in the Assembly since 1973, there are no debates on most bills. The Brennan Center study indicates that between 1997 and 2001, there was no “debate” in the usually recognized sense of the term on

95.5% of major Assembly bills and 95.1% of major Senate bills. However, if a debate transcript exists it may be obtained for a fee from the Legislative Service or from the Senate Office of Microfilm and Records and the Assembly Office of Public Information.

Another source that may occasionally be referred to by the courts is prior unenacted bills, since differences in language may provide clues to legislative intent. Copies of old bills are available on microfiche and microfilm from the State Library in Albany. Finally, although they are rarely cited, official press releases, and the legislative recommendations or reports prepared by major bar associations may shed some light on legislative intent.

Since looking beyond the bill jackets or reprinted memos for most enactments will entail a major waste of time and energy, it is fortunate that there are several methods to ascertain whether a given statute has a legislative history that consists of more than bill jacket memos and letters. In the bill jackets they provide, the New York Legislative Service will, if available, add such items as commission reports, hearing transcripts, bar association memos, and newspaper articles. For a copying charge, the Legislative Service will also include any relevant debate transcripts. The more recent volumes of the Service's *Legislative Annual* will, along with the reprinted memos, note the existence of additional material, particularly press releases and debate transcripts, and occasionally reports and public hearings. The *Annual* also may note the existence of prior unenacted bills, as does the *McKinney's Session*

Laws collection of memoranda. If a statute was originally recommended by the Law Revision Commission, this will be noted in the annotations in *McKinney's Consolidated Laws* and/or *CLS*. In addition, if the intent of a statute has already been considered by the courts, the most relevant materials on its legislative history may be found cited in the opinion and in the related briefs.¹ Finally, if a law is the subject of one of the *McKinney's* practice commentaries, the author may cite and discuss key documents.

In conclusion, despite the existence of a variety of potential sources of legislative intent, the researcher should not begin a search for the legislative intent of New York State statutes with inflated expectations. As previously noted, the available legislative history is often quite basic and phrased in general terms. Thus, it is often not possible to determine the intent of many statutory provisions, particularly if they are a part of a lengthy enactment.

APPENDIX

A Westlaw search of the NY-CS database found that the following legislative history materials were cited by the New York courts in 2004. Cases citing such materials included twenty-five from the Court of Appeals, thirty

from the Appellate Division, and twenty-seven from other state courts.

Documents Listed By Source

Bill Jackets	88
<i>McKinney's Session Laws</i>	14
<i>Legislative Annual</i>	8
Miscellaneous	26

Documents Listed By Type

<i>Memoranda</i>	
Legislative	45
State Agency/Dept.	12
Governor's	13
Attorney General's	8
Miscellaneous	8

Reports

Law Revision Commission	7
Budget Report on Bills	4
CPLR Advisory Committee	2
Temporary Commissions	2
Miscellaneous	7

Other

Bill Jacket Letters	17
Bills	8
Debate Transcripts	1
Miscellaneous	2

¹ N.Y.A.A.D., Inc. v. State, 803 N.E.2d 375 (N.Y. 2004) (Vehicle & Traffic Law § 38-d (citing Senate Memorandum in Support and mentioning statements from individuals involved in the passage of the legislation)); Rosner v. Metropolitan Prop. & Liab. Ins. Co., 754 N.E.2d 760, 764 (2001) (Insurance Law § 3425 (citing sponsor's memorandum and governor's approval memorandum)).

Fall Soiree and New Members Reception
October 18, 2007 New York Marriott Marquis

Photos: **Anthony Buralassi**, Katten Muchin and **Roseanne Shea**, Proskauer Rose



Julie Nazario, Proskauer Rose
Ralph Caiazzo, New York Law Institute;
Shawn Watts-Bey, Proskauer



Sarah Dowson, D'Amato and Lynch
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Scott A. Fener, Akin, Gump



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New Members 2007



Tom Nielsen [new member], Metro
Patricia Alleyne, K&L Gates



Laird Ehlert, **Eric Hilsey** [new member], and
Peter Fong, New York Legislative Service



MEMBERSHIP NEWS AND MOVES

LLAGNY would like to welcome the following new or returning members:

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IN MEMORIAM



Remembering Bob Oakley Bill Mills, New York Law School

Bob Oakley, long-time Professor and Library Director at the Georgetown University Law Center died unexpectedly on September 29, of cardiac arrest. An expert in intellectual property law, Professor Oakley had come to Georgetown in 1982. Previously, he had served as Associate Law Librarian at Cornell Law School and Director of the Law Library and Associate Professor at Boston University School of Law.

Professor Oakley was a giant in our profession. He is generally acknowledged as having been the guiding spirit behind two major initiatives of the American Association of Law Libraries: The Association's active Washington Affairs office, and the Legal Information Preservation Alliance. Concurrent with pursuing these initiatives, he guided Georgetown's library into the ranks of the preeminent law libraries in the nation, creating successful designs for not one but two Georgetown University library facilities.

Georgetown Law Library has posted on its Web site a Remembrances Page for Bob. Some excerpts are below.

[from Harvard Law Library's Director]
"The building he planned (the Williams

Library) fits its environment well, returned much needed office and classroom space to the rest of the school, and has a wonderful 'feel' about it. The first time I walked in I felt the urge to sit down, put up my feet, and read a book. Bob saw that the collection grew, new services were added, technology was absorbed purposefully. Then he planned a second library, which I had to concede was better than Harvard's second because it had a gym!"

[from a Georgetown Law Library staff member] "I have stayed at Georgetown over the years for a variety of reasons, but by far the most important ones were because he kept making my work interesting, he kept teaching me, he insisted on a shared vision of a library that truly served the Law Center, the University, the community and the world. We shared a love of rare books, of our rich legal heritage. In my 24 years here, he always brought the right people together, working to move the Law Library and the Law Center forward. He never thought of the Law Library as a separate entity. He always spoke in terms of the Law Center, the University, the legal world. He made AALL interesting, and inspired us to serve in many ways."

[from the director of a nearby county law library] “He gave unstintingly of his time, and his energy, and his intellect. He was tireless. When the court was remodeling the library for the third time he spent a whole day with a planner, one of my administrators and a representative from the architect.

[Georgetown] had just moved into the beautifully designed facility... [T]he result was a clean and clear path for us as we went into [our] renovations, given freely, and without reservation. [As incoming AALL President in Philadelphia in 2000] he saw the State Court group holding its very first committee meeting with trustees in attendance. I chaired that roundtable, and Bob was kind enough to come pay us a visit. With a lot of warmth and good fun he came into the meeting with his loot from the exhibits hall. He sat down and showed the group where you could get what, and how to attend an AALL meeting. Told them where the good parties would be, and what to expect when they attended a session and went to the exhibits hall.”

[from a distinguished professor of intellectual property law] “For those of us immersed in copyright law, Bob was a titan. He was present in the early years of our struggles with fair use and Section 108, just as the first computers and other new technologies were testing the law and opening new opportunities for libraries. He brought clear thinking to the challenges, and he set the debates on a constructive course. Bob had the extraordinary ability to see the right

issues and to bring sound criticism to the task. Bob’s early studies of the preservation problem eventually led Congress to reexamine the language of Section 108. His delightful charm allowed him to effectively mediate discussion of thorny issues amidst sharp conflict. Most of all, he stood by his principles, and he always had a welcoming smile for anyone entering the debate. Bob was a powerful and important force. He made an important difference.”

[from the Dean Emeritus of Georgetown U. Law Center] “The details of his contributions would overwhelm us. Suffice it to say that he built Georgetown into one of a small handful of great American law libraries, a hallmark of this law center, and in the process trained and launched excellent librarians to other institutions as well. I know that my frequent focus on institution builders has become expected. But I can think of no better example of what I mean than Bob Oakley and his contributions. We shall miss his friendship, collegiality, sense of humor, and creativity. We shall miss the inevitable accomplishments yet to come if he had lived. We shall miss him.”

These are just a few of the many entries found at Georgetown’s remembrances page. If you’d like to see the rest, or if you’re fortunate enough to have one your own to add, navigate to <http://www.ll.georgetown.edu/about/oakley/memories.cfm>.



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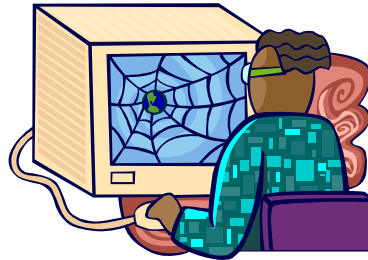
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SAN FRANCISCO



Web-Published Materials and the Challenges Faced by Libraries

Rosemary LaSala, St. John's University School of Law



Librarians planning for collection development encountered significant complications when government and other organizations began publishing important information on their Web sites. One school, the University of North Texas, in partnership with the California Digital Library and New York University began a three year collaborative research project to try and understand the collection development processes in the Web publishing environment and to begin to create tools to support the capturing and archiving of Web publications.

Another effort is the Web-at-Risk project, one of eight digital preservation projects funded in 2004 by the Library of Congress to carry out the goal of establishing a national network of partners committed to digital preservation of cultural heritage materials. Each of the projects represents a collaborative effort to preserve for future generations born digital or digitized cultural heritage

materials and collections. The project will develop a Web-archiving service that will enable curators to build collections of Web-published materials. The content for the collections will be collected largely from federal and state government agencies and will include campaign literature, political policy documents, and information surrounding political movements. For more information see the National Digital Information Infrastructure and Preservation Program (NDIIPP) at <http://web3.unt.edu/webatrisk>.

At the AALL (American Association of Law Libraries) 2007 annual meeting and conference the program entitled Turning Challenges into Opportunities: How Law Libraries Can Capture and Preserve Government Web Resources given by Cathy Nelson Hartman, Assistant Dean for Digital and Information Technologies at the University of North Texas Libraries brought to the forefront the difficulties libraries and librarians

are having with Web-published materials.

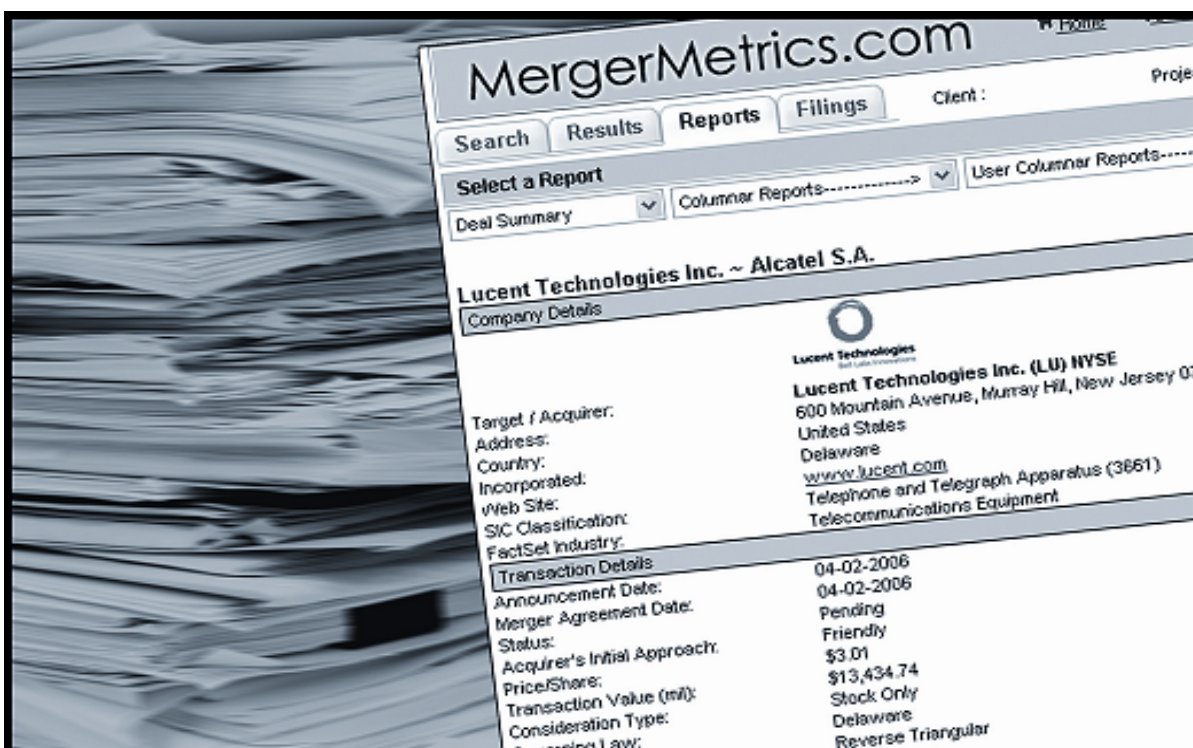
Librarians must select, acquire, describe, organize, present for access, curate, maintain and deselect items for their libraries and the same process applies to Web resources. The difference is that libraries and librarians have no control over Web resources and therefore are not able to avoid losing important resources. Understanding the differences and then integrating the collection of Web resource materials into your everyday workflow must begin immediately to avoid losing important resources.

As librarians, it is important to know what our users value as far as research material is concerned. Do our users want text, video, audio or multimedia versions of all material, and is the material available in all versions? Do our users really know what is important to them? These are the questions we as librarians must find the answers to.



In the Web environment how will we locate and identify Web-published materials, and when we do how will we establish authority, how will these materials be preserved for future generations? We must be able to insure accuracy of captured material. Today when we capture information we can assume it is reliable, not authentic or official, but reliable.

Since all law libraries cannot support the technical infrastructure to implement Web-archiving services collaboration is essential. Law libraries play an important role in selecting Web-published materials that will support the study and practice of law. Therefore, librarians must review options for local and regional organizations that might support these efforts. Until these groups are formed, the Archive-It service (<http://www.archive-it.org>) sponsored by the Internet Archive provides immediate access to a Web-archiving service

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Legal Trivia: The Unwritten Law

William H. Manz, St. John's University School of Law

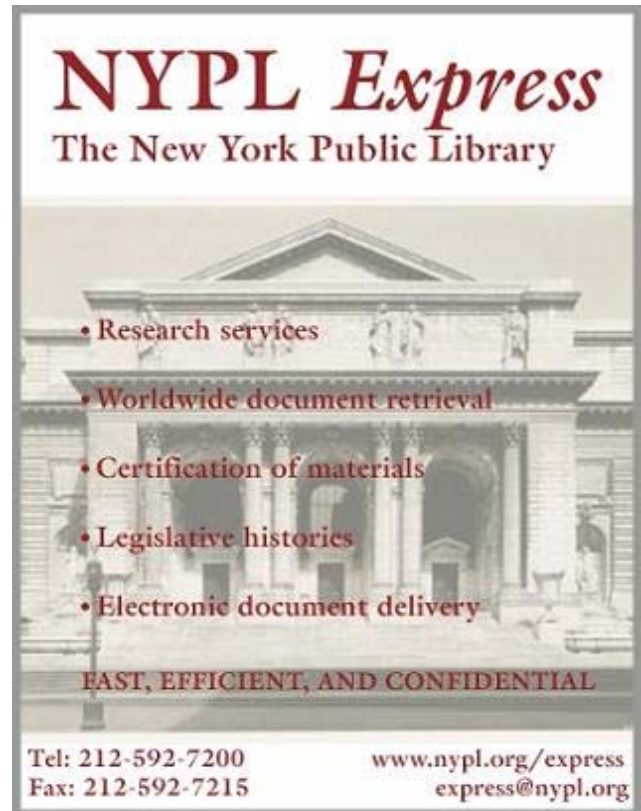
Those familiar with high-profile murder cases will recall the names of both Jean Harris and Betty Broderick. Harris, the headmistress of the Madeira School for Girls in McLean, Virginia, was convicted of the 1980 murder of her ex-lover, diet doctor Herman Tarnower, who had taken up with a younger woman. Broderick was convicted of the 1989 murders of her ex-husband, a wealthy attorney, and his second wife. Harris served twelve years before being pardoned by Gov. Mario Cuomo. Broderick is still serving her sentence in a California prison, and will not be eligible parole until 2010.

In another era, both Harris and Broderick would likely have been acquitted by New York City juries, which during the early decades of the twentieth century, were highly likely to acquit sympathetic women defendants. Those acquitted included:

- Rosa Trainer Bellina, 20, a mother of two whose husband had left her because she had been posing for a local artist. Bellina fatally shot the artist after he reportedly laughed at her request that he assist her and her two children (1914);
- Olivia M.P. Stone, a nurse, killed the former city solicitor of Cincinnati, shooting him five times on a Brooklyn street in broad daylight after he left her for another woman (1922). One expert defense witness testified that Stone had suffered a “brain explosion.” After the acquittal, she was showered with flowers by courtroom spectators.
- Augusta “Gussie” Humann, 19, won a directed verdict of acquittal after being charged with luring one Harry Dewey Garbe to a remote area where he was fatally shot by her lover, Joseph Libasci (1921). Libasci later confessed to the murder and was sentenced to twenty years to life. Humann was subsequently convicted for perjury committed at the Libasci murder trial, and sentenced to 7–15 years. The trial judge praised the jury’s courage for bringing in a guilty verdict against a woman, but Humann was pardoned two years later so she could care for her child;
- Mary Lonergan, who fatally shot her husband, an ex-prize fighter, who reportedly beat her and their children frequently (1923);
- Margaret Kiernan, who fatally shot her policeman husband with his own service revolver after he spent Christmas Day with his girlfriend (1932);

- Cecilia McCormick, 19, who smuggled a gun to her inmate boyfriend, who then used it to kill a jailer and himself (1933).

However, less-than-sympathetic defendants didn't fare as well. In 1923, Marie Vetter was convicted of manslaughter for the killing an ex-boyfriend. (She and her husband had attempted to dispose of the body by dumping the body into Jamaica Bay.) Two years later, Dorothy Perkins, a seventeen-year-old telephone operator, was also convicted of manslaughter after fatally shooting an unwanted suitor during a St. Valentine's Day party at her home. Finally, completely beyond the help of the "unwritten law" was Queens housewife Ruth Brown Snyder, who had convinced her lover, corset salesman Henry Judd Gray, to kill her allegedly dull husband, magazine editor Albert Snyder. On March 20, 1927, Gray unsuccessfully attempted to bludgeon the sleeping husband. He bungled the attempt, and the victim was finally killed with a window sash weight wielded by Snyder herself. The police quickly saw through attempts to make the crime look like a bungled burglary. Snyder and Gray were both executed on Jan. 12, 1928. A news reporter smuggled a camera into the execution chamber, and a photo of Snyder strapped into the electric chair appeared on the front page of the *Daily News*.





**LLAGNY BOARD CONFERENCE
CALL
Wednesday July 25, 2007
4:00 pm**

In attendance: Andrew Tschinkel, Marsha Pront, Sarah Kagen, Sarah Dowson, Kathryn McRae, Jeff Cohan, Nuchine Nobari, Tom Eikenbrod, Bill Mills


The meeting convened at approximately 4:04 pm

Thanks to Tom Eikenbrod and David Merkin at Shearman and Sterling for hosting.

1. Review of the corporate support sponsorship letter from the Corporate Sponsorship Committee

Review of the numbers in the letter by Nuchine:

Fall soiree has approximately 200 attendees
Average cost \$13,000.00



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Sponsorship should go up to \$6,000.00

Winter meeting has approximately 200 attendees

Average cost \$20,000.00

Sponsorship should go up to \$12,000.00

Annual meeting has approximately 300 attendees

Average cost \$45,000.00

Member charge should go up to \$60.00

Number of guests that corporate sponsor can bring:

\$1,000 to \$2,499 – 2 guests \$2,500 to \$4,900 – 4 guests

\$5,000 to \$11,999 – 6 guests

\$12,000 + — 8 guests (maximum)

- ◆ Motion to change the numbers in the letter (Cohan)
Approved (Dowson)

Amounts for committee programs:

Education up to \$300 per vendor

Scholarships typically \$1000 to \$2000 each

MCLE should be changed to Outreach and the typical cost is \$4500

- ◆ Motion to raise the amount for vendor support to \$300 for Education (Dowson)
Approved (Pront)
- ◆ Motion to change the first paragraph to:

The Law Library Association of Greater New York, a chapter of the American Association of Law Libraries, comprises over 700 members representing academic, court and private firm law libraries. **We are offering an opportunity to partner with us in the upcoming year.** We have listed the various LLAGNY events that occur during

the year and the ways in which you may lend support. Your support is very important to us, and we want to give you this opportunity to include LLAGNY in your planning for the coming year. (Dowson)

- ◆ Approved (Nobari)

Other changes to be made to the letter: Discussion regarding changing language of the Bridge the Gap program to include librarians results in no change. Satisfied with the current language.

Remove the Union List from Advertising and add the Membership Directory.

- ◆ Motion to adopt letter as edited by the Board (Dowson)
Approved (Eikenbrod)

2. Student Relations Committee

Proposal to attend Queens LIS fall semester orientation on August 16th

- ◆ Motion in support (McRae)
Approved (Nobari)

3. Education Committee

Discussion regarding the proposal to approve up to \$1000 as a speaker fee for Prof. Brody for the CI program. Questions regarding limits on the number of attendees and how that could affect the speaker fees.

- ◆ Motion to approve speaker fee of up to \$1000 for 40 librarians and up to 5 library school students to attend. (Nobari)
Second (Dowson)
Not Approved
- ◆ Motion to approve speaker fee of up to \$1000 and to give Tom Eikenbrod negotiating discretion to work out a deal regarding number of attendees (Nobari)
Approved (Mills)

4. Passing of Shirley Diamond and Mario Rodriguez



- ◆ Motion Secretary should send card of condolences on behalf of the Board (McRae)
Approved (Eikenbrod)

5. Date and time for the next Board meeting

August 22nd 6:00 pm
New York County Lawyers' Association
14 Vesey St

- ◆ Motion to approve time and location of meeting (Nobari)
Approved (Mills)
- ◆ Motion to reimburse Andrew Tschinkel for \$66.85 for iPod mailing at AALL (McRae)
Approved (Mills, Pront)

The meeting adjourned 4:53 pm

Respectfully submitted,
Sarah Kagen, LLAGNY Secretary

**LLAGNY BOARD CONFERENCE
CALL
Tuesday August 14, 2007
3:00 pm**

Members Present: Andrew Tschinkel, Sarah Kagen, Nuchine Nubari, Elaine Egan, Tom Eikenbrod, Kathryn McRae,

The meeting convened at approximately 3:11 pm

Thanks to Tom Eikenbrod and David Merkin at Shearman and Sterling for hosting the call.

1. Special events committee proposal for the Fall Soiree

Discussion regarding the date of October 18th and the conflict with the Northeast Regional Law Libraries Meeting.

- ◆ Motion to approve the October 18th date (Kagen)
Approved (Egan)

Discussion regarding the cost of the event and the option to add dessert or remove the burger station or to have the guests pay for the coat check.

Costs per person:
\$65.00 and 22% gratuity is about \$80
Coat check is \$3:00
Desert would add another \$10.00
Bartender cost is \$4.50 (Number of guests estimated at 150 meaning 3 bartenders at \$675.00)
Pasta attendants cost is \$3.00 (2 attendants for pasta station at \$450.00)
Burger station attendants cost is \$3.00 (2 attendants for burger station at \$450.00))
Total is \$103.50 per person
Cost for 150 people is \$15,525.00

Lexis is a corporate sponsor for the event and is contributing \$3000.00 with the understanding that LLAGNY will try to get a second sponsor that does not directly compete with Lexis. Elaine will work with the Corporate Sponsorship committee to get a second corporate sponsor.

- ◆ Motion to accept the proposal with the addition of dessert and the burger station, 3 bartenders, 2 attendants at the pasta station, 2 attendants at the burger station, coat check and 22% gratuity. (Egan)
Approved (Eikenbrod)

The Fall Soiree is a benefit of membership and there will be no charge to LLAGNY members.



Discussion regarding the number of guests each corporate sponsor can bring and whether or not to charge for extra guests.

- ◆ Motion to pay for 150 LLAGNY members and absorb the cost of up to 4 vendor guests. (McRae)
Approved (Egan)

Extra guests brought by corporate sponsors will be charged the full per person price. Nuchine will invoice for the Fall Soiree from QuickBooks.

The next meeting August 22nd at the New York County Lawyers' Association at 6:00 pm

The meeting adjourned 3:38 pm

Respectfully submitted,
Sarah Kagen, LLAGNY Secretary

Minutes of the LLAGNY Board Meeting August 22, 2007

New York County Lawyers' Association In attendance:

Elaine Egan, Marsha Pront, Sarah Kagen, Sarah Dowson, Kathryn McRae, Andrew Tschinkel, Bill Mills, Nuchine Nobari, Tom Eikenbrod, Jeff Cohan

The meeting convened at approximately 6:11

1. Approval of Minutes

- ◆ Motion to approve the minutes of the June 2007 meeting (Pront)
Approved (Egan)

- ◆ Motion to approve the minutes of the July 25, 2007 conference call (Mills)
Approved (Pront)
- ◆ Motion to approve the minutes of the August 14, 2007 conference call (Egan)
Approved (Dowson)

2. President's Report

Review of President's Report regarding meeting with AALL staff New Orleans 2007

Points discussed include:

- ◆ Executive Board will now pay for Board member AALL chapter visits.
- ◆ AALL does not want to give rights to edit individual profiles to non-AALL members.
- ◆ AALL suggested that we not print the membership directory and post in on the website in a members only section.
- ◆ AALL has no plans to increase the bandwidth for the llagnyboard discussion list
- ◆ AALL suggested contacting the computer services SIS for assistance with improving the LLAGNY website.

LLAGNY activity table in the exhibit hall was staffed for all 20 hours with 15 volunteers. The iPod shuffle raffle was well received with 425 business card entries and 4 winners.

3. Treasurer's Report

Discussion of the budget, income and expenses.

Membership dues are hypothetically all in and totals approximately \$52,000. The dues are paying for operating costs and subsidizing events. Outstanding costs are the Membership Directory and the Union List. This year scholarships did very well.



We need to consider recurring costs and plan for them.

Encourage people not to stop checks so that bank fees do not have to be dealt with.

Nuchine is looking into getting an account at Au Bon Pain

Reviewed profit & loss statements for Education, Outreach, Special Events, and Union List Committees.

Reviewed profit & loss and balance sheet statements for July 1 – August 22, 2007 for LLAGNY as well as the projected budget for the July 2007 – June 2008 year

4. Reports of Committees

Student Relations: LLAGNY at Queens College GLIS August 16

The event went well and LLAGNY was represented by Megan Scanlon, Patricia Barbone and Janet Peros.

Grants & Scholarships: North East Regional Grant Recipient

The grant was awarded to Sadys Espitia at Columbia University.

Corporate Sponsorship: Fall Soiree

LexisNexis and Institutional Investor News each gave \$3000 to sponsor the Fall Soiree. Discussion regarding sponsorship of events and the need for 6 months advance notice in planning and scheduling as well as the importance for communication.

5. Unfinished Business

Education Committee: Program Flyers

Competitive Intelligence Program

Discussion regarding the number of LLAGNY and St. John's attendees and the cost of the program.

- ◆ Motion to increase the cost of the program to \$50. (Pront)
Approved (Nobari)
- ◆ Motion to approve the flier with the change in price.
(Pront)



Approved (Dowson)

Managing Across Generations

Janet Peros is asking for a grant from AALL to cover the cost. Lexis is sponsoring breakfast.

The speakers' degrees should not include periods and check that the information for Kit Hartnett is correct. Change the spacing in the title and include Nuchine's extension.

Andrew will let the AALL National Recruitment Committee know that this program will be occurring.

Discussion regarding the printing of both fliers.

- ◆ Motion to announce the two forthcoming education programs on llagnyannounce and the Web site. (Egan)
Approved (Eikenbrod)

Board Meetings 2007-08: Time, Date and Locations

September 18 @ New York County Lawyers' Association

October 16 @ Hawkins Delafield & Wood

November 13 @ D'Amato & Lynch

December 11 @ New York Law School

January 22 @ Mayer Brown

February 19 @ Shearman & Sterling

March 18 @ Milbank Tweed Hadley & McCloy

April 15 still open

May 13 @ Fitzpatrick Cella

June 10 @ Fitzpatrick Cella (tentative, depending on the SLA conference)

6. New Business

AALL Grant Available

The deadline for the grant is September 7th. Janet Peros is applying to pay the New York County Lawyers' Association for the Managing Across Generations education program.

AALL Executive Board agenda

The deadline for submitting items for the AALL Executive Board is October 1, 2007



Chapter Strategic Plan

Jeff will explore putting together a 5-year strategic plan.

- ◆ Motion to buy recording machine for no more than \$60 to record Board meetings. (Nobari)
Approved (Mills)

The meeting adjourned at approximately 8:23

Respectfully submitted
Sarah Kagen, LLAGNY Secretary

Minutes of the LLAGNY Board Meeting September 18, 2007 Hawkins Delafield & Wood

In attendance:

Elaine Egan, Sarah Kagen, Sarah Dowson, Kathryn McRae, Andrew Tschinkel, Bill Mills, Nuchine Nobari, Tom Eikenbrod, Jeff Cohan
Karen Campbell, Co-Chair Union List Committee

The meeting convened at approximately 6:12

1. Union List

Discussion regarding the running of the Union List for its second year. Including a discussion of pricing options, membership requirements and maintenance fees.

2. Approval of Minutes

- ◆ Motion to approve the minutes of the August 2007 meeting and the September 6, 2007 conference call (Nobari)
Approved (McRae)

3. President's Report

Law Lines volume 30 #4 is now available on the LLAGNY Web site. Kudos to the new editorial board.

Fall soiree flier is in the mail and the Webmaster has been contacted to put it on the Web site and in the calendar. A llagnyannounce message will also go out. The LLAGNY AALL chapter profile has been updated.

Nomination of John Davey for chair of nominations committee

- ◆ Motion to approve John Davey (Eikenbrod)
Approved (Mills)

4. Committee Reports

Special Events committee

Winter meeting

Proposals from Tavern on the Green and the Yale Club.

The Yale Club proposal was determined not to meet our needs.

Discussion of the Tavern on the Green proposal including costs, fees and the vendor contribution as well as whether or not to proceed.

- ◆ Motion to go forward with negotiations and plans for Tavern on the Green for the Midwinter meeting, January 16, 2008, at a cost of \$45 per person for up to 185 attendees and at \$50 in excess of 185 attendees. (Egan)
- ◆ Approved (Dowson)

Fall Soiree at the Marriot

Budgeted up to \$500 and will have microphone for \$45 but there will also be a \$150 charge for an elevator operator and \$150 for restroom attendant(s)

June meeting

Two options at this time are the Rainbow Room or Bridgewater. Discussion



regarding costs and fees for the Rainbow Room and whether or not to move to a downtown venue. Discussion was tabled until next meeting.

5. Unfinished Business

Special Events Committee

Additional cost of \$248 from Kinkos for printing the Fall Soiree fliers and envelopes.

Badges & Ribbons for the Fall Soiree
Received ribbons from the AALL supplier at a cost of \$32.78. 30 new member ribbons and 30 committee chair ribbons as well as badges.

- ◆ Motion to reimburse the President of a total of \$67.45. 32.78 for the ribbons and 34.67 for the badges. (Egan)

Approved (Dowson, Eikenbrod)

6. Treasurer's Report

Chapter Liability Insurance with AALL

Discussion of the number of members LLAGNY has. Insurance has been paid for 700 members.

7. New Business

Stationery

Not much LLAGNY stationery left.

Secretary and Treasurer will look into prices for letterhead and envelopes.

LLAGNY happy hour

Discussion regarding the implementation of a LLAGNY happy hour including issues of insurance and liability and how SLA handles similar events.

Archive Committee mission statement

Discussion regarding the Archive

Committee and its mission statement.

- ◆ Motion to accept the Archive Committee mission statement submitted by David Merkin (Mills)

Approved

Special Events Guidelines and Checklist
Discussion regarding the need to establish guidelines when working with vendors.

- ◆ Motion to approve Jeff Cohan's proposal as read with a change to 4 weeks for an education program (Cohan)

Approved (McRae)

- ◆ Motion to buy 3 copies of Part-time public relations with full-time results: a PR primer for libraries, for the Special Events, Archives and Public Relations committees. (Egan)

Approved (Nobari)

Membership Proposal to AALL Executive Board

Discussion regarding the proposal by the Membership committee to the AALL Executive Board to allow LLAGNY members to edit their LLAGNY profiles on the AALL website.

- ◆ Motion to approve the Membership committee's proposal. (Kagen)

Approved (Egan)

The meeting adjourned at approximately 8:41

Respectfully submitted

Sarah Kagen, LLAGNY Secretary



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