

Law Library Lights

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A CHAPTER OF THE AMERICAN ASSOCIATION OF LAW LIBRARIES

LEGAL RESEARCH/SUMMER ASSOCIATES TRAINING

ACADEMIC AND PRIVATE PRACTICE RESEARCH: SHIFTING THE PARADIGM FOR SUMMER ASSOCIATES

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IT SEEMS LIKE YOU CANNOT GET THROUGH A CONVERSATION THESE DAYS WITHOUT HEARING A BRIDGE METAPHOR: bridge to the future, bridge technology, do not burn your bridges. Prepare yourself, because here is another one: bridging the gap. Many law students have not had an opportunity to develop appropriate research skills when they begin their first jobs as summer associates in law firms. This lack of research opportunity makes summer associates anxious, causes them to be less effective in communicating with law firm supervisors (associates or partners), and results in inefficient work, with consequent billing concerns. While law students are placed at some disadvantage due to the nature of law school curricula, law librarians can help to “bridge the gap” between students’ academic knowledge and their practical experience.

When summer associates begin their first law firm job, they have likely completed between eight and twenty law school courses. They have generally had one semester of legal research (usually offered in the first semester of their first year), and they have conducted research for one moot court competition (often in the second semester of their first year). The majority of substantive law courses are taught using casebooks, which present edited versions of select cases that are directly on point. Most professors grade by offering an exam; relatively few courses expect students to research and write a paper, a brief, or any other legal document.

By contrast, summer associates are expected to generate a great deal of written material. Summer associates draft briefs, transactional documents, and legal memoranda. Each of these written products requires extensive research, generally on topics that are new to

the summer associate. While many summer associates believe that they are being “tested” with research projects, firms operate under a very practical reality: a law firm does not waste time or money assigning projects to summer associates if the firm already knows the answers to the research requests. However ill-prepared students might be, research is integral to their summer experience.

IT'S NOT ACADEMIC ANYMORE

Many challenges for summer associates stem from the importance of recognizing the differences between the academic environment and the business world. Not only do summer associates suddenly need to take costs into account, but they must also take on assignments that may be completely unlike their case-based school research. Summer associates face four basic challenges, or paradigm shifts, in their law firm jobs.

Challenge One: Theory v. Application

While law school work is generally about the theory behind the law and stresses case law and precedent, firm work tends to be about nuts and bolts. If a summer associate is doing securities work, she may not touch a case reporter all season. Instead, she is as likely to spend her time figuring out the puzzle of auditor independence by tracing the history of accounting standards from advisory bodies such as the Financial Accounting Standards Board or the American Institute of Certified Public Accountants, by finding business background information on a client’s competitors to facilitate the filing of an accurate quarterly report, or by co-writing an article about the impact of recent regulatory

continued on page 3

EDITOR'S COLUMN

Leslie A. Lee
The George Washington University Law Library

Whenever I have writer's block, I engage in the following exercise — the creation of a top ten list (for those of you subscribed to the LLSDC listserv, recall my e-mail plea, "Top Ten Reasons to Write for Lights"? — clearly the result of a bad case of writer's block). Here goes:

TOP TEN REASONS TO READ THIS ISSUE:

10. Pity/guilt. (In order to bring you interesting and informative issues of *Lights*, I have alienated friends, colleagues, and acquaintances by badgering them into writing for at least one issue of *Lights*.)
9. I once assisted a student who pronounced "F.2d" as "fah-tood." For those of you with similar encounters — the kind that leave you sputtering, "Why? How?" — this issue on legal research and training is for you!
8. Studies have shown that reading the spring

issue of *Lights* stimulates brain cell growth and leads to enlightenment.

7. You will be motivated to overhaul/rethink/improve your training techniques (or more importantly, to write about it for *Lights*).
6. You can dazzle folks at office parties with your sophisticated understanding of financial accounting standards (check out this issue's hot topic article...).
- 5-1. Carolyn Ahearn, Donna Bausch, Leslie Campbell, Emily Carr, Nancy Crossed, Cindy Curling, Ross Dannenberg, Barbara DesRosiers, Alea Henle, Ellen Feldman, Lawrence Friedman, Mary Grady, Carol Grant, Ann Green, Carol Hardy, Rachel Jones, Mindy Klasky, Scott Larson, Peter MacHare, PSI, Chris Reed, Hillary Rubin, Susan Ryan, Herb Somers, Support Systems, Julie Taylor, and Michelle Wollmann — need I say more? ■

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developments on her firm's clients. Practical application of information is much more likely to be the order of the day in a law firm than in law school.

Research Keys: To meet this challenge, summer associates must use a broad range of practice materials such as encyclopedic treatises, form books, business directories, and looseleaf libraries including administrative decisions and guidance.

Challenge Two: Cases v. Tools

When case research is part of the summer curriculum, research results are rarely as neat as they are in class, and no case may be directly on point in the pertinent jurisdiction. Instead, summer associates must learn to look more broadly, to find the needed information quickly, and to minimize costs to the firm along the way. Successful firm research means maximizing the power of the tools at hand and using less expensive, more mundane tools before getting into the meat of the search, especially if that search involves expensive time online.

Research Keys: To meet this challenge, summer associates must have a greater understanding of context and vocabulary. "Lowly" legal encyclopedias can give summer associates a significant leg-up in understanding legal issues and start them on the trail of related cases. The often ignored digests are another great place to start with their subject access to case law. Online, both LexisNexis and Westlaw now offer topical research tools, a much more efficient approach for a novice researcher than full-text searching. In LexisNexis, the product is Search Advisor; in Westlaw, the entire Key Number system is available via KeySearch. Both will not only give access to cases by topic, but also allow researchers to find additional secondary materials such as pertinent law reviews and treatises. Cite checking online can also be used as a research tool to find related cases as well as secondary materials.

Challenge Three: Narrow v. Broad

While law school students tend to study specific, narrow issues in classes dedicated to single subjects, summer associates are likely to be answering questions that are broader and that cross multiple legal disciplines. If Company A in one state wants to purchase nonprofit Com-

pany B in another state that owns a public hospital, which state and federal regulatory entities will have a say over the sale? What have they decided in similar past situations? Will the nonprofit company have to take any special steps to ensure its nonprofit status? Are there antitrust issues involved? And how will the sale affect the research lab at the hospital run by the local university? All of these might be elements at issue.

Research Keys: To meet this challenge, summer associates must again turn to treatises and looseleaf services. Looseleaf services contain both primary and secondary materials, often cross-referenced by topic, to allow researchers to see the big picture of related issues more easily. Treatises allow researchers to trace the development of a process and to see not only the issue they need to deal with immediately, but also what came before and what they will need to anticipate in the future.

Challenge Four: Specific v. Contextual

Law school research exercises tend to be built around a specific, finite, solvable problem, whereas in a law firm, the specific fact patterns sometimes provide little with which to work. Instead, a summer associate must be able to define issues broadly and extend root concepts to parallel instances. Also, he or she must be able to recognize when more information is needed and when to stop researching. Sometimes, no clear-cut answer is available.

Research Keys: To meet this challenge, summer associates must develop flexibility. Flexibility is not necessarily a trait common to law students, but it is a necessity for good researchers, particularly in developing a research strategy. Humility comes in handy as well. They must also recognize that they have little practical experience. There will be times when they will have to ask for more information from an assigning attorney or for help from a neutral party – another associate or a librarian. While they may fear being labeled as ignorant, most practicing attorneys understand the importance of having correct information upfront and that most colleagues are happy to answer questions. Real world projects have a way of jogging down unexpected paths, and it is important that associates get in the habit of evaluating their work along the way before they run out of time and find themselves with too much information on the wrong topic. It is better to revisit a research

WHILE LAW STUDENTS ARE PLACED AT SOME DISADVANTAGE DUE TO THE NATURE OF LAW SCHOOL CURRICULA, LAW LIBRARIANS CAN HELP TO "BRIDGE THE GAP" BETWEEN STUDENTS' ACADEMIC KNOWLEDGE AND THEIR PRACTICAL EXPERIENCE.

**THE MORE
COHESION THAT
WE CAN ACHIEVE,
THE GREATER OUR
BARGAINING
POWER WILL BE AS
WE APPROACH
DECISION MAKERS
– DEANS AND
MANAGING PART-
NERS, PROFESSORS
AND PRACTICING
ATTORNEYS – FOR
FUNDING AND
SUPPORT IN OUR
ONGOING EFFORTS
TO BEST PREPARE
SUMMER ASSOCI-
ATES FOR THEIR
FUTURES.**

strategy early than to leave a partner waiting while work is repaired or re-done.

BRIDGING THE GAP

Ideally, research should be an integral part of the law school curriculum. However, the academic system is still oriented toward a time when new attorneys in private practice were gradually apprenticed to their trade. In days past, heavily supervised and strongly mentored summer and new associates learned as they went. Now that firms pay six-digit starting salaries to first-year associates, there is significant pressure for new lawyers to hit the ground running, well-equipped with basic skills and with little need for training.

Law schools have attempted to respond to this reality with new research training initiatives. For example, The George Washington University has created the “GWU Legal Research” program, which includes specialized training in specific subject matters, such as Finding Intellectual Property Treaties in Print and Online, An Introduction to Health Law Research: Print and Electronic Resources, and Researching the Law of the District of Columbia. For additional information, see <http://www.law.gwu.edu/burns/news/f2001.htm>.

Similarly, Georgetown University runs a strong program called “Strategies for a Successful Summer.” The class is directed toward summer associates, and it concentrates on administrative research and cost-effective search strategies. It concludes with a law firm research simulation that includes cost restrictions and time limitations. For additional information, see <http://www.ll.georgetown.edu/lib/classes.html>.

THE FIRM EXPERIENCE

The challenges and research keys discussed above set forth some likely scenarios, but specific examples from our firms’ experiences might clarify the issues and help librarians to “bridge the gap.” Like many other firms, we have created programs to assist summer associates in making the transition from legal research in a law school to research in a law firm. At Arent Fox and Fried Frank, we do not claim to have all the answers, but we have found that certain programs are universally well-received. In preparing our summer associates, we undertake four major education efforts: a skill survey before the summer begins; orientation to the physical library; refreshers on doing research with print and online materials; and special focus sessions on specific areas of the law.

Skill Survey

Fried Frank conducts a skill survey of its summer associates before they start their internships or during the orientation process, depending on their availability. The survey functions as a brief “pre-test” so that librarians can get a feel for the research skills of each summer class. Questions focus on areas that traditionally need a little extra attention over the summer, such as legislative history work, Internet research, the mysteries of the regulatory process, and updating research.

A statistical summary of the survey result is shared with the summer associates as a group before training sessions begin. They are often surprised to learn about the gaps in their knowledge, though they are comforted to find their fellows are similarly challenged. This survey review is an excellent opportunity to reinforce the importance of training and offer the expertise of the library staff. The survey also guides the development of summer training, allowing librarians to focus on problem areas. An example of a fall associate survey from Fried Frank and a summer survey from Wiley, Rein & Fielding are available on the LLSDC Legal Research Training Focus Group web site at <http://www.llsdc.org/lrfocus/FF-survey.rtf>.

Orientation

Orientation is the first exposure that summer associates have to the library at Arent Fox. Orientation is a two-day process, including tours of the building as well as computer, billing, and library instruction. The library has successfully lobbied for the first orientation slot on the second day. The advantages of this time slot are many: summer associates are not as apprehensive as they were on their first day; the orientation session includes food (always a good idea to attract new people!); and they are not already exhausted from absorbing terabytes of information.

Orientation begins in a conference room. While the summer associates eat, the manager of reference services introduces herself and distributes and reviews print materials, including a list of library employees and their responsibilities, pathfinders, how-to sheets, and LexisNexis user IDs. The manager reviews the hours that the library is staffed and emphasizes the library’s willingness to help with all problems in the course of the summer. She also stresses the notion that summer associates are asked to research projects because the assigning attorneys do not know the answers – summer associates are



expected to discover new areas of the law, rather than discuss existing, well-settled legal issues.

The orientation continues in the library. The manager introduces all of the library staff members and emphasizes the services that the library can provide (e.g., interlibrary loan, legislative research, etc.). She provides the summer associates with a tour of the print collection and highlights the variety of those resources; further, the manager points out that for any given topic in the collection (e.g., bankruptcy law), case reporters, treatises, looseleaf services, and other resources exist. She strongly encourages the summer associates to come to the librarians with their first few research projects, so that they can discover the wealth of materials on point.

General Refreshers

The core of the summer programs at both Arent Fox and Fried Frank are “refreshers” that update (or provide) research skills. Both firms recognize that there are always some skills that students are expected to have acquired, but which they may not have completely mastered in school.

For example, Arent Fox conducts a 45-minute refresher course entitled, “Using the West Digest System.” This PowerPoint presentation consists of a review of the system, including the importance of the digests as research tools. Special attention is paid to the digest index and to the listing of key numbers at the beginning of each digest section. A sample question is researched – the most successful one has involved the effect of acceleration clauses on mortgage payments under New York state law. (This is a useful question for the refresher because most students have never researched New York law, know only vaguely about mortgages, and have never heard of acceleration clauses. Therefore, few of the students have preconceptions about the answer, and they can focus on research techniques.) The cross-jurisdictional value of the digests is stressed by repeating the research in the *Federal Practice Digest*, the *Decennial Digest*, and the *General Digest*. Fried Frank conducts a similar refresher on case research, emphasizing not only the print digests, but also the topic-based research tools available through Westlaw and LexisNexis.

A variety of other general refreshers have also proven successful. Arent Fox provides one on Shepardizing using LexisNexis. In that course, summer associates are reminded of the value of Shepards as a research tool, rather than as an adjunct to blue-booking briefs. This

refresher is sometimes conducted in the presence of a LexisNexis representative, who provides support – along with toys and/or food. Fried Frank conducts refreshers on Internet skills. Though today’s summer associates are accustomed to using Internet browsers, they are often unfamiliar with practice area resources, e-mail discussion groups, and advanced Internet search techniques. Finally, Fried Frank provides a refresher on secondary sources in general, driving home the importance of treatises, looseleaf services, encyclopedias, and other secondary materials.

Special Focus Sessions

Another tool for easing summer associates’ adjustments from law school to law firm practice is the “special focus session.” Rather than concentrating on general skills, as the refreshers do, special focus sessions present specific areas of law.

Both Arent Fox and Fried Frank conduct special focus sessions on administrative law. While approximately one-half of the summer associates have taken courses in administrative law before they arrive at the firms, very few have focused on the actual regulatory process, including the promulgation of regulations, the procedure for adjudications, and the importance (and methods) of updating regulatory material. Moreover, most students remain entirely unaware of the existence of state administrative law. Special focus sessions stress relevant print and electronic resources available in the individual firm’s collection. They also emphasize the process of agencies’ work, particularly where paper is generated. Summer associates are introduced to the cold, hard reality of the *Federal Register*, the *Code of Federal Regulations*, the *List of Sections Affected*, and other tools that they most likely have not used in an academic context. The special focus session is supplemented with print materials (e.g., Arent Fox’s pathfinder, *Researching Administrative Law* – available on the Internet at <http://www.llsdc.org/lrfocus/index.htm>, along with various other training materials mentioned in this article).

Both firms also provide special focus sessions on legislative research. Very few law school students have an opportunity to learn about the process of legislation; many summer associates note that their knowledge of the process was gained from the Saturday morning cartoon, “Schoolhouse Rock.” Focus sessions permit the law firm library to educate summer

IN PREPARING OUR SUMMER ASSOCIATES, WE UNDERTAKE FOUR MAJOR EDUCATION EFFORTS: A SKILL SURVEY BEFORE THE SUMMER BEGINS; ORIENTATION TO THE PHYSICAL LIBRARY; REFRESHERS ON DOING RESEARCH WITH PRINT AND ONLINE MATERIALS; AND SPECIAL FOCUS SESSIONS ON SPECIFIC AREAS OF THE LAW.

HEIN AD

associates about the many steps in the creation of a statute, along with the variations on the standard process. Special attention can be paid to highlighting the parts of that process that generate paper (e.g., prints, documents, and reports), and pointing summer associates toward good resources for those physical materials. Again, both firms distribute written materials to supplement the training sessions.

CONCLUSION

Summer associates present a unique challenge to law firm and academic librarians. They are generally extremely well educated, high-achieving individuals who do not yet have the skills they need to succeed in the commercial workplace.

While librarians from each discipline make an effort to prepare students for practice, clearly more needs to be done. Law firm and academic librarians have the opportunity to build on existing programming by working together to create more learning opportunities for summer associates. The nature of our jobs and the organization of our associations, however, tend to keep us separate more often than they give us the opportunities to work together.

Happily, some venues do exist where communication is less segregated. As librarians, we can use publications such as *Law Library Lights*, Web forums like the LLRX (Law Library Resource Exchange, at <http://www.llrx.com>), e-mail discussion groups, and face-to-face meetings like the Legal Research Training Focus Group (<http://www.llsdc.org/lrfocus/index.htm>) to encourage better communication. The more cohesion that we can achieve, the greater our bargaining power will be as we approach decision makers – deans and managing partners, professors and practicing attorneys – for funding and support in our ongoing efforts to best prepare summer associates for their futures. ■

LIGHTS DEADLINE

Beginning with volume 45, number 1 (Fall 2001) *Law Library Lights* will be published on a quarterly basis. If you would like to write for *Lights*, please contact Leslie A. Lee, editor, at lights@llsdc.org or 202/994-2385. The submission deadline for this year's remaining issue is May 3 (Summer 2002).

GSI AD

WE LEAD THEM TO WATER

Carol A. Grant
The George Washington
University Law Library

THE FORMAT FOR THE PRESENTATION [“RESEARCH SESSION FOR SUMMER EMPLOYMENT”] IS SOMEWHAT LIKE A TALK SHOW COMPLETE WITH AUDIENCE INTERACTION AND WITTY REPARTÉE BETWEEN THE SHOW’S HOSTS.

“WHERE IN THE CFR CAN I FIND THE STATUTE OF LIMITATIONS FOR EMBEZZLEMENT?” asks the summer associate. The librarian pauses, takes a breath, and directs the law student to the *United States Code*. The librarian probably thinks, “Do they not teach anything about legal research in law school? This is going to be a long summer!”

This scenario plays out across the country in countless law firm, court, government, and other law libraries. The answer to this question is a resounding, “YES we DO teach legal research to law students!” In addition to the required law school “Legal Research and Writing” course and the elective “Advanced Legal Research” course, the Jacob Burns Law Library at The George Washington University Law School offers a series of research sessions on various topics. These sessions cover many areas from international, administrative, government contracts, intellectual property, and environmental law to “How to use the *Blue Book*” and “Researching Federal Government Web Resources.” The topics vary from semester to semester. This article focuses on one of these sessions, “Research Session for Summer Employment.”

RESEARCH SESSION FOR SUMMER EMPLOYMENT “Research Session for Summer Employment” is offered annually in conjunction with the National Legal Research Teach-In and National Library Week. Librarians developed the session to meet law students’ needs and to answer the pleas of our brother and sister librarians in law firms, courts, government agencies, etc. Chris Reed and John Miller presented the first session in the spring of 1999. Since 2000, Chris Reed and I have refined, updated, and conducted the sessions. The 50-minute presentation is framed around a list, “Top Ten Tips for Successful Research,” which we drew from our experiences as law librarians and practicing attorneys, as well as from reviewing similar programs and discussions with other librarians. The format for the presentation is somewhat like a talk show complete with audience interaction and witty repartée between the show’s hosts. Starting with number ten, we count down and discuss each tip along with explanations and the supporting sources. Engaging the audience in the discussion, we answer questions and provide details specific to the various types of work environments.

TOP TEN TIPS FOR SUCCESSFUL RESEARCH

10. *Get to Know Your Library* – covers the library catalog, library policies, special services

such as interlibrary loan, document retrieval, and training;

9. *Determine Your Organization’s Procedures* – stresses the importance of learning the organizational culture, understanding job responsibilities, and getting to know the types of services provided and delivered;
8. *Understand Research Costs and Billing* – explores the costs associated with online research and cost effective searching techniques;
7. *JUST ASK* – reviews the theme for the National Legal Research Teach-In as an easy to remember tool for comprehensive research tips: **J**urisdiction, **U**seful Tips, **S**cope, **T**erms of Art; **A**cronym, **S**ources, **K**ey Cost Constraints;
6. *Use Secondary, First* – reviews why it is wise to start research with secondary sources, and identifies, describes, and distinguishes the major secondary sources;
5. *Update, Update, Update* – explores ways to update research, organized by resource types (e.g., cases, statutes, regulations);
4. *It’s Not All Legal* – reviews basic, commonly used, non-legal reference sources.
3. *Evaluate Research Strategy* – also known as “knowing when to stop,” this tip covers how to determine when the research is complete;
2. *Look Elsewhere* – provides tips for locating sources outside of the students’ home organization, such as visiting other local libraries or accessing library catalogs on the web; and
1. *You CAN go Home Again!* – reminds students that the Jacob Burns Law Library reference librarians are just a phone call away and ready to assist with research needs during the summer.

We provide packets that contain the library’s basic research guides covering topics such as how to research statutes, federal regulations, legislative history, and cases; a National Legal Research Teach-In note pad; handouts form LexisNexis and Westlaw; and a reference desk business card that lists library and contact information. We also include a copy of the “Top Ten Tips for Successful Research” slide presentation.

SESSIONS: PAST, PRESENT, FUTURE

This session is a work in progress. Each year we refine, update, and – we hope! – improve. The theme changes each year to keep the session fresh and marketable. Past themes include, “Want to Be a Star at Your Summer Job? Learn ‘Star Power’ at the Research Session for Summer Employment!” and “Strike Gold at Your Summer Job.” The themes are carried out on all advertise-



ments and within the presentation. For instance for the “Strike Gold” session, we printed the flyers on gold paper, used gold-colored folders for the information packets, and decorated the flyers and handouts with a pot of gold graphic.

As this article goes to press, the theme for 2002 is being refined. This year, the plan is to expand the session to include fifteen minute refresher sessions on administrative law, cases, legislative history, and statutes. We expect to run the “Top Ten Tips” session and the refresher sessions concurrently. Librarians will present each refresher session two or three times on a rolling basis. We developed this format so that students could make the best use of their time by dropping in on and moving freely between sessions. We hope to attract participation by limiting the refresher sessions to fifteen minutes. Adding the refresher sessions is the first step in the expansion. Also under consideration is moving towards a half-day program by expanding the substantive research presentations and including sessions with both law librarians from summer legal employers and former summer associates. One step at a time, though; a small change this year may lead to more activities and ideas next year after evaluation. The Reference

Department has been very supportive and involved in this process; it is a team effort.

Academic law librarians can be defensive about the legal research instruction provided to students during law school, sometimes commenting “We lead them to water but we can’t make them drink.” This may be true, but we are doing what we can to make the water even tastier! ■

**THIS SESSION IS A
WORK IN PROGRESS.
EACH YEAR WE
REFINE, UPDATE,
AND – WE HOPE! –
IMPROVE.**

DATES TO REMEMBER

■ ■ ■ *Dates to Remember (DTR)* is a monthly (September-May) newsletter designed to keep the membership informed of current society events. If you would like to plan an event, please contact Susan Ryan, corresponding secretary, at 202/662-9142 or ryan@law.georgetown.edu, to make sure that your event does not conflict with any other society events. Once your date has been cleared, to publicize your event, please submit information to Jan Oberla, *DTR* editor, at dates@llsdc.org.

WEST AD

**HOT TOPIC:
A BEGGARLY
ACCOUNT OF
EMPTY BOXES':
FINDING
ACCOUNTING
STANDARDS IN
PRINT AND
ELECTRONIC
FORMAT**

Alea Henle
Wilmer, Cutler &
Pickering

**TO SEARCH
ACCOUNTING
STANDARDS ONLINE
OR ACCESS THEM IN
FULL TEXT, LOOK
AWAY FROM
LEXISNEXIS AND
WESTLAW.**

ENRON & MICROSTRATEGY

Whatever the names, Enron and MicroStrategy, meant before, they are now inextricably linked with faulty and/or fraudulent accounting. These companies went from financial restatements to tanking stock prices, lawsuits, Securities and Exchange Commission (SEC) investigations, and (in the case of Enron) much more. There has been a resurgence of interest in accounting and auditing standards, which makes this a good time to discuss the current accounting standards and – a sixty-four thousand dollar question for law librarians – where to find them. There is a wide range of accounting information available, but this article will deal specifically with accounting and auditing standards used in the U.S. corporate world.

ALPHABET SOUP: A BRIEF OVERVIEW

The Financial Accounting Standards Board (FASB) is an independent entity that periodically issues *Statements of Financial Accounting Standards* (FAS) establishing accounting principles. Before FASB, the same function was performed by the Accounting Principles Board (APB), and before that the American Institute of Certified Public Accountants (AICPA) Committee on Accounting Procedure.

Non-superseded FASB statements and APB opinions become generally accepted accounting principles (GAAP). To add to the alphabet soup, the Government Accounting Standards Board (GASB), and the Federal Accounting Standards Advisory Board (FASAB) are also authorized to establish GAAP. *Statement on Auditing Standards* (SAS) 69 established GAAP hierarchies for nongovernmental entities, state and federal governments, and federal government entities.² The top level for nongovernmental entities is comprised of FASB *Statements of Financial Accounting Standards* (FAS), FASB *Interpretations*, APB *Opinions* and *Accounting Research Bulletins* (ARB).

The auditing equivalent to GAAP is GAAS – generally accepted auditing standards. Currently, the AICPA's Auditing Standards Board (ASB) sets the standards. The main series published by ASB is *Statements on Auditing Standards* (SAS).

ACCESS: PRINT V. ELECTRONIC

All accounting and auditing materials are issued in print, as far as I am aware. Statements and standards are issued and sold individually and as series. Some series are collected and/or codified. FASB and AICPA publish looseleaf editions of the *Cur-*

rent Text, *Original Pronouncements*, and *Professional Standards*. Paperbound editions of these volumes are published once a year, usually in June.

To search accounting standards online or access them in full text, look away from LexisNexis and Westlaw. Since the NAARS file was removed from LexisNexis, neither LexisNexis nor Westlaw carry any of the major accounting series. What remains available is secondary or periodical material. Both offer access to SEC accounting material and selected periodicals (e.g., *Journal of Accountancy*, which contains full text or abstracts of AICPA Statements of Position). LexisNexis also contains assorted Miller accounting guides and Matthew Bender publications.

I am aware of four online fee-based providers of accounting literature, in various combinations: CCH Business Research Network, Arthur Andersen Accounting Research Manager (ARM), PricewaterhouseCoopers's Comperio, and FASB on Checkpoint. Of these, I have experience using CCH and ARM but not Comperio or FASB on Checkpoint.

CCH BUSINESS RESEARCH NETWORK includes FASB and GASB publications, along with SEC material, on the Securities tab. The accounting material is not included in the CCH materials available on LexisNexis. Among the publications available are *Current Text*, *Original Pronouncements*, and *EITF Abstracts*. The Web site URL is <http://business.cch.com/securities/>.

ARM: ARTHUR ANDERSEN ACCOUNTING RESEARCH MANAGER provides access to material from FASB (e.g., *Current Text*, *Original Pronouncements*, *EITF Abstracts*) and AICPA (e.g., *Statements of Position*, *Audit and Accounting Guides*, *Audit Risk Alerts*), along with International Accounting Standards (IAS) and Andersen's interpretive material. The Web site URL is <http://www.arm.arthurandersen.com/>.

PRICEWATERHOUSECOOPERS'S COMPERIO includes accounting information for countries ranging from Australia to the United Kingdom. United States content features FASB material (e.g., *Current Text*, *Original Pronouncements*, *EITF Abstracts*), AICPA material (e.g., *AICPA Professional Standards*, *Statements of Position*), and PricewaterhouseCoopers's interpretive material. The Web site is <http://www.pwcglobal.com/gx/eng/about/svcs/comperio>.

FASB ON CHECKPOINT is an add-on subscription to SEC Compliance on Checkpoint or GAAP Compliance on Checkpoint. The web site features the contents of FASB's *Original Pronouncements*. The Web site URL is <http://www.riahome.com/estore/detail.asp?ID=WFASB>.



WHAT IS IT & WHERE CAN I FIND IT?

The following is a selective list of accounting standards abbreviations and publications and where to find them. AICPA provides a more comprehensive glossary of terms, acronyms and abbreviations at <http://www.aicpa.org/members/glossary/a.htm>.

AICPA (AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS): Issues assorted publications including *Code of Professional Conduct*, *Audit and Accounting Guides*, and *Audit Risk Alerts*. Some series are included, in codified form, in the *AICPA Professional Standards*. AICPA also publishes the *Journal of Accountancy*. ARM and Comperio include most AICPA publications. CCH, ARM, Comperio, and FASB on Checkpoint include only AICPA items published in *Original Pronouncements*. Web site URL: <http://www.aicpa.org/>.

AIN (ACCOUNTING INTERPRETATIONS): Issued by AICPA while the Accounting Principles Board was in existence to give guidance on accounting issues. Included in the FASB publication *Original Pronouncements*. Available electronically: CCH, ARM, Comperio, and FASB on Checkpoint.

APB (ACCOUNTING PRINCIPLES BOARD): Issued opinions and statements from November 1962 to June 1973 before it was replaced by FASB. The opinions can be found in the FASB publication *Original Pronouncements*. Available electronically: CCH, ARM, Comperio, and FASB on Checkpoint.

ARB (ACCOUNTING RESEARCH BULLETINS): Issued by the AICPA Committee on Accounting Procedure until 1959 when the Accounting Principles Board (APB) was created. The bulletins contained recommended accounting procedures not binding on AICPA members, but companies under the jurisdiction of the SEC were often required to use the issuances. Available in print in the FASB publication, *Original Pronouncements*. Available electronically: CCH, ARM, Comperio, and FASB on Checkpoint.

ASB (AUDITING STANDARDS BOARD): Part of AICPA authorized to set auditing standards and provide implementation guidance. Issues Statements on Auditing Standards.

AU: Auditing sections included in the *Codification of Statements on Auditing Standards*, published by AICPA. Also included in codified form in the *AICPA Professional Standards*. Derived from Statements on Auditing Standards. Available electronically: Comperio.

BIG FIVE: The largest accounting firms in the

world are traditionally called the “Big...” (e.g., the “Big Five,” “Big Six,” etc.). There are currently five (in alphabetical order): Andersen, Deloitte & Touche, Ernst & Young, KPMG, and PricewaterhouseCoopers.

CURRENT TEXT: Publication issued by FASB containing financial accounting and reporting standards from *Original Pronouncements* arranged by topic and industry. Printed in both paperbound and looseleaf editions. Available electronically: CCH, ARM, Comperio, and FASB on Checkpoint.

ED (EXPOSURE DRAFTS): Issued by AICPA, FASB, GASB, etc., which invite public comment before final standards, policies or procedure pronouncements are issued. Often posted on web sites in full text during comment period. FASB and AICPA exposure drafts available on Comperio.

EITF (EMERGING ISSUES TASK FORCE): Part of FASB created to track new developments in accounting. *EITF Abstracts* summarize the proceedings and include the separate issues under consideration. Publications also include meeting minutes and issue summaries. Abstracts are available electronically on CCH, ARM, Comperio, and FASB on Checkpoint; issue summaries and meeting minutes included on ARM and Comperio. Web site: use FASB Web site, click on “Technical Projects,” and scroll down to EITF Web site link.

FAF (FINANCIAL ACCOUNTING FOUNDATION): Independent, private-sector body that oversees and appoints the members of FASB and GASB.

FAS (STATEMENTS OF FINANCIAL ACCOUNTING STANDARDS): Official FASB statements that, when not superseded, are part of GAAP. Sometimes referred to as SFAS. Included in FASB’s *Original Pronouncements*. Available electronically: CCH, ARM, Comperio, and FASB on Checkpoint.

FASB (FINANCIAL ACCOUNTING STANDARDS BOARD): Authorized by the accounting profession to establish GAAP in the U.S. Independent entity under the FAF. Issues numerous documents that are officially recognized by the SEC and AICPA. Publications include *Original Pronouncements* and *Current Text*. Available electronically: CCH, ARM, Comperio, and FASB on Checkpoint. Web site URL: <http://www.fasb.org/>.

GAAP (GENERALLY ACCEPTED ACCOUNTING PRINCIPLES): Uniform minimum standards and guidelines set by FASB and other authorized bodies. Harcourt Brace publishes a series of

WHATEVER THE NAMES, ENRON AND MICROSTRATEGY, MEANT BEFORE, THEY ARE NOW INEXTRICABLY LINKED WITH FAULTY AND/OR FRAUDULENT ACCOUNTING.

THE FINANCIAL ACCOUNTING STANDARDS BOARD (FASB) IS AN INDEPENDENT ENTITY THAT PERIODICALLY ISSUES STATEMENTS OF FINANCIAL ACCOUNTING STANDARDS (FAS) ESTABLISHING ACCOUNTING PRINCIPLES.

Miller GAAP guides and manuals (e.g., *Miller GAAP Guide*, *Miller Government GAAP Guide*, *Miller GAAP Implementation Manual*) that are available electronically on LexisNexis.

GAAS (GENERALLY ACCEPTED AUDITING STANDARDS): Standards issued by the Auditing Standards Board of AICPA to govern external audits by Certified Public Accountants. Harcourt Brace publishes a range of Miller GAAS guides (e.g., *Miller GAAS Guide*) that are available electronically on LexisNexis.

IAS (INTERNATIONAL ACCOUNTING STANDARDS): Established by IASB. Also called IFRS. Available in incomplete summary form on the IASB web site. IASB publishes these in print and they are also included in the *AICPA Professional Standards*. Available electronically: ARM and Comperio.

IASB (INTERNATIONAL ACCOUNTING STANDARDS BOARD): International organization dedicated to the harmonization of international accounting standards. Also referred to as the International Accounting Standards Committee (IASC). Web site URL: <http://www.iasc.org.uk/>.

ISB (INDEPENDENCE STANDARDS BOARD): Dissolved as of July 2001, ISB was a private sector standard-setting body governing the independence of auditors from their public company clients. Auditor independence inquiries are now to be directed to the Office of the Chief Accountant of the SEC. The AICPA is maintaining the ISB web site for archival purposes. Standards and interpretations available on Comperio. Web site URL: <http://www.cpaindependence.org/>.

JOURNAL OF ACCOUNTANCY: Published by AICPA and includes selected full text or abstracts of Statements of Position (SOPs). Available on LexisNexis (from 1/1987: ACCTG;JNLACC) and Westlaw (from 1/1994: JACCNTCY). Articles from 1997 are available on the AICPA web site in full text (except for items subject to copy-right or timeliness issues). Web site URL: <http://www.aicpa.org/pubs/jofa/joaiss.htm>.

ORIGINAL PRONOUNCEMENTS: Publication issued by FASB that contains all pronouncements as they were originally issued, unless completely superseded. Contents include *FASB Statements of Financial Accounting Standards*, *Interpretations*, and *Technical Bulletins* and *AICPA APB Opinions*, *Interpretations*, and *Accounting Research Bulletins*. Published in both paperbound and looseleaf editions. Contents available electronically on CCH, ARM, Comperio, and FASB on Checkpoint.

PROFESSIONAL STANDARDS: AICPA publica-

tion containing all outstanding pronouncements on professional standards by AICPA, the International Federation of Accountants (IFA) and the International Accounting Standard Committee. Printed in paperbound and looseleaf editions. Available electronically on Comperio; some of the contents included in a different arrangement on ARM.

SAS (STATEMENT ON AUDITING STANDARDS): Provide guidance on the application of auditing standards. Issued by AICPA's Accounting Standards Board. Previously titled *Statements of Auditing Procedures (SAP)*. Available in the *Codification of Statements on Auditing Standards*, published periodically by AICPA. Also included in codified form in the *AICPA Professional Standards*. Not available electronically as a stand-alone item, as far as I have been able to determine.

SIC (STANDARD INTERPRETATIONS COMMITTEE) INTERPRETATIONS: Interpretations of International Accounting Standards issued by the Standing Interpretations Committee and approved by IASB. Available in incomplete summary form on the IASB Web site at <http://www.iasc.org.uk/>. Included in the *AICPA Professional Standards*. Available electronically: ARM and Comperio.

SOPs (STATEMENTS OF POSITION): Provide guidance on issues not addressed by standards or prior to FASB or GASB establish standards. Issued by AICPA and intended to influence the issuance of standards. Selected SOPs are included in the paperbound version of the *AICPA Technical Practice Aids*. Some are available, in full text or abstract form, in the *Journal of Accountancy*. Available electronically: ARM and Comperio.

TB OR FTB (FASB TECHNICAL BULLETINS): Staff documents providing guidance on implementation and technical issues. Unless completely superseded, bulletins are included in the *Original Pronouncements*. Available electronically: CCH, ARM, Comperio, and FASB on Checkpoint.

PERIODICAL LITERATURE & STATE MATERIAL

With regards to periodical literature, a recent article in *Online Magazine*³ offers an excellent overview of availability. The article mentions LexisNexis's Academic Universe, but does not cover Westlaw. Both Westlaw and LexisNexis, however, have sufficient resources to serve as a place to start, supplemented by Dow Jones Interactive and Dialog.

Most state boards of accountancy or equivalents maintain comprehensive Web sites. While



the District of Columbia (<http://www.dhra.org/acct/newboa.shtml>) does not provide electronic access to the local rules and regulations (see new code Title 47), many states do, including Maryland (<http://www.dllr.state.md.us/license/occprof/account.html>, look under "Description") and Virginia (<http://www.boa.state.va.us/>). The National Association of State Boards of Accountancy (NASBA, <http://www.nasba.org/>) provides information on licensure and links to all available state board web sites. I have also compiled a list of links for state boards of accountancy, statutes and/or rules (where posted) and state CPA associations, which I will e-mail to individuals on request. I can be reached at ahenle@wilmer.com.

CONCLUSION

Thanks to Enron and Andersen, the SEC is proposing changes in the regulation of auditors

including establishing a private independent regulatory agency. By the time this article appears in print, more details of the SEC's proposal will probably be available. It is also possible, albeit unlikely in an election year, that Congress will act on the situation. The proposed changes may be revised considerably before becoming permanent. Even when the new system is in place, current materials will remain relevant.⁴

ENDNOTES:

- 1 Shakespeare, William. *Romeo and Juliet*. Act V, scene 1.
- 2 The full table is available in *AICPA Professional Standards*. Chicago: American Institute of Certified Public Accountants, 2000. AU§411. It is also included in some Miller guides and on Web sites such as <http://www.cpadvantage.com/articles/gaaphierarchy.asp>.
- 3 Schwartz, Bill N. and Michele C. Russo. "Auditing Accounting Databases." *Online*, January/February 2002, 26 (1):36-43.
- 4 For commentary on potential/preferred reforms, see Byrnes, Nanette et al., "Accounting in Crisis," *Business Week*, January 28, 2002. ■

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TEACHING AND TRAINING PRACTITIONERS IN PUBLIC AND MEMBERSHIP LAW LIBRARIES: A VALUABLE RESOURCE

Donna Bausch
Norfolk Law Library

WHAT FACTORS MOTIVATE US TO GO BEYOND THE CLIENTELE WITH WHOM WE HAVE FORMAL RELATIONSHIPS? WITH OUR NOTORIOUSLY LIMITED RESOURCES, WHY DO WE MAKE THE EFFORT? IN A NUTSHELL, OUR EXISTENCE DEPENDS UPON IT.

LAW LIBRARIANS IN PRIVATE LAW FIRM OR ACADEMIC LAW LIBRARIES MAY NOT BE AWARE of the extent to which state, court, county, and membership law libraries are involved in teaching and training summer associates and new attorneys around the country. Why do so many public law libraries reach out to the new practitioners in their communities? What factors motivate us to go beyond the clientele with whom we have formal relationships? With our notoriously limited resources, why do we make the effort? In a nutshell, our existence depends upon it.

SURVIVAL OF THE FITTEST

More than any other type of library, the success of public and membership law libraries relies on the goodwill and support of the local legal community. Although a private law firm library can make a real difference to a law firm, the library cannot make or break the firm as a whole. In other words, a stellar private law firm library staff cannot shore up a disintegrating law firm, nor is a less than competent library staff likely to put a law firm out of business. Likewise, a law school's library must maintain certain standards for ABA accreditation, but the law school is not held to a similar set of standards for maintaining a certain level of service and outreach to the local legal community.

In contrast, one judge, bar president, or board member dissatisfied with a public law library wields the power to end its existence. When we first meet summer associates or new attorneys, we have no way of knowing who will be in those powerful roles years later in their careers. Unlike our counterparts in other types of law libraries, staff in public law libraries must view every patron as a primary stakeholder. Under these circumstances, all patrons need to be provided the level of service deemed appropriate for judges, senior partners, and political leaders, which sets a dauntingly high overall standard of service. Our ability to offer a wide range of services to practicing attorneys presents us with the opportunity, every summer and fall, to expand our cadre of allies and supporters.

Public and membership law libraries must commit to meeting and getting to know new practitioners and making ourselves indispensable to their success. We can offer training in resources, methods, and services. We can perform fee-based research which attorneys do not have the time or inclination to conduct personally. In so doing, those attorneys will

remember us when they become judges, mayors, legislators, and senior partners – those who hold the reins of power and the purse strings.

You may wonder, "What about now? Building these kinds of relationships requires a commitment over many years." True, deep ties are the product of time and personal attention to service, but we cannot allow the timeline to deter us. Goodwill toward one law library benefits the profession as a whole. The point is to get started down the road to indispensability.

LEADERS OF THE PACK

What are some specific examples of how public and membership law libraries teach and train lawyers? I recently posted this question on the SCCLL-SIS (State, Court & County Law Libraries Special Interest Section) listserv. Among the responses I received were those from Social Law Library in Boston, Jenkins Law Library in Philadelphia and San Diego County Public Law Library, three of the most innovative law libraries I know.

Social Law Library

Robert Brink, director of Social Law Library, reported that its staff goes "on the road" to do specific training at law firms and public agencies. Boston's largest firm, Goodwin Procter, regularly hosts Social Law librarians who provide, for example, training on cost-effective research. The librarians at the Social Law Library also provide training for the local and state bar associations. Brink noted that the popularity of regularly scheduled advanced topical legal research seminars has dwindled over the years. In place of the seminars, the Social Law Library is planning to hold a "Spring Teach-In," which comprises a series of hands-on, subject specific sessions taught by both library staff and other experts; the sessions are offered free of charge over a one or two week period with day and evening sessions. Brink has hopes of getting the statewide legal newspaper to advertise the sessions and to "hook" attendees by highlighting the generally poor state of legal research skills and the increasing malpractice and professional responsibility implications. If successful, the Spring Teach-In will become an annual event.

Jenkins Law Library

At Jenkins Law Library, Nancy Garner, head of information and research services, reported that a free two-hour orientation and training session called "Jenkins Research Techniques"



is offered regularly to library members. The library began offering orientation and training sessions in 1992, and continues to generate a high turnout among summer associates each May and June. The sessions are promoted in advance in the membership newsletter, the local legal newspaper, and on the library web page. Garner noted that firms with small or no libraries appreciate the program because they do not have the staff or time to instruct their attorneys on the idiosyncrasies of Pennsylvania legal research. She cited trainer burnout as a potential pitfall, but noted that in the long run the reference staff benefit because many basic (as well as in-depth) questions are covered, and the need to repeat the same information is minimized.

San Diego County Public Law Library

Laurel Moran, North County branch head at the San Diego County Public Law Library, described participation in “Bridging the Gap” programs for new lawyers. Moran acknowledged that each year she has difficulty convincing new lawyers of the public law library’s value, particularly those attorneys who join wealthy, prestigious firms and who believe that they were hired for their existing, “expert” legal research skills. She noted the importance of emphasizing to practitioners that public law libraries serve as a resource for all types of research needs, in all formats, including medical, business, and other types of nonlegal research. Unlike most private law firm libraries, public law libraries can build collections that include a broad range of practitioner-oriented treatises and CLE proceedings. Faithful and frequent participation as faculty on CLE programs also keeps San Diego County Law Library visible to the local bar. Moreover, membership law libraries, like San Diego, Jenkins, and Social Law that offer circulating collections, enhance the research resources at the disposal of area lawyers.

BUILDING PARTNERSHIPS: NORFOLK LAW LIBRARY

At my library, Norfolk Law Library, we contact local legal administrators early each spring to remind them of the orientations we offer to both summer associates and new attorneys. From 1992-1998, when our budget allowed it, we used the time-honored “feed them and they will come” method. During the summer, we offer weekly showings of the Berring Commando Legal Research videos and a free box lunch. We have found that summer associates liked to

compare notes about their experiences at local firms and that this opportunity presented the only venue in which such networking could occur. We provide an orientation at our first session that lays the groundwork for a good relationship with the lawyers in years to come. We emphasize that the law library is the perfect place to begin research. We inform the new attorneys that because no one on the library staff has any impact on their performance evaluation, they need not fear asking “silly” questions or admitting they have forgotten research methods learned months ago at school. We are a safe harbor where young attorneys can get assistance and look like superstars back at the firm.

In the last few years we have been unable to provide food incentives for attendance at our training sessions, but we continue to prepare packets of useful information for summer associates and new attorneys, and we offer detailed in-person orientations for those who choose to attend. For those who prefer to pick up the packet and return with a real-life research assignment, we are happy to train at the “point of need.” Regardless of the method by which we “hook” the new customer, we continue to strive to do just that.

Like many other public and membership law libraries around the country, we send broadcast e-mails to local bar members promoting upcoming training opportunities. We also contribute a column, “Library Lines,” in our local bar newsletter. Library staff also participate in CLE courses sponsored by the local and/or state bars. We have taught for both Virginia CLE and for the Norfolk and Portsmouth Bar Association on topics ranging from legal research to Internet for Lawyers.

By staying visible and pushing information to our customers’ and potential customers’ desks, we remain relevant in an era when practitioners increasingly suspect that everything they need is free on the Internet. Our bar bulletin column often focuses on the invisible Web and the fugitive information not found on the Web, along with highlights of useful Web sites and a reminder that we offer fee-based research at a reasonable hourly rate for those practitioners who want to concentrate on what they do best: practice law.

Having had the privilege of serving the same community for a decade, I can attest to the benefits of being visible and enthusiastic about offering the types of services needed by local attorneys and their staffs. The summer

UNLIKE OUR COUNTERPARTS IN OTHER TYPES OF LAW LIBRARIES, STAFF IN PUBLIC LAW LIBRARIES MUST VIEW EVERY PATRON AS A PRIMARY STAKEHOLDER.

**FROM 1992-1998,
WHEN OUR BUD-
GET ALLOWED IT,
WE USED THE
TIME-HONORED
"FEED THEM
AND THEY WILL
COME" METHOD.**

associates from my first years at Norfolk Law Library have become partners, bar leaders and even judges; more importantly, they have fond recollections of their summer experiences here at Norfolk Law Library. In fact, the Norfolk and Portsmouth Bar Association, a 1000-member local bar, recently appointed me as its interim executive director, which illustrates the positive impact of law library services in our local bar community.

BUILDING PARTNERSHIPS: WHAT YOU CAN DO

By now, you may be thinking that there are public law libraries in your area with which you would like to partner for teaching and training. There are many ways to build these partnerships, and I would encourage you to do so.

If you are a law librarian in a private law firm, you can help us provide more services to the practitioner community. Invite us to speak to your new attorneys during their orientations. Encourage them to register for training sessions we offer at our location. Make it clear that we serve everyone and that they can contact us for reference and research assistance.

If you are an academic law librarian,

include us in legal research classes, particularly those in advanced legal research. We can educate students about real life research and provide tips and advice on what judges expect from law clerks. We can inform them how their research methods will change after they graduate: from the seemingly unlimited, "free" access received during their law school days to the costly, limited online legal research world. If your library conducts summer associate training programs, include us in your "bridge the gap" sessions for students about to embark upon summer clerkships.

Most of all, remember to view us as a resource at the disposal of the *entire* law library community. Our future financial health depends upon alliances with the entire legal community, and therefore we need to reach as many potential judges, senior partners, and political leaders as possible. Teaching and training are increasingly a part of all law librarians' repertoires of skills. Public and membership law libraries play a significant, albeit somewhat unsung role in this process. Together, we can increase the visibility of these services and institutions to the benefit of the profession as a whole. ■

IN MEMORIAM: EDWARD S. BILLINGS

Peter MacHare, U.S. Department of Agriculture

Edward S. Billings, former law librarian for the U.S. Department of Agriculture, died Thursday October 4, 2001, at the Arlington Hospital in Arlington, VA. Ed, who had retired in 1991, was 72. He was an active member of both the AALL and the LLSDC. Ed also taught Legal Research in the USDA Graduate School. Ed had moved to Texas after he retired, but eventually came back to live in Arlington.

Ed is survived by his wife of 44 years, Betty, his son Ted, and daughter Jessie, all of whom live in the Washington, D.C. area. He is also survived by two sisters, and many nieces, nephews, great nieces, and great nephews.

Besides serving in the U.S. Air Force, Ed had three distinct careers, each lasting about a decade. He was an educator in the Methodist Church, a civil rights attorney, and then a law librarian. Ed always said that if he had one more decade of employment, he would have liked to work in the medical field.

It was my great pleasure to have worked with Ed for a little over two years. We remained frequent e-mail correspondents after his retirement (Ed had one of the few e-mail addresses I could remember off the top of my head - "EdOldGoat@..."). Ed was a mentor to many of his fellow librarians and attorneys, always willing to share from his considerable store of knowledge and experience. God bless you, Ed Billings.



Editor's note: The author is the organizer of the LLSDC Legal Research Training Focus Group. This article summarizes the October 2001 - February 2002 meetings. For those readers most interested in legal research as it relates to summer associate training, please take note that the theme of the February 2002 meeting was "Law Firm/Law School Communications and Program Coordination."

If you are a trainer and have not attended a brown bag lunch meeting of the Legal Research Training Focus Group lately, you are missing out. While we jokingly called ourselves the "Unfocused Group" for some of last year, we have definitely hit our stride - our last few sessions have been very busy and productive. We have met on a monthly basis and discussed a variety of pertinent topics from attendance and handouts to evaluations and Web-based training. The Focus Group Web site at <http://www.llsdc.org/lrfocus/index.htm> contains materials from almost all of our sessions as well as additional materials of interest to trainers. The essentials from our last few meetings are set out below.

OCTOBER - IMPROVING ATTENDANCE

The focus of this meeting was improving attendance and garnering support for library training programs. Librarians from law schools, government agencies, private firms, and the courts gathered to confront this chronic problem. Our discussion was lively, including a good bit of venting as well as some very helpful suggestions.

Food is always a draw, though even with a full lunch, we all agreed that it is still difficult to get even those who have committed to a training session to attend. Another suggestion offered was to give out candy or other small prizes as rewards for correct answers during training sessions. It never ceases to amaze me, but even well paid attorneys love to get something for free, and love the feeling that they have beat out the competition for a prize. Once people have been to a good class where they feel involved and see the benefits — caloric or intellectual — they are more likely to attend again.

Many other suggestions focused on marketing. Attendees agreed on the importance of advertising programs creatively and aggressively, and suggested traditional marketing methods such as colorful fliers or posters, sign-up sheets near posted training calendars, balloons to draw attention to special events, and door prizes. Beware, though, a door prize for the first to arrive may motivate students to get to the

training location before you.

Less traditional ideas included the use of colorful, eye-catching e-mails and intranet pages. E-mail programs often allow the use of special backgrounds, clip art, colored text, and varied sizes and types of fonts. Take the time to learn about these features if you have not yet already done so. Try not to go overboard, but any variation from the usual plain e-mail is likely to get your message some extra attention. Intranet sites were universally recognized as useful both for marketing and for keeping class materials up-to-date. If your organization does not have an intranet, investigate using a free Web site from Yahoo or another provider as a temporary alternative. You might create a simple but colorful page for your class and provide a link to your e-mail in case of questions. Plus, you can teach from a well-designed web page as you would with PowerPoint slides. Web pages are easy to update and can serve as a place for former students to obtain current information. Also, students will not have to remember links or try to type them from a written handout — a situation where mistakes invariably cause problems.

Another important element in encouraging attendance is to make it as easy to sign-up and attend as possible. If you send e-mail to promote your classes, check your e-mail program for a voting or polling feature. Most e-mail packages allow you to add one or more buttons to the top of your message that say whatever you want. For a training e-mail you may have a button that says "Will attend Thursday" or "Cannot attend, but interested." The student needs only to click a button to respond, and you will get an automatic notification. These buttons are usually accompanied by a tracking feature that lets you see who has answered and how. Timing may also contribute to good attendance. Though the idea of staying late, coming in early, or giving up your lunch hour is not very appealing, that may be the only way to get an attorney to set aside time to attend. Keep in mind that coffee and snacks can ease the pain for you as well as the attendees.

If attendance is still light, consider some automated options. We have discussed Web-based training in a couple of our sessions (see the January discussion below for more details), but even the simple Web or intranet page mentioned above can serve as a self-guided tour through your topic. Keep the possibility in mind as you adapt handouts to electronic format.

The remaining suggestions involved maintaining communication with attendees. First, send reminders. If you have the ability to send

FOCUSING ON TRAINING

*Cindy Curling
Fried Frank Harris
Shriver & Jacobson*

ONCE PEOPLE HAVE BEEN TO A GOOD CLASS WHERE THEY FEEL INVOLVED AND SEE THE BENEFITS — CALORIC OR INTELLECTUAL — THEY ARE MORE LIKELY TO ATTEND AGAIN.

**ASK TO BE ON
THE AGENDAS OF
DEPARTMENT
MEETINGS, AND
WHILE YOU HAVE A
CAPTIVE AUDIENCE,
SHOW THEM
HIGHLIGHTS THAT
WILL WOW THEM.**

an electronic appointment to attendees, do so, and include an alarm or notification set for delivery just prior to class. Next, follow up with people who express interest but who are unable to attend. Attorneys are busy, but if they signed up, they are interested. Keep trying to reschedule until learning occurs. Offer alternative class times, and try not to schedule events when people are already out of the office or in other meetings. Scheduling and following up take effort and organization, but they can pay off.

Long term solutions to improve training are also important. First, you need the support of your institution for training. You need time to train, space and instructors for classes, and an environment conducive to training. A law office that focuses on billable hours is less than the ideal atmosphere, and there is not much we can do about that. We can, however, persuade our administrators that training pays off in tangible savings. Make it clear that training reduces time lost in inefficient searching, as well as the bottom line on LexisNexis and Westlaw bills for the same. Second, find out the kinds of training your users want and need. If users think they are capable Internet searchers, they will not attend a basic class, even if you can tell that they are not quite as capable as they believe. Survey them to find out what they DO want so that when they come to class you can slip in some of the essentials as well.

Be assertive when it comes to getting support and making your training options and expertise as an instructor known. Ask to be on the agendas of department meetings, and while you have a captive audience, show them highlights that will wow them. With a taste to tempt them, you may improve your chances of getting them to attend a full session in the future. A regular newsletter may also help keep training visible. Carry more solid information than fluff, though a touch of humor makes reading easier. Regular readers are great targets for class marketing. Do not be shy about self-promotion, either. Use the personal approach and speak to your administrators when you happen to see them. Go to company functions such as the end-of-the-month cocktail party, and bend people's ears about what a great benefit training is and how valuable students find it. If you have been tempted to write an article in your area of expertise, go for it. You can begin to build a reputation as an expert, and your administrators and students will be more likely to listen when you need their attention.

NOVEMBER - HANDOUTS

Attendance was down at the November meeting. (Hmm, maybe it is not just our users we have to worry about...) However, we still had enough people to discuss the meeting's topic, "Handouts: What Works, What Does Not, and How To Keep Them Current." For the "what works and what does not" portion of our discussion, we reviewed the suggestions offered in an article by Marie Wallace called "Why and How to Avoid Trashy Handouts," available at <http://www.llrx.com/columns/guide27.htm>. Think back to training sessions you have attended and about the handouts you were given. What did you find useful? What did you immediately throw away after class? Wallace's article reinforced some basics:

- **DO NOT MAKE YOUR HANDOUTS AN AFTERTHOUGHT.** Plan your handouts as you develop your class content and be sure that one supports the other.
- **KNOW WHAT YOU ARE TRYING TO DO WITH YOUR HANDOUT.** If you have not decided whether it is for future reference or to promote active learning during class, you may end up with such a mix that the handout is no longer useful.
- **HANDOUTS SHOULD BE VISUALLY APPEALING.** Several of us brought handouts to the meeting and we spent a little time discussing how they were good and how they might have been improved. Lessons learned: Colorful handouts on sturdy, good quality paper were favorites. Text is important, but having a graphic or two to reinforce your points is also helpful. Too much text can be overwhelming, so plan for some white space on each page. It not only makes your text stand out, but also gives readers a chance to rest their eyes.

On keeping handouts current, our discussion turned to a recurring suggestion: use an intranet or Web site as a tool to update materials distributed in class. While a paper handout cannot be updated without massive copying and redistribution efforts, an electronic version can be changed easily so that materials are current and readily available. Some of us preferred the electronic versions, but the consensus was that students still find it useful to have a paper handout in class. The more alternative methods you offer to let people learn — reading, hearing, seeing illustrations, reinforcing with hands-on activities, note-taking, online review — the more information will sink in, so opt for



both an in-class handout and current online equivalent if possible.

DECEMBER - EVALUATING TRAINING

Evaluating training is hard work. In December, we discussed why and how we could change our evaluation methods to make them worth the effort. Most who attended had done class evaluations at some point. You know the type: a one-page form to fill out when class is over. Usually there are several questions on a sliding scale. For example, “How well did your instructor know the material — pick a number from one to five with five representing ‘very well’ and one representing ‘not at all.’” Typically, these evaluations also include a broader question with space for general comments about the class.

There are several problems with this approach. First, who wants to stay to give feedback? It is hard enough to attract attendees let alone stop them from leaving when class is over. Second, of those who do fill out the form, few stay long enough not only to check off the right box for the sliding scale questions, but also to give thoughtful comments. Still, we optimistically include several lines for that answer, in case we get lucky.

We dutifully gather these forms and review them, and occasionally they contain a golden nugget of feedback, but once you have been training for a while the information on the form tends not to be very helpful. The good news is that feedback is not helpful because class usually went well and attendees were satisfied. Experienced trainers have smoothed away most of their rough edges. Students, who are there to learn from you, only know what you tell them, and the feedback on the forms tends to be a better indicator of how the class felt about the instructor rather than a measure of the quality and substance of the class. While these forms can provide some useful information for newer trainers and their supervisors, we need to consider other approaches to gather information that actually tell us when we are missing the boat.

Great advice is available through the “Guide on the Side” column at LLRX.com. During our meeting, we briefly reviewed “Beyond Smile Sheets: Improving the Evaluation of Training” available at <http://www.llrx.com/columns/guide49.htm>. The core of the problem is that sliding scale evaluation forms are usually too vague. In order for an evaluation to be meaningful, it should help you identify and measure a difference between what a

trainee knows when he enters your class and what he knows when he leaves. In a nutshell, you need to ask pointed questions. You can ask for participants’ reactions, but you should also include plenty of test-like questions. Like any other handout, consider the evaluation while you develop your other course materials, and integrate it within your course. This means two things: evaluations should be tailored to class content, not generic “smile sheets,” and you will need to give people time — as part of class — to finish them.

For instance, suppose you are training people to use the advanced features of Google. On your evaluation, you might ask:

Now that you have seen what Google can do, we would like to get your feedback on our class content. Please answer the following question to let us know what has “stuck” with you from this class:

1) If you want to ensure that your search result contains a particular word, which of the following symbols would you add to the beginning of that search term?

A) + the plus sign B) – the minus sign C) : the colon D) | the pipe

The questions do not have to be difficult; you are just trying to find the weak points in your presentation to ensure that important elements are appropriately emphasized.

Of course, to know whether a student has learned or improved, you must first know if the student had the ability in question before participating in your class. You might take a formal approach and use an in-class pop quiz, or you might conduct an informal survey as class moves along. If you are trying to prove the usefulness of your training sessions to an administrator by showing a measurable improvement in trainee abilities, the more formal approach will give your statistics better credibility.

What you ask in an evaluation is important, but so is your timing. You will get some feedback on who learned what by doing your evaluations in class, but a follow-up e-mail sent to class participants two weeks later gives additional information. As the saying goes, “Use it or lose it.” If your trainees do not remember an element of your class two weeks later, but grasped it during the in-class evalua-

THINK BACK TO TRAINING SESSIONS YOU HAVE ATTENDED AND ABOUT THE HANDOUTS YOU WERE GIVEN. WHAT DID YOU FIND USEFUL? WHAT DID YOU IMMEDIATELY THROW AWAY AFTER CLASS?



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tion, it may not be useful enough to warrant class time. If they are not remembering a certain concept or skill, and it is important, perhaps it is time to revise your approach. Follow-up evaluations can also serve as a prompt for trainees to use the skills they acquired in class. We all know what it is like to take a class and get excited about our newly acquired skills only to return to the office and find ourselves right back in our typical routines. Imagine getting a little reminder of how life could be easier and more efficient when a follow-up evaluation form lands in your e-mail box. It is extra work for the trainer, but worthwhile.

For more information on this topic, please read the detailed article cited above, "Beyond Smile Sheets: Improving the Evaluation of Training."

JANUARY - JUST IN TIME TRAINING

Are you being asked, "Has the Google interface changed?" or "Has LexisNexis enhanced its navigation capabilities?" The theme for the January meeting was "Just in Time Training: Online Tutorial Update & Training Development on the Fly." If you make training available as soon as people see a need for it, they are primed and ready to learn. Do you have overburdened associates whose schedules will simply not accommodate daytime training? Think about an online tutorial. It is accessible 24-hours a day, and if well designed, can incorporate some of the evaluative techniques discussed in the December meeting. Both of these situations call for "just in time training" — sessions that you may not want to schedule on a regular basis, but which can be called out quickly in response to a need.

For information on Web tutorials, please review the materials compiled by Bill Taylor of Georgetown University Law Center for the focus group session held on March 6, 2001, available at <http://www.llsdc.org/lrfocus/tutorials.htm>. In the January session, we heard how librarians have incorporated what they learned last March. One firm has made available four basic legal research tutorials as an alternative to attending lecture sessions. Intended for fall and summer associates, the tutorials follow a simple format with an outline in a navigation frame and text in a larger frame. The text contains links to illustrations from print resources, Web references, and term definitions. Links open in a new window and can be closed, moved, or minimized to continue to view the text. The next step is to make the tutorials

more interactive, such as adding a testing element that could provide a librarian with feedback as to whether materials have been read and understood.

Larry Ross, from The George Washington University Law Library, suggested the format offered by CALI (Center for Computer-Assisted Legal Instruction). CALI is described on its Web site as a "non-profit consortium of law schools that researches and develops computer-mediated legal instruction and supports institutions and individuals using technology in legal education." CALI makes it possible for law schools not only to subscribe to preconfigured online tutorials, but also to create customized ones. Although CALI consists only of law schools, perhaps library associations could collaborate and share resources in a similar way. For more information about CALI, visit its Web site at <http://www.cali.org>.

As for the other aspects of "just in time training," several possible delivery methods were discussed. Having read the rest of this article, you may expect mentions of intranets and Web pages, and you are not wrong. If your institution does not have an intranet, please do your best to sway opinion to establish one. Intranets are extremely handy for distribution and upkeep of all kinds of training materials, and they are relatively easy to maintain. Another method of informing users of new materials is a regular e-mail alert or newsletter column that includes notices and articles regarding technology changes as well as links to new sites. One last format suggested was the pathfinder, the topic for discussion at the upcoming September 2002 focus group meeting. You might incorporate links to any of these training-related electronic documents in your online catalog as a way to be sure that people see new materials as they need them. Even if you do not have an intranet, it is worthwhile to make your library's teaching materials available in electronic format for this reason alone. If adding links to your catalog is not an option, apply your persuasive powers to ensure that access become available.

Development of training materials is a whole different article, but some development tips were offered towards "just in time training." The most important tip for those of us with little time is to not reinvent the wheel. Librarians are generally willing to share their expertise, and a call to a few other colleagues or an appeal to the LLSDC listserv may net you materials to use as a basis for your own presentation. Even



major vendors, like LexisNexis and Westlaw, are generally happy to share their materials for the purpose of training. Just remember to ask permission and properly credit your sources.

FEBRUARY - LAW SCHOOL/LAW FIRM COMMUNICATIONS

We met in February to discuss law school and law firm communication and program development, and to brainstorm what we could do to help each other make the transition from law school to law firm easier for the interns, associates, and librarians involved. Students who have a grasp on the realities of practice make life less hectic for their librarians. The ideas discussed were potentially beneficial not only to both groups present, but also to any institution hosting a summer legal intern or employing a fall graduate.

We began with a discussion of law firm expectations of summer associates. While many firms offer legal research training in their summer programs, attendance is always an issue, and many smaller firms, courts and agencies, with and without librarians, have no programs to help bring interns up to speed. Since course work tends to be less practical and more theoretical, students (and new attorneys) are simply not as well prepared for the realities of law firm life as we might like. Senior attorneys seem to expect new attorneys to hit the ground running, and summer sessions are not quite enough to get them there. Happily, law school librarians, like their counterparts outside academia, recognize the problem and are making attempts to address it. If we can engender better communication between academic and non-academic groups, we can maximize the use of our resources and with some cooperation from our institutions produce attorneys better prepared for the realities of practice.

One model for bringing the two groups closer is detailed in the LLRX article, "Cincinnati Librarians Give Summer Associates an Inside Look at the Legal Profession," by Mary Lynn Wagner, available at <http://www.llrx.com/extras/insidelook.htm>. The article describes a program in which "[t]he initial concept centered on inviting attorneys from the participating firms as speakers to provide insight to the summer associates on what practicing law on a daily basis is really like." This program allowed the librarians to work with attorneys and students to emphasize the skills needed in practice. Law firm and law school librarians in our area could collaborate and organize a similar program, or we could persuade attorneys to speak in law school legal research courses. One concern

was the potential difficulty in finding attorneys to speak to classes held at schools because attendance is sometimes low. While firm librarians seemed willing to volunteer as speakers, it was recognized that partners or recent graduates, who could speak about their experiences in practicing law, would attract more students.

Another suggestion from the meeting was to create incentives for students to attend programs, which would involve firm librarians working more closely with recruiting. If recruiters can be encouraged to ask about legal research training experience in interviews, then students may realize it is an important consideration for hiring firms. Also, when firm librarians communicate with incoming summer associates and new attorneys, the librarians might emphasize the value of attending their legal research classes at their schools. Most firm librarians know the schools that their summer associates attend. If we become familiar with the legal research programs offered by their law school libraries, we could point to them as resources available throughout the summer and potentially incorporate those familiar materials into our programs.

Much more work will need to be done before we could institute a program like the one in Cincinnati, but our discussions are a start.

COME TO FUTURE MEETINGS!

We would love to see you at our monthly meetings. As you can see from the above overview, the Legal Research Training Focus Group discussions can be extremely productive and useful. Higher attendance improves our chances of hearing both the voice of experience and a fresh perspective. We like to think that everyone comes away with something useful. The meetings run approximately one hour, so it is not very demanding to participate. Plus (taking our own advice), we serve food! If none of that persuades you to attend, please keep an eye out for meeting summaries and materials on the focus group Web site and on the listserv, and announcements of upcoming meetings in *Dates to Remember*. If you have any questions about meetings or materials, or if you have suggestions for future meeting topics, please feel free to contact me at curlici@ffhsj.com. ■

GREAT ADVICE IS AVAILABLE THROUGH THE "GUIDE ON THE SIDE" COLUMN AT LLRX.COM.

**WE APPRECIATE OUR ADVERTISERS ...
SO WHEN YOU USE THEIR SERVICES,
TELL THEM YOU SAW IT IN LAW
LIBRARY LIGHTS!**

THE CONTINUED IMPORTANCE OF BASIC LEGAL ANALYSIS IN THE DIGITAL AGE

Lawrence Friedman
Harvard Law School

BASIC LEGAL ANALYSIS REQUIRES THE YOUNG LAWYER TO DEVELOP A STRATEGIC APPROACH TO LEGAL PROBLEMS ...

Editor's Note: The author is a lecturer on law in the First Year Lawyering Program at Harvard Law School, in which students study legal reasoning and analysis as well as a range of lawyering skills, including client counseling, negotiation, and appellate advocacy.

Not so long ago, when I practiced law at a large metropolitan law firm, I assigned to a summer associate the task of determining whether we could find support for a motion in limine to limit the use by the plaintiff of evidence of remedial measures in a case concerning environmental contamination. The case involved particular facts about the relationships of the parties, which I relayed to the associate. Several days later, the associate informed me that, after searching in Westlaw or LexisNexis, she could find no cases in point, and she asked if I could suggest any other search terms that might be relevant. I knew, given the specific factual circumstances, that the associate likely would not find a case in point in the jurisdiction in question, but I had expected at least an attempt to answer the question based upon the law of evidence governing the more general subject and, perhaps, an effort to reason from the controlling cases in the jurisdiction.

The student had, I believe, failed to conceptualize the legal problem within the law of evidence: turning initially to electronic resources, she sought only a case that answered the narrow question without focusing on the underlying principles of evidence law in the jurisdiction. Such conceptualization is a first step in addressing legal problems in practice, whether the problem requires a predictive analysis of the law for a client, or an advocacy response, as in the trial context described above. Basic legal analysis requires the young lawyer to develop a strategic approach to legal problems that begins by acquiring an understanding of fundamental principles of law and then applying those principles to the facts, using precedent for guidance and bolstering the application of law to facts by discussing analogous or contrary authority.

THINKING STRATEGICALLY

Whence came that summer associate's approach to legal analysis? Addressing this question from the perspective of an academic who spent some time practicing law and had the opportunity to review the work produced by a wide cross-section of students from law schools across the country, I suspect that the answer is quite simple: the summer associate had little experience

in thinking strategically about legal problems. Certainly, she would have received little instruction in this regard in her doctrinal courses, which focus students primarily on the intellectual challenges posed by the common law: learning to read cases closely and considering the underlying theories, policies, and trends that may account for particular outcomes or explain doctrinal shifts. In such classes, students rarely wrestle with novel facts from which they first must determine the area of law that might bear on a problem and then educate themselves about the principles of law that might apply, finally zeroing in on the most particularly relevant. Of course, they might be faced with such facts on a final exam; but in a contracts class, for example, it is a safe bet that the area of law in question will indeed be contracts.

One might expect that a strategic approach to legal problems would be taught as part of a law school's first-year skills course. As part of the strategy of addressing a problem, students in such courses are presumably given the sort of instruction and assignments that would encourage the conceptualization of legal problems in practice contexts. Yet, as doctrinal courses fragment the common law into categories – contracts, torts, property – so a skills class may fragment basic legal analysis. Consider that, in many law schools, these courses are styled as “legal research and writing” courses, rather than lawyering courses, suggesting at the outset that research and writing are somehow separable, rather than complementary. Indeed, merely to promote “writing,” as opposed to analysis, is to emphasize form and mechanics over substance. While clarity and cogence are important in stringing words together, they need not be elevated above the critical thinking that legal analysis demands – thinking about the relevant principles of law and how those principles should be applied to the facts at hand.

FROM LR&W TO LAWYERING COURSES

A few law schools, like Northeastern, New York University and Harvard, have notably attempted to create first-year courses that move beyond a mechanical approach to research and writing, toward the integrated development of analytical lawyering skills, of which research and writing are a part. In these lawyering courses, the students for the most part set aside contemplation of the larger issues upon which the doctrinal professors dwell and turn to the task of thinking through the kinds of legal problems practicing lawyers might



actually encounter: they read cases closely, to be sure, but in order to educate themselves about principles and rules and, based upon an understanding of the law's contours, to make predictions about a court's inclinations with respect to particular facts. Early exercises focus students on honing their critical faculties in analyzing legal issues, while later assignments incorporate research and communication components that aim to engage students in strategic thinking and problem solving.

Emphasizing a strategic approach to basic legal analysis encourages the habits of mind that will prove valuable throughout a lawyer's career, as the practice of law often requires attorneys to become reasonably expert in many areas of the law, and not just dilettantish. As illustrated by the story of the summer associate recounted above, this approach may be undermined by the ease with which technology allows us to access information in the digital age. "Where the neophyte law student once came into the law library agog at the ranges of shelves of case reporters," Robert Berring has observed, "today's typical student arrives asking questions about computer access, passwords, and bandwidth."¹ As a result, the modern law student begins, as Diana Donahoe has noted, "with factual precedent – not legal rules."² This way of addressing a legal question is antithetical to a more strategic analysis – antithetical, that is, to first achieving a level of familiarity with governing principles in an area of law and only then searching for appropriate and relevant cases. For notwithstanding the availability of many more cases in the age of digital storage, it is still more than likely that no perfectly analogous case will be found, and that the lawyer ultimately will be required to reason her way to a conclusion from an understanding of general principles as applied in past instances.

This is not to say, of course, that electronic resources have no role to play as a young lawyer works through a legal problem. Electronic resources may be invaluable, both for locating authority as an initial matter – be it in cases, articles or treatises – from which a base of knowledge may be established, and for finding particularly relevant authorities thereafter. Nonetheless, the modus operandi of the Internet search engine, which requires a user to input terms and review hits, is no substitute for the process of legal reasoning. Effective analysis begins with an appreciation of the underlying law, in light of which a potential lack of factually similar cases will be viewed not as an obstacle, but as an occasion for the lawyer to draw con-

nections between arguments and precedents, a thought process that search engines as yet cannot replicate. If young lawyers are to embrace such a comprehensive approach to legal analysis in practice, they should be introduced to it in law school, through courses that emphasize that legal reasoning and legal research – including the use of electronic resources – are two aspects of a greater lawyering skill.

ENDNOTES:

- 1 Robert C. Berring, *Legal Research and the World of Thinkable Thoughts*, 2 J. APP. PRAC. & PROC. 305, 313 (2000).
- 2 Diana Donahoe, www.teachinglaw.com (print version at 27). ■

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MARK YOUR CALENDARS

Legal Research Institute: March 21, 2002
Joint Spring Workshop: April 16, 2002
Town Meeting/Luncheon: April 23, 2002
Closing Reception/Dinner: May 14, 2002

ALERT AD

DICKSTEIN SHAPIRO UNIVERSITY – ONE LAW FIRM'S STRATEGY FOR DEVELOPING LEGAL TALENT

*Rachel Jones
Dickstein Shapiro Morin
& Oshinsky LLP*

TECHNOLOGY- DRIVEN DISSEMINATION OF PROGRAMMING HAS MADE A TREMENDOUS IMPACT ON THE EDUCATIONAL PROCESS FOR ATTORNEYS AND NON-ATTORNEY LEGAL PROFESSIONALS

BACKGROUND

Professional development and continuing legal education of attorneys are hot topics among new and experienced practitioners and have been for a very long time. There has never been a time when so many options and opportunities for professional development have been available due in great part to vendor proliferation, technological advances in deliverable formats, and the associated development of law firm intranets and knowledge management systems.

Traditional professional development programming and skill development within law firms involve many experiences, approaches, and interventions depending on the firm's mandate and dedication to these issues. Attorney education includes orientation programs, targeted skills training by practice group, outside continuing legal education programming, mentoring, coaching, learning-by-doing workshops, shadowing, etc. To help satisfy continuing legal education (CLE) requirements for their attorneys, law firms frequently seek CLE accreditation by state bar associations for their in-house programs. State bar CLE requirements influence attorneys' devotion in pursuing life-long professional education opportunities. For practice groups requiring more specialized training, attorneys continue to pursue traditional programming sponsored by professional organizations, private providers, and in the last few years, online educational programming.

The differences in performance and approach for continual professional development, therefore, are as individual as the firms themselves, with jurisdictional affiliations playing a role in the process as well. No matter what the means of education employed, technology-driven dissemination of programming has made a tremendous impact on the educational process for attorneys and non-attorney legal professionals.

A BIT OF HISTORY — PROFESSIONAL DEVELOPMENT THROUGH THE YEARS

Dickstein Shapiro Morin & Oshinsky LLP, a large Washington, D.C.-based law firm with a large New York office, has provided varied professional development programming for its attorneys since 1991. In the formative years, attorney professional development programming was administered and coordinated through a partner and an associate, with additional assistance from the firm's attorney recruiting department. In November 1996, the

coordination of the program was transferred to me, a former reference librarian and manager of library services for the firm. My mandate was to build on the existing program with centralized coordination of effort, and to broaden educational offerings to include non-attorney business professionals. In January 2000, Dickstein Shapiro assembled a Professional Development Committee (PDC), comprising two co-chairing partners and representatives from every constituency of the firm (e.g., secretary, legal assistant, business professional), marketing, information systems, administrative directors, and attorney and staff representatives from our New York office.

The creation of the PDC was a direct outgrowth of the firm's strategic plan. The mandate articulated the need and commitment to develop a comprehensive and effective professional development program for our attorneys. Professional development efforts needed to blend the best parts of traditional and non-traditional delivery formats, in-house and outside programs, and CLE programming, with the firm's core competencies as articulated by practice groups. The PDC interviewed practice group leaders to develop in-house curriculum in tandem with recommended core skills that would be of interest and value to their attorneys and legal staff. That effort not only resulted in a substantial list of topics that serves as the basis for our program development, but also highlighted to the executive levels of the firm the value of a coordinated educational approach as a critical factor in recruitment, retention, and accelerated development of associates. The PDC facilitates the communication channels that need to exist to develop meaningful, real life educational programming for the entire legal professional staff.

PROFESSIONAL DEVELOPMENT AND CLE – THE INTERSECTION

An additional incentive for more coordinated educational programming is the fact that many of Dickstein Shapiro's attorneys are admitted to state bar associations that have mandatory continuing legal education (MCLE) with annual or biannual reporting requirements. As our firm has grown, particularly our New York office, there is an increased demand for MCLE courses. Because of the demand, the firm embarked on a number of firm-wide initiatives to blend attorneys' need for CLE credits with our in-house professional development program. Our goals for programming include:



- providing CLE accreditation for in-house educational programming for states that allow for law firm sponsored, in-house programming, which includes library sponsored/supported programs;
- capturing designated in-house live presentations in digital format for desktop viewing at a later time, with recorded lectures and presentations divided into manageable and eventually searchable 20-30 minute segments;
- creating, in one place, the access points to the firm's "best practices" materials, which includes various media, presentations, and documents;
- combining the best parts of outside CLE experiences, including e-learning and distance learning experiences, with the myriad of Dickstein Shapiro in-house professional development activities;
- providing the means for our attorneys to acquire the necessary skills and core competencies as articulated by senior management of the firm. (The firm has identified and established benchmarks necessary for associates to progress within the ranks of the firm.);
- creating a desktop platform, through the firm's intranet, for the delivery of online, outside CLE, in-house educational programming, program announcements, law firm events, online registration, and certification; and
- providing comprehensive, coordinated professional training and other "life skills" programs to every individual of the firm to foster professional and personal satisfaction.

DICKSTEIN SHAPIRO UNIVERSITY

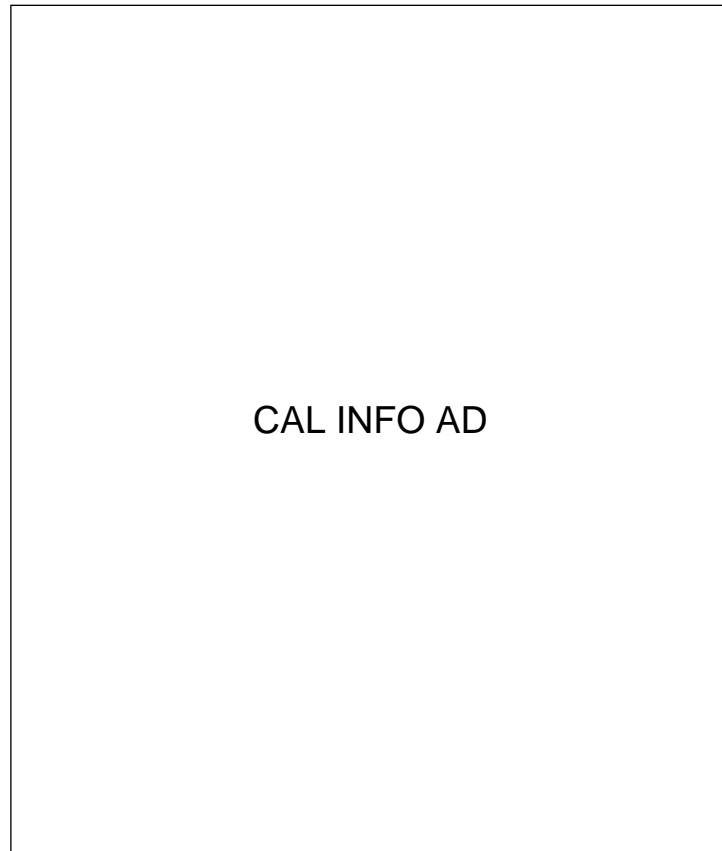
Classes officially began at Dickstein Shapiro University, the firm's virtual university so to speak, in January 2001. The notion of this virtual, corporate university is the culmination of a year of extensive information gathering from all segments of the firm, and more than ten years of experience delivering in-house training to attorneys. The goal of the corporate university has expanded the in-house training and educational experience to gather in one place, and on one platform, all firm-sponsored and outside programs whether online or traditional. The university is intended to bring together all of the firm's professional training and internal community enhancement programs under three colleges: the College of Professional Training, the College of Personal

Skills Development, and the College of Extracurricular Activities.

Dickstein Shapiro University has been developed at a time when web technology makes vital contributions to delivery process, communication capability, and marketing leverage. A strong and comprehensive professional development program, with maximum efficiency and flexibility for the user, is an important and vital component to attracting and retaining the highest quality legal professionals. As a marketing vehicle for the firm, it comes at a time when large law firms are competing to distinguish themselves in the marketplace.

The holistic approach to Dickstein Shapiro University's offerings combines professional growth and personal development and creates online and offline communities within a growing organization. These communities develop and discover experts among our staff – vital assets for law firms as professional services entities. Dickstein Shapiro University is a culmination of how far professional development efforts have come in the law firm environment, and it will remain as the foundation and cornerstone for our future innovations. ■

A STRONG AND COMPREHENSIVE PROFESSIONAL DEVELOPMENT PROGRAM, WITH MAXIMUM EFFICIENCY AND FLEXIBILITY FOR THE USER, IS AN IMPORTANT AND VITAL COMPONENT TO ATTRACTING AND RETAINING THE HIGHEST QUALITY LEGAL PROFESSIONALS.



CAL INFO AD

THE LIFE AND TIMES OF MY LEGAL RESEARCH

Ross Dannenberg
Banner & Witcoff, Ltd.

WE RECEIVED INSTRUCTION ON PERFORMING “MANUAL” SEARCHES USING THESE ODD RESOURCES CALLED “BOOKS” ...

I HAVE AS MANY VIEWPOINTS ABOUT LEGAL RESEARCH as firms that I have worked in. To provide a little background, I am a second year intellectual property associate (*i.e.*, a patent lawyer) who experienced summer life at two different patent boutiques and a small trademark shop before joining my present firm in autumn of 2000. With a background in computer science, I tend to opt for automation when it comes to performing legal research.

I can only assume that my legal research training in law school was not unlike other law students' legal research training. We received instruction on performing “manual” searches — using these odd resources called “books” — and we also received instruction on the normal means of performing research — on the computer! From the start, I knew that computer research was the way to go. I quickly mastered the creation of broad searches that yielded 999 results, which I could then fiddle with and fine tune using LexisNexis's FOCUS feature. It was not long before the LexisNexis and Westlaw instructors scolded me in class for checking e-mail instead of performing a search for all District Court cases authored by Judge Kent in which a lawyer was chastised for being an idiot.

SUMMER ASSOCIATE LIFE – TAKE ONE

The summer after my first year of law school, I worked for a medium-sized patent boutique whose practice consisted of at least 75% patent prosecution. Legal research projects were not very abundant. They managed somehow, however, to give them all to me. I was assigned my summer LexisNexis password and told to get to work. The only problem was, they were a little vague on their contractual relationship with LexisNexis, and there was no full-time librarian to help clarify the situation. When I asked for a research budget on my first project, the partner simply responded, “Don't worry about it. We have a flat fee arrangement.” I thought, “Great, I could go to town!” Well, as I soon discovered, it does not exactly work that way.

The week after I performed what I thought was an exhaustive set of searches for all possible case law on my assigned patent-law-point-of-the-week, our office manager came to me and inquired about a LexisNexis bill for \$1,800.00. I responded, “So what? We have a flat fee arrangement, right?” She was not exactly amused and explained that future flat fee contract renewals are based on the firm's present average use of LexisNexis's services. I thought, “Gee, I wish someone told me that in the first place.”

SUMMER ASSOCIATE LIFE – TAKE TWO

The summer after my second year of law school was spent in another patent boutique, albeit a smaller one without quite as many of those “book” things to fall back on when the client would not pay for online research. In this firm I was forced to hone my manual legal research skills. The firm did not exactly “believe in” online computer research. To be fair, perhaps the anti-online-research attitude was limited to just the partner for which I worked, or maybe it was a firm-wide attitude — I am still not sure. What I am sure of is that, at least to the partner I worked for, the fruits of my labor did not amount to actual case law if the resulting documents were not presented in dual column format photocopied from *Supreme Court Reporter*, *Federal Reporter*, *Federal Supplement*, or *United States Patents Quarterly*. This was torture. I knew that this firm was not for me.

Hindsight is 20/20. What I thought was my summer of torture turned out to be one of the best experiences I could have had given my hi-tech tendencies. That summer I was forced to learn how to do legal research in the absence of computers, and I was forced to learn how to do it quickly, two critical things that law school does not teach you. There is no substitute for real experience. In law school, my legal research dean's fellow (my law school's name for the 3L assigned to teach 1Ls the research component of the first year Legal Research & Writing course) provided my section with only one or two assignments that required us to conduct manual research. Even then, we only had to demonstrate that we could go through the motions; the sentiment was that we would never have to do manual research again because we could rely on computers and online resources. At the time, I certainly appreciated my dean's fellow not giving us a lot of homework, but in retrospect, I would have rather honed my manual research skills during the school year than be forced to spend extra time in my firm's cramped library instead of out at happy hour with everyone else.

LIFE AS A YOUNG ATTORNEY

My present firm seems to have gotten it right. While this firm is about the same size as my first, there are two full-time librarians, one for each of our two main offices. Each attorney is assigned two different LexisNexis IDs¹; use of either depends on the attorney's particular assignment. After many legal research projects, I have finally learned that it actually does not matter which one I use. Instead of burning the client's money using the wrong ID, and banging my head against the



wall trying to develop a search strategy, I just call the LexisNexis hotline, an ingenious concept! I can call someone (for *free*), tell them what I am looking for (for *free*), have them run a search (for *free*), and have them review the results (for *free*) so that I can determine whether the search is appropriate. If the results sound on point, the reference attorney tells me the database, search terms, and the cost. That is right, you guessed it, all this information – for *free*! I wish I had believed the LexisNexis instructor when he told me in law school that this service existed. What I have just described may not be news to this article’s audience, but knowing how to approach my research when using this source of information sure is a massive timesaver.

So at the end of the day, did my law school training prepare me for legal research in the real world? Yes, well, sort of.² There are certain things in life that everyone must simply experience firsthand to appreciate. All we can really ask for from our law school education are the tools and knowledge base to draw and build on. If I had to do it all again, I would have liked to learn how to conduct manual legal research a bit better in law school, as you never know when you will need to perform some quick research in the courthouse library — without Internet access — or look something up for a partner at a moment’s notice. Of course, it may not be long before manual research is a thing of the past and books are replaced by e-books. After all, the world is no longer flat, the sun no longer revolves around the Earth, and the horse drawn carriage is not the primary means of transportation in the modern world.

There are tricks of the trade that everyone must learn for him- or herself. It would help if some of these tricks were taught in law school, but seeing as how all of our dean’s fellows were just students themselves, for the most part, they did not know the tricks of the trade to teach us. For instance, “check the treatise first” sounds like an obvious way to start research, so why do I not remember hearing this advice in law school? Granted, we were shown treatises in law school, and we had an assignment that involved using treatises, but there was no emphasis on their importance in practice. Understandably, it is difficult to grasp how valuable a treatise can be when you are starting a new research project, and you have no idea where to look. Perhaps a comprehensive research project or LR&W assignment in law school might have helped develop this aspect a bit.

My reasoning might sound circular: I have stated that I wish law school taught me the tricks

of the trade, while at the same time argued that everyone must learn the tricks of the trade for him- or herself. It just goes to show that, just as there are as many viewpoints towards legal research as there are law firms, there are as many opinions on legal research training as there are law students! In the end, I suspect the goal of legal research training programs is to provide law students with the basic information and knowledge required to build upon and improve their research skills in practice. Once an attorney has mastered the fundamentals of legal research, as technology and the delivery of information change, then that attorney will be in a position of such authority that he or she can make the first or second year associate do the research. That is, after all, how it works...right?

ENDNOTES:

1 While this sounds ultra efficient and may impress some of my law school friends, I still do not really know the difference between the two. I have been told that one is for transactional-based billing and that the other is for hourly-usage, but the line between them is not as black and white as it may sound. It would be nice if someone just gave me a price chart.

2 I am an attorney; nothing is absolute. ■

THERE ARE CERTAIN THINGS IN LIFE THAT EVERYONE MUST SIMPLY EXPERIENCE FIRSTHAND TO APPRECIATE. ALL WE CAN REALLY ASK FOR FROM OUR LAW SCHOOL EDUCATION ARE THE TOOLS AND KNOWLEDGE BASE TO DRAW AND BUILD ON.

INFOCURRENT AD



BNA AD



AS NATIONAL LIBRARY WEEK APPROACHES, I ALWAYS REFLECT ON WHAT IT MEANS TO BE A LIBRARIAN.

The other day I was a bit startled to hear my preschooler, Caroline, announce, "I want to be a librarian, Mom." I started thinking about things. What will libraries be like in twenty years when my daughter enters the workforce? I thought about what my private law firm library looks like to a four year old. The floor-to-ceiling shelves are a bit imposing, as is the dark wood trim. The desks are enormous and the books are arranged in an order recognizable probably only to other law librarians. She likes the fact that I get to "stamp" my books with the name of the firm and the date. Do I tell her that my attorneys rarely check the books out, and when they do, they keep them way past the due date? The computer has not solved these problems, but has made them easier to deal with. My daughter and the computer are fast friends. She can put in a CD, adjust the volume on the computer, and click her way around the electronic desktop. Thinking about my library made me wonder what our libraries look like to our users. What do our jobs look like through their eyes?

National Library Week, April 14-20, 2002, marks the launch of a new, national initiative sponsored by the American Library Association called "Rediscover America @ your library." Almost everything "legal" can be seen as "American." Our law libraries are 100% American! It is often hard to drum up enthusiasm for National Library Week in the "real world," but I think this year we should all make a special effort. The world needs libraries and librarians now and as we look toward the future.

This spring, I hope many of you can take advantage of not only the excellent educational programs, but also the social and networking events sponsored by the LLSDC, its SISs and committees. Each month when I scan *Dates to Remember*, I am proud to be a member of such an active and vibrant society. March features several special events, including the 2002 Town (Business) Meeting and the Legal Research Institute. Thanks to Rhea Ballard-Thrower, director, for hosting us at Howard University Law Library. The LLSDC co-sponsored the DCLA Spring International Program on Legal Research on March 4, 2002 at the Library of Congress. The LLSDC will again participate in the Joint Spring Workshop on April 14-20, 2002. This year's topic is "Fast...Cheap...Accurate: Get All You Can Out of Web Searching," featuring speaker Gary Price. The LLSDC year closes with the annual banquet on May 14,

2002, at the Crowne Plaza Hotel.

Your colleagues who served as LLSDC leaders during the 2001-2002 year have worked hard to make many things happen for you. Borrowing Elmo Dattalo's words, they are the "unsung heroes" of our society. Be sure to cast your ballot this spring in the LLSDC election. Biographies of the candidates for office were published in the winter issue of *Law Library Lights*. They are also posted on the LLSDC web site under the "What's New" link. It is almost time to welcome new leaders to take over the helms of *Dates to Remember*, *Law Library Lights*, and the various SISs, committees, and focus groups. Who will come forward to represent the LLSDC in 2002-2003? Ask yourself: "What talents do I have to share with the LLSDC?" Even a small commitment can make a big difference in a society as large as ours. Please contact me and/or Lisa Harrington, vice-president/president-elect, with your leadership commitment for 2002-2003. Our contact information is on the LLSDC Web site and on the back page of *Lights*. ■

PRESIDENT'S COLUMN

*Ann C. Green
Sonnenschein, Nath
& Rosenthal*

COURT EXPRESS AD



NEWS OF MEMBERS

Hillary C. Rubin
Hogan & Hartson

Patrick E. Kehoe, law library director at American University, has received a letter of special recognition from the White House acknowledging that library's role in serving as a temporary refuge for lawyers who evacuated the White House on September 11, 2002. Kehoe, **Margaret Milam**, associate director at AU Law Library, and others were quick to assist by making arrangements to accommodate White House lawyers. The lawyers needed a discrete and secure place to work, with access to materials, databases, and communications in order to prepare a special report to President George Bush concerning his war powers. Concerns about safety and possible additional terrorist acts precluded the White House lawyers from using libraries in or close to downtown Washington, D.C. In addition to the letter, Kehoe also received a set of presidential cufflinks with President Bush's signature engraved on the back "as a small token of . . . gratitude."

Susan Ryan's article, "Cost Inflation By Page Reductions: A Discrete Example of New Price Increases in Legal Serials" 14 *The Bottom Line: Managing Library Finances* 6-11 (2001) was named "Outstanding Paper" for 2001 by Emerald Publishing, publisher of *The Bottom Line* and other periodicals.

The staff at **The George Washington University Law Library** has so much news to report that it needs its own special section. **Jennie Meade**, bibliographer and rare books librarian, has established a 501(c)(3) organization, located on the eastern shore of Maryland, called Fox Shadow Foundation, which takes thoroughbreds off the track and retrains them for second careers as riding horses. This saves racehorses from going to slaughter, a significant problem in the racing industry. Anyone interested in the fate of these horses can volunteer to help. They welcome all visitors. **Sharron Jones**, library manager, received a LLSDC scholarship to attend the AALL copyright program held in February 2002. **Michelle Wu**, formerly the assistant director for information services, accepted the position of associate director at the University of Houston Law Library in October 2001. **Deborah Norwood**, formerly the state law librarian of the Washington State Law Library, joined the staff in January 2002 as the assistant director for public services.

Henry Walter Vicarius Skalbeck, son of **Roger Skalbeck**, arrived on Christmas Eve at 10:37 P.M., just ahead of St. Nick. This future LLSDC member weighed nine pounds, twelve ounces.

On January 17, 2002, **Mindy Klasky** read

from her new book, *Season of Sacrifice*, at Borders Books & Music on L Street.

Daniel Bearss won the LLSDC member drawing for a refund of his registration fee for the February 21, 2002, AALL program, "Applying Copyright Law in Libraries."

PASSINGS:

Sadly, after an eighteen-month struggle, **Jamie Knapp**, the librarian at McDermott, Will & Emery, lost her battle with brain cancer on December 31, 2001. Jamie graduated from Walt Whitman High School in Bethesda in 1968. She received a B.A. from The George Washington University in 1974 and a Legal Assistant Certificate from Georgetown University Legal Assistant Program in 1976. She started work with Lee, Toomey & Kent on January 8, 1977, and joined McDermott, Will & Emery when it merged with Lee, Toomey on January 1, 1994. In addition to her talents as a librarian, Jamie enjoyed skiing, was a great equestrian, and had a very green thumb.

Foley & Lardner's **Robin Sacher** (Gail Robin Sacher) passed away on Tuesday, December 18, 2001, after a valiant three-year battle with a rare form of cancer. Robin graduated with a B.A. from the University of Maryland in 1979 and started working as the library clerk at Freedman, Levy, Kroll & Simonds in November 1980. Robin enjoyed her career as the librarian at Freedman, Levy until the merger with Foley & Lardner in February 2001. She joined the library staff at Foley & Lardner as a library assistant/cataloger.

WELCOME TO

Georgia Chadwick—collection development/documents librarian at the Law Library of Louisiana

Mauda Hueni—reference librarian at Covington & Burling

Jerry Ismail—librarian/attorney at Gottesdiener Law Firm

Harriet Klontz—law librarian at Cole Raywid & Braverman

Anna M. Lankford—law librarian at NASA Headquarters

Joe Maguire—legislative librarian at Reed Smith Hazel & Thomas

Nika L. Rawlings—account manager at Global Securities Information

Rebecca L. Stallings—applications consultant at Global Securities Information

Elizabeth B. Stroup—law librarian at the Administrative Office of the United States Courts. ■



LEXIS AD

FEDERAL LAW LIBRARIANS SIS NEWS

Mary Grady
U.S. Environmental
Protection Agency Law
Library

THE FEDERAL LAW LIBRARIANS SIS HELD ITS HOLIDAY PARTY ON DECEMBER 4, 2001, AT THE STATE DEPARTMENT LAW LIBRARY. Thirty members attended and enjoyed tasty hors d'oeuvres and great conversation. Door prizes were awarded to Robert Farina (PTO), Jim Higgins (Justice Department), and Rick McKinney (Federal Reserve Board). Many thanks to Odell DeHart and Joan Sherer for volunteering to host the party, and to FLL Vice President Meldie Kish for making the catering arrangements.

On January 24, 2002, the SIS met at the International Trade Commission to discuss a topic of great concern to a number of federal law librarians: how do we decide whether to keep print resources in light of shrinking space and limited budgets? Virtually all of the 25 members attending the meeting have faced this question. Throughout the discussion, it was clear that many factors are involved in deciding whether to retain or cancel print materials and provide only electronic access.

First, what are the library's space and budget constraints? If space is not a problem, then canceling or discarding print materials is not as high a priority as it is for libraries that have run out of room for sets such as reporters, digests, and codes. Some libraries have turned to compact shelving or have digitized older, essential materials that are not available online. If they are working with static or reduced budgets, the library staff has no choice but begin the process of choosing materials to cancel. As part of that process, libraries need to determine which print materials are not being used regularly enough to justify keeping them.

Second, how does the library staff approach the task of evaluating the collection in terms of discarding and/or canceling print materials? The discussion on this point revealed that some library directors make unilateral decisions about what to keep and what to cancel. These decisions are based on their knowledge of the collection, their experience and observations of what is being used, and consultations with users. Several people pointed out that other library staff members are sometimes in a better position to make these determinations because of their familiarity with the use of the collection.

At the FDIC Library, the staff has experimented with placing signs on or near sets or treatises that request customers to inform the library staff if a particular resource is being used. FDIC's Len Samowitz pointed out that if

the library's filing service staff members are the ones spending the most time with a particular set, it is time to consider canceling it. Some libraries, taking a democratic approach, send e-mails to customers alerting them that a particular print resource is being considered for cancellation or discard. If there is little or no response, the material is removed. Other libraries work with committees to assist them in making the decisions.

Everyone agreed that there are certain core materials that must be maintained in paper, although "core" can mean different things to different agencies. A straw poll of the attendees revealed that about eight libraries still subscribe to Shepard's citators in print. For them, Shepard's is essential because their customers demand it. Other materials that most federal libraries consider essential to retain in paper are the *U.S. Code*, *Code of Federal Regulations*, and legislative history materials. Most law librarians would concur that certain items are so difficult to use online that having them in print is a requirement. Titles such as *ALRs*, *Restatements*, regional reporters, digests, and law reviews are considered vital in some agency libraries and expendable in others.

There was a brief discussion about the possibility of law library collections becoming "virtual" in the near future. Since there are continuing instances of agencies losing Internet access, and thus, LexisNexis and Westlaw, on either a short or long term basis, most did not agree that they would have virtual libraries any time soon. We all agreed, however, that if we have the same discussion about print versus electronic collections in five years, attitudes and practices may very well have changed significantly.

In a separate discussion, SIS members shared their experiences with irradiated mail and other mail delivery problems. Some agencies are not yet getting any mail, but most are getting some mail, a portion of which is arriving irradiated and damaged. Publishers such as West and LexisNexis are assisting by sending their materials by commercial carriers because those deliveries are not subject to the same delays or irradiation. Most publishers are also willing to work with libraries to replace damaged materials. ■

WWW.LLSDC.ORG

For up-to-date information about the society and its activities, visit the Web site at www.llsdc.org.

THE NEW YEAR IS PROVIDING NUMEROUS EDUCATIONAL OPPORTUNITIES FOR LAW LIBRARIANS INTERESTED IN HONING THEIR FOREIGN AND INTERNATIONAL LAW RESEARCH SKILLS. On March 1, 2002, the SIS sponsored a tour of the Organization of American States' Columbus Memorial Library and archives. Librarians were given the opportunity to learn about the library's services and tour the unique collections of materials that document the history of the Organization of American States and its predecessor agencies. The president of the Foreign and International Law Special Interest Section wishes to thank Director Beverly Wharton-Lake for her assistance in organizing this event.

On March 4, 2002, the LLSDC, in conjunction with several other library organizations, cosponsored the D.C. Library Association's Spring International Program on Legal Research entitled "Documents and Technological Resources for Researchers in International Law." The event, which took place at the Law Library of Congress, was well attended. Librarians were lectured on new developments in

transnational legal research by two eminent panelists: Rubens Medina, law librarian of Congress and director of the Global Legal Information Network; and Patrick Daillier, professor of law at the University of Paris. A reception followed the program.

On March 14, 2002, the SIS co-sponsored a second program at the Law Library of Congress entitled "Creating Commercial Connections - Trade Laws of Latin America." The program brought together trade law experts and Library of Congress research specialists who introduced participants to the key trade issues of this region as well as identified key, primary sources of foreign investment and trade laws, regulations, and case law for Argentina, Brazil, Costa Rica and Mexico. For more information about this program visit, <http://www.ll.georgetown.edu/intl/presentations/latamworkshop.html>.

There are several other programs in the planning stages as of this publication date. Keep an eye out for announcements in *Dates to Remember*, the society's Web site, and the LLSDC's listserv. ■

THE INTERLIBRARY LOAN SPECIAL INTEREST SECTION ENDED 2001 WITH OUR TRADITIONAL HOLIDAY COOKIE PARTY ON DECEMBER 12, 2001. SIS members gathered at Shaw Pittmann to begin the holidays with sweets and socializing. My thanks to Dannie Young for hosting us and providing lunch. The group allowed me to spend a few minutes discussing the topics that we would like the ILL SIS to cover during the remainder of the 2001-2002 year. Everyone agreed on several topics including a January meeting focusing on changes to the *General Legal Publications Union List (GLP)* and the *Consolidated Union List of Serials (COUNSEL)*; a February meeting devoted to available scholarships and grants for those interested in graduate school; and a March product demonstration by *Laser-ship.com*, a courier company.

The ILL SIS's first meeting of 2002 was held on January 9, 2002, at Wilmer, Cutler & Pickering. *GLP* Chair Keith Gabel and *COUNSEL* Chair Laurie Green joined us from the Publications Committee and gave members an opportunity to voice their opinions on changes to future editions of those publications. Keith and Laurie presented a summary of our ideas to the LLSDC board at the board's January meeting. The board was interested in hearing the suggestions from our membership.

For those of us who use these LLSDC publications on a daily basis, our input will help produce an even better *GLP* and *COUNSEL* in the very near future. I would like to thank those who participated. I would also like to thank Keith and Laurie for attending and allowing us this chance to be heard.

The February 13, 2002, meeting offered a new twist on a topic that the ILL SIS has covered in prior years: the pros and cons of earning a library science graduate degree. This has often been a topic for debate in our ILL group. In this meeting, however, we discussed ways to help pay for the master's degree. Scholarships and grants from familiar sources such as the LLSDC, the AALL, West, and LexisNexis, were just a few of the options discussed. Recipients of scholarships and/or grants were invited to the meeting to share their success stories. Thanks to Jenner & Block for hosting us. ■

FOREIGN & INTERNATIONAL LAW SIS NEWS

Herb Somers
The George Washington
University Law Library

INTERLIBRARY LOAN SIS NEWS

Michelle Wollmann
Sonnenschein Nath &
Rosenthal

**WE APPRECIATE OUR ADVERTISERS ...
SO WHEN YOU USE THEIR SERVICES,
TELL THEM YOU SAW IT IN LAW
LIBRARY LIGHTS!**

Scott Larson
Beveridge & Diamond,
P.C.

There is plenty of news to report this issue about the PLL SIS's many recent activities and events. Please check the latest edition of *Dates to Remember*, the LLSDC Web site, and the LLSDC listserv for information and announcements concerning the forthcoming programs and events described below.

PLL NOMINATIONS COMMITTEE: One of the LLSDC's annual "Rites of Spring" is the election of new officers for the coming year. I would like to thank Laurie Johnson Malone for volunteering to serve as chair of the PLL Nominations Committee this year. By the time you read this you will have already seen requests from Laurie on the LLSDC listserv for the names of nominees interested in running for the PLL SIS offices of vice-president/president-elect, secretary, and treasurer. The candidates who are elected to these positions will serve with Pete Vay when he is the PLL president during the 2002-2003 term. The work that Laurie and the members of the Nominations Committee have performed this year is greatly appreciated. I would also like to thank everyone who has agreed to run in this year's PLL SIS election. Members will receive complete information about the candidates when they receive their ballots.

PLL EDUCATION COMMITTEE: PLL Education Committee Chair Pete Vay and the committee's members have produced a variety of programs in the last few months. On December 12, 2001, the committee organized a brown bag luncheon focusing on "Library Organizational Mental Health: Dealing with the After-Effects of Terrorism." The luncheon was hosted by Bryan Cave LLP and it featured two speakers. Jim Walther discussed the effects of recent political events on law firm and library management practices and Stephanie Young, a member of the Education Committee who helped produce this program, discussed handouts she assembled concerning disaster planning and related topics.

Since the committee's October presentation featuring new products and resources from DIALOG was very well attended, this vendor demonstration was held a second time on February 15, 2002, at Skadden, Arps.

On February 28, 2002, the committee held a brown bag lunch at the offices of the Delegation of the European Commission. The featured speaker was Barbara Sloan, the Delegation's manager of Public Inquiries and Library. The topics included descriptions of the EU's governing institutions, an overview of the EU

decision-making process, and demonstrations of Eur-Lex and other online sources for EU documents. Trina Warden, a member of the Education Committee, was instrumental in setting up this event.

Unscheduled but much anticipated at the time I write this column are events featuring a demonstration of Litwatch's services (coordinated by Laura Riley); a brown bag lunch focusing on the effects of law firm mergers on libraries (coordinated by Eva Nye); and a program about the benefits of social networking for librarians followed by a wine and cheese party (coordinated by Jennifer Korpacz). I cannot rule out the possibility of a few more activities beyond that!

I congratulate all of the committee's members for successfully planning a very ambitious slate of educational opportunities for the PLL membership and others.

PLL SOCIAL COMMITTEE: In the last issue, I wrote about one of the PLL's most important events of the year, the PLL Holiday Party. The event was organized by members of the Social Committee and was held on December 6, 2001. Keith Gabel, the party's chief coordinator, deserves applause for his time, energy, and efforts. The members of the committee, including Committee Chair Steve Mellin, Lisa Benjamin, Laurie Green, Virginia Robinson, and Cecelia Weinheimer, shared duties that ranged from assisting with planning in the weeks before the party and also setting up, bartending, and cleaning up that evening. The PLL SIS is also grateful to Bernan Associates, who contributed generous financial support, and to Kate Martin and the library staff of McKenna & Cuneo, who hosted the party. The Social Committee also publicized a reading held at Borders Books (on 18th and L Streets) on January 17, 2001, that featured former PLL President Mindy Klasky. Mindy read excerpts from her third novel, *Season of Sacrifice*. The Social Committee organized a group of LLSDC members for a dinner at a nearby restaurant after Mindy's reading. Additional Social Committee events are now in the planning stages.

VOLUNTEERS ALWAYS WELCOME: The PLL Education and Social Committees are eager to have additional members join their ranks. If you are interested, please contact Pete Vay (peter.vay@shawpittman.com or 202/454-7475) about the Education Committee or Steve Mellin (smellin@jenner.com or 202/639-6012) about the Social Committee. ■



THE LEGISLATIVE RESEARCH SIS HELD OUR "WELCOME BACK, CONGRESS" LUNCHEON ON JANUARY 16, 2002, AT FRIED, FRANK, HARRIS, SHRIVER & JACOBSON. Approximately twenty LLSDC members attended this informal meeting. There was no agenda, and the conversation touched on a variety of legislative topics including the future of LexisNexis's *CIS Documents on Demand* service, the availability of documents from area libraries, upcoming SIS programs, and much more. Thanks to Margot Gee for hosting this wonderful event!

LexisNexis had announced plans to cancel its *CIS Documents on Demand* service, which many librarians use to obtain reprints of congressional documents. In response to input from a number of law and government documents librarians, LexisNexis decided to make changes to the product so that it could continue to provide this service to libraries.

On February 21, 2002, the SIS scheduled a program on D.C. legislative histories that featured a presentation by David Lang of Wilmer, Cutler & Pickering on the *D.C. Code*, and Pamela Lipscomb of Arent, Fox,

Kintner, Plotkin & Kahn on compiling legislative histories.

Looking ahead, in March, we plan to have the second part of our program from last fall on creating legislative histories using Adobe Acrobat. We will also have a meeting to discuss the first supplement to the *Union List of Legislative Histories* (7th ed.).

Please check future editions of *Dates to Remember* for more details on all of these events! ■

UPCOMING EVENTS FOR THE ACADEMIC SIS INCLUDE A TOUR OF THE NATIONAL LIBRARY OF MEDICINE AND A HALF-DAY WORKSHOP ON INTERNATIONAL LEGAL RESEARCH. The tour of the National Library of Medicine will take place on Friday, March 15, 2002, at 11:00 A.M. - 12:00 noon. Directions are available on the NLM Web site, <http://www.nlm.nih.gov/psd/ref/guide/rrdirect.html>. The date and details for the workshop on International Legal Research will be forthcoming. ■

PRINT PUBLICATIONS

Election Law Journal, 2002-

Published quarterly by Mary Ann Liebert, Inc., 2 Madison Avenue, Larchmont, NY 10538-1961; 914/834-3100; Fax: 914/834-3100; Web site: <http://www.liebertpub.com/elj>
Price: \$318.00 per year

This journal covers the legal aspects of elections and voting rights on both the state and federal levels. Legislation, regulations, and case law are covered in each issue. The journal also monitors election law in other countries.

Cybercrime Law Report, 2001-

Published biweekly by Pike & Fischer, Inc., 1010 Wayne Avenue, Suite 1400, Silver Spring, MD 20910-9674; 800/255-8131 ext. 237; Fax: 301/562-1521; E-mail: pike@pf.com; Web site: <http://www.pf.com>
Price: \$315.00 per year

This publication provides information on crime involving computers and the Internet. Information is provided on current news involving legislation, regulations and agency decisions, court decisions, and the actions of law enforcement agencies.

ONLINE SUBSCRIPTION

Villanova Journal of Law and Investment Management, 2001-

Published semiannually by the Villanova University School of Law; 299 North Spring Mill Road, Villanova, PA 19428; E-mail: astalone@law.villanova.edu; Web site: <http://vls.law.villanova.edu/academics/vjlim>
Price: Free

This journal is now being published exclusively online at no charge. To subscribe, e-mail the above-listed address. Each new issue will be delivered by e-mail to all subscribers. The journal's articles also will be archived at its Web site. The journal covers legal aspects of investment companies and investment advisers, as well as relevant aspects of broker-dealer law.

TITLE CHANGE

Tax Planning Strategies, 2001/2002-

Published annually by CCH Incorporated, 4025 W. Peterson Avenue, Chicago, IL 60646-6085; 800/449-6435; Web site: <http://www.cch.com>
Price: \$19.50 per year

Formerly *Year-End Tax Strategies*, this new publication began with the 2001-2002 edition. The last edition of the previous title was dated 2000. ■

LEGISLATIVE RESEARCH SIS NEWS

Julia Taylor

Dickstein Shapiro Morin & Oshinsky, L.L.P.

ACADEMIC SIS NEWS

Nancy Crossed

*American University
Washington College
of Law Library*

EYE ON SERIALS

Susan Ryan

*Georgetown University
Law Library*

LLSDC CLOSING BANQUET/DINNER

TUESDAY MAY 14, 2002
6:00 P.M. – 8:00 P.M.

THE CROWNE PLAZA HOTEL,
14th & K Streets, NW
Washington, D.C. 20005-3411
202/682-0111

METRO: Orange/Blue lines - McPherson Square, 14th St. Exit

Our speaker will be **BRUCE ROSENSTEIN**, Reference Librarian/
Communications Officer, USA TODAY on
“All News, All The Time: The Never-Ending World of Online News Searching”

Join your colleagues and toast the end of a successful LLSDC year!
Thanks to the 2001-2002 leaders and welcome to the 2002-2003 leaders!

There will be a cash bar at 6:00 p.m.
followed by dinner (at 6:30 p.m.) and our speaker.

Entrée choice (Circle one):

- 1. GRILLED BEEF PEPPERLOIN (MARINATED AND SERVED WITH A MUSTARD SAUCE)**
- 2. NORWEGIAN SALMON (GRILLED WITH A CUCUMBER DILL SAUCE)**
- 3. SEASONAL VEGETARIAN PASTA**

NAME _____

FIRM OR INSTITUTION NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____ E-MAIL ADDRESS _____

AMOUNT ENCLOSED _____

Please make checks payable to **LLSDC** (\$20/person) and mail to:
Keith Gabel, c/o Thompson Coburn Library, 1909 K St, NW,
Suite 600, Washington, D.C. 20006. **RSVP BY MAY 8, 2002.**

Thanks to West Group/Westlaw and Anne Ellis and West Group Librarian Relations
for sponsoring the Closing Banquet.



IN THE LAST TECH TALK COLUMN, I SUGGESTED A "PATCH" AS AN APPROPRIATE SOLUTION TO RECURRING PROBLEMS WITH WEB BROWSING SOFTWARE. This strange term, which connotes the image of a colorful covering for a hole in your blue jeans, actually refers to a quick fix provided by a software company to repair a bug in the programming of their product. Staying informed about the availability of patches and new releases of current software versions is essential to keeping your computer in working order. Patches and new releases also play an important role in maintaining computer security and privacy.

The first step in working with patches and new releases ("patchwork," for short) is to identify the version number of the software on your computer. For computers using Windows operating systems, you can accomplish this easy step by selecting "About ..." on the software's "Help" menu. Version information usually comprises a simple statement of the software name and number (e.g., EditPad Lite 4.4.1). More complicated software applications, such as Microsoft Internet Explorer, provide version details for both the software and the update patches.

The second step in patchwork is checking software company Web sites for free updates. When visiting a company site, look for a link entitled "Downloads," "Support," or something similar. Be prepared to compare version numbers between your software installation and what the company now provides, or you may encounter an automated, version-checking system. These systems, such as Microsoft's Windows Update, analyze your computer and deliver to your screen all the options for patching or otherwise updating the installed software. Version histories, available on some software company Web sites, detail the changes made in the software update process and may help you decide whether acquiring an update or a new version is appropriate.

A third step in patchwork is becoming aware of new discoveries about software vulnerabilities and recommended actions. *PC World* magazine provides up-to-date news about software bugs and fixes through its Web site (<http://www.pcworld.com>). This site currently presents this information under "Topics." From the home page, choose to view all topics, then select "Industry" and, as a subtopic, "Bugs." Other technology-related Web sites, such as ZDNet Technology update (<http://techupdate.zdnet.com>) and CNET News.com (<http://news.com.com>), provide similar information along with the latest news stories about the technology industry.

The final step in patchwork involves

installing updates. When installing updates, you should exercise caution on two fronts. First, always ensure, to the best of your ability, that the fix addressed by the patch or release is relevant to your situation (or else risk "fixing" something that is not broken). Second, in a work environment, you should always clear software installations with the department responsible for maintaining your computer systems. If the computer department folks insist on retaining full responsibility for software updates, yield to their wishes but feel free to share your patchwork information in an advisory role. ■

TECH TALK: PATCHWORK

Christopher Reed
The George Washington
University Law Library

TELL US WHAT YOU THINK!

■ ■ ■ How interesting did you find this issue of *Lights*? Were the articles informative and relevant to you or someone you know? What topics would you like *Lights* to cover? Are there new columns or features that you would like to see in *Lights*? We value your input! Please send feedback, comments, and suggestions to lights@llsdc.org.

TLC AD

BOARD MEETING SUMMARY

Emily Carr
Law Library of
Congress

PRESENT: Ann Green, Lisa Harrington, Susan Ryan, Stephen Mellin, Susan Lewis-Somers, Bill Grady, and Debbie Trocchi

ABSENT: Emily Carr, Mary Alice Durphy, Barbara Fisher, and Mike Petit

CALL TO ORDER: President A. Green called the December 13, 2001, meeting to order at 12:35 P.M. It was determined that the number of board members present did not represent a quorum. She asked board members to report on their activities.

REPORTS

A. Green reported for Recording Secretary E. Carr who was sick but who will e-mail board members the November minutes as soon as possible.

Board member S. Pagel reported on his liaisons. The Vendor Support Committee is working on donations. The PLL SIS held its holiday party; Scott Larson thanked Bernan for sponsoring the affair. Approximately 70-80 people attended. A loss of \$500-600 is projected; final accounting will follow. The Foreign & International SIS held an institute on German law that was well received; 22 people attended.

Assistant Treasurer Steve Mellin distributed the Treasurer's Report. He also distributed a chart outlining the association's six bank accounts, and money market and investment funds. He stated that the LLSDC is in a conservative position; all funds are doing better than average for their categories and only the Vanguard 500 (100% stock fund) had any vulnerability. Steve suggested that the board discuss each account individually at a later time to review risks and determine goals. Such a review would enable the treasurer to project the long-term financial budget.

Board member S. Ryan updated the board on her liaisons. She reported that the Scholarships and Grants Committee would be meeting to review the three applications they have received to-date and make decisions about them. She stated that Leslie Lee was in the final stages of editing the winter issue of *Lights* and hoped to have it at the printer shortly. A. Green interjected that she had heard from several past presidents on how pleased they have been with the recent issues of *Lights*.

Board member S. Lewis-Somers reported that the Publications Committee was still gathering information for producing *COUNSEL* electronically. Keith Gabel planned to convene a focus group within the ILL SIS and thought the PLL SIS might have a similar interest. They

are seeking feedback, technical expertise, and suggestions before moving forward.

Board member M. Petit phoned in during the meeting. A. Green told him that she appreciated his checking in but the board had no issues on which to vote.

NEW BUSINESS

A. Green introduced Bylaws Committee Chair Bill Grady. He explained that he was attending the meeting to get a sense of how the board feels about updating some language to the society's existing constitution and bylaws. B. Grady mentioned that at he was also drafting the Maryland Law Libraries bylaws. By checking the Internet he found 25 chapters that had their constitution and/or bylaws on Web sites. He was specifically looking at the following issues: vacancies – vice-president/president-elect; institutional members; and honorary members.

He reported that the LLSDC's constitution and bylaws were good but that the above three areas had ambiguous language. After much discussion with regard to the issue of what to do when a vice-president/president-elect resigns, the board agreed on the insertion of the phrase "hold a special election at the time of resignation." With regard to selecting honorary members, the board agreed to follow the AALL format and change to "appoint under discretion of the board." B. Grady suggested the deletion of references to institutional members or the addition of wording such as "library director at library appoints the representative for institutional membership. Membership will be non-transferable - unless the institution paid and then it could be transferred to the successor." The board asked B. Grady to draft language for discussion at the March Town Meeting.

A. Green introduced two other agenda items. Hein On-line has shown interest in promoting its service to the LLSDC's members. S. Lewis-Somers asked if Hein would give the society a special discount; A. Green will inquire with Hein. A. Green reported that Federal SIS Chair Mary Grady brought to her attention that someone had tried to join the LLSDC but could not join an SIS group because she was a researcher in a federal agency and not in a law library. Concern was expressed over losing people because of these restrictions. The board felt it was an unusual case that did not affect the overall membership. A. Green asked Debbie Trocchi to obtain the list that M. Grady developed on potential



society members from the government sector. D. Trocchi said she would mail membership brochures to this group but noted that in the past individual federal employees were unwilling to pay for professional dues personally.

MOTION TO ADJOURN: The meeting was adjourned at 2:10 P.M.

ITEMS DISTRIBUTED: Agenda Monthly Board

Meeting, December 13, 2001; Statement of LLSDC Accounts as of December 13, 2001; Monthly Update Memo from Management Company dated December 13, 2001.

NEXT MEETING: Thursday, January 10, 2002, at 12:30 P.M. at Sonnenschein Nath & Rosenthal, 1301 K Street, NW, Suite 600, East Tower, Washington, D.C. 20005. ■

IN MEMORIAM: JAMIE KNAPP

*Carolyn Ahearn
Wiley, Rein & Fielding*

In 1977, I took my first job as a head law librarian and I was terrified. I did not know nearly enough to be a head librarian, but my current boss told me it was too good an opportunity to pass up so I accepted the job and prayed. The associate instrumental in hiring me was a tax associate eager to have someone to track down tax documents for him, but too busy to explain tax law to me! In an offhanded comment, he suggested that I go down two floors to the tax law firm of Lee, Toomey & Kent from whom he occasionally borrowed items when our collection did not meet his needs. Down I went to Lee, Toomey. I introduced myself to the receptionist and asked to speak to their librarian. The receptionist smiled sweetly and said, "Ah, that would be me. How may I help you?" That was how I met Jamie Knapp, and we remained friends for the past 25 years. Jamie, I soon discovered, had been a teacher in a private school for a couple of years after college but decided she wanted other challenges and so she pursued a paralegal certificate. She took a position as a paralegal at Lee, Toomey, but as in most small firms, Jamie was expected to do a variety of tasks. She did everything well and always with a cheerful attitude.

In addition to filling in as receptionist as needed, Jamie maintained the library. How often we commiserated about her unremitting task of filing umpteen office sets of the *CCH Standard Federal Tax Reporter* every week. When she was not filing or otherwise helping out in the office, Jamie would be on the Hill tracking down arcane documents or collecting testimony from tax committees, or at the IRS. Between her library work and her paralegal tasks, Jamie learned a great deal about both disciplines over the years. She certainly bailed me out more than once when I had an esoteric tax question to answer. In return for her tax help, I was happy to share with Jamie the secret tips of librarians. She did not need much help, though. Jamie was endowed with great common sense and sanguinity – both very useful library tools. She also had a sense of collegiality. Jamie inherited a full bound set of the *Federal Register* that she maintained throughout her career at Lee, Toomey and made volumes available to anyone needing them. In the era before the Internet, when many firms could not afford the microfiche, these books were a boon to Washington librarians. Jamie went out of her way to maintain this collection over the years - through office renovations and space crunches - because she appreciated the value of this resource and wanted to be helpful to the library community.

Jamie worried about her job security when it was announced that Lee, Toomey would merge with McDermott, Will & Emery. Not only did her job remain secure, but she was also asked to head the consolidated library collection for the Washington office of McDermott. What a tribute to her skills. She designed a new space, worked with a library staff she greatly respected, and enjoyed being a librarian in every way.

From horseback riding with her old horse Moose to skiing out West to spending time with her mother, Jamie found great pleasure in the small things in life. As her illness progressed, Jamie continued to come to work as often as she was able. Jamie knew that the firm, her staff, and her friends needed her leadership, her knowledge, and her friendship, and as always, Jamie wanted to be helpful. She gave us all that she could and at the same time gave us a model of grace under fire and courage in the face of adversity. She will be greatly missed and long remembered.

