

## That One “Special Book”:

### *D.C. Law Librarians Discuss the Rare Book in Their Collections Which Speaks to Them Most Eloquently*

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#### Introduction

Is it possible for one “special book” to make being a law librarian in Washington “special?” I believe so. The D.C. area offers an uncommon opportunity for intellectual extension beyond the four walls, or the computer screens, of our own libraries. Our city is home to a number of law libraries with special collections, and becoming aware of the treasures hidden within them is a unique pleasure. I recently have been working with the book which is, for me, the most special in our collection. Since there are many contenders in our special collections for “the most special book” title, not everyone would agree with my choice. A relationship with a book grows from many factors: intellectual, historical, and aesthetic may be near the top of the list, and each person weighs these differently, perhaps adding other considerations into the mix. But as I spent more time with the book which “speaks” to me most expressively, I wondered whether other books in other collections held a similar sway over their guardians, and decided to ask. In response, four librarians from D.C. law libraries—government, private, and academic—generously agreed to share their thoughts about “that one ‘special’ book” in their collections.

The criteria for choosing the book were simple. The book had to be rare or unusual, with few recorded copies. It did not need to be old, but likely it would be. It need not have

been expensive to buy, but may have been. Manuscripts as well as printed books could qualify. Most important, the work needed to “speak” to the librarian more than others in the collection (hence the choice): affinity between the librarian and the work was of fundamental importance.

The four librarians made erudite and creative choices, their exemplars exhibiting originality in selection and variety in subject matter. Dr. Meredith Shedd-Driskel, Law Curator in the Collection Services Division of the Law Library of Congress, chose an illuminated manuscript, *Larbre des batailles* (France, 14--). Lawrence S. Guthrie II, Interlibrary Loan Librarian at Covington & Burling LLP, selected *A Treatise on the Virtues and Efficacy of a Crust of Bread* (Dublin, 1757), from an unexpected source, the firm’s Food and Drug collection. William Ryan, Foreign & International Law Librarian at the Pence Law Library at the American University Washington College of Law, picked out the first American edition of *Blackstone’s Commentaries on the Laws of England* (1771-1772). Mary Strouse, Associate Director & Head of Technical Services at The Catholic University of America Columbus School of Law’s Judge Kathryn J. DuFour Law Library, selected the rare typescript memoir (19--?) of former dean of the law school Robert J. White, whose experiences in life may be the

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FROM THE EDITOR

# The Long Road

Matthew Braun, Legal Reference Librarian, Law Library of Congress, [mbra@loc.gov](mailto:mbra@loc.gov)

Well, my friends, we have finally arrived. As you may have noticed, *Law Library Lights* (Volume 52, Number 3, if you are keeping track) was not published this past spring. This was due to the diagnosis of my fiancée (now wife) Denise with acute myeloid leukemia near the time that the spring issue was to go press. I thank each of you for your patience and understanding during this delay, and thank those of you who have offered support to Denise and myself as we battle this illness.

Indeed, at the end of a long road, I am happy to present to you a combined spring/summer issue of *Lights* that incorporates both the themes of “What Makes D.C. Special” and “The Spirit of Innovation.”

From light to shade, from a shout to a whisper, this combined issue of *Lights* just about *continued on page 3*



## Deadline for Submissions

If you would like to write for *Lights*, please contact **Matthew Braun** at [mbra@loc.gov](mailto:mbra@loc.gov). For information regarding submission deadlines and issue themes, visit the LLSDC Web site at [www.llsdc.org](http://www.llsdc.org).

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has it all. Steve Young shares a few thoughts about being a law librarian in Washington, D.C. as we prepare to host the 102nd Annual Meeting of the American Association of Law Libraries (AALL), while Jennie Meade and Jennifer Locke Davitt share some detailed accounts of what makes the legal collections and research processes in this city so unique. Jan Oberla tells us why justice and art are so closely related, and Scott Wales gives some reasons as to why our law library community in D.C. is so interconnected.

And, since the theme of this year's AALL Annual Meeting is "Innovate," we have Catherine Dunn giving us the ins and outs of FDSys, the Government Printing Office's newest site for federal government publications, and a trio of librarians, Billie Jo Kaufman, Sima Mirkin, and Michael Petit, telling us what it is really like to select and then implement a system for managing electronic journal subscriptions. Monique LaForce shares ideas on how to be innovative with library marketing, while Jennifer McMahan and Michele Masias

offer suggestions on how to create a succession plan for library staff.

Charlotte Osborn-Bensaada also reviews this past year's Joint Spring Workshop, which extolled the virtues of collaboration, and Matthew Mantel gives us a little food for thought on being "innovative" with library rules.

If that were not enough, our *Lights* columns are, once again, as unique as the city and region that we call home. Kasia Solon highlights a rare item located at, interestingly, the U.S. Department of Justice Library, while Roger Skalbeck gives us some guidance on how and when to use URL shorteners.

As I prepare to hand over the reigns of the *Lights* to Sara Sampson, who has been a great friend and supporter in my year as editor, I offer my sincerest gratitude to everyone who contributed to *Lights* during 2008-09. We have an immensely talented group of feature authors and columnists, and I have been consistently impressed by the high quality of our society's newsletter. My year as *Lights* editor has been rewarding beyond words, and I thank you all so very much. **LLL**

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## That One "Special Book" *cont. from page 1*

most eclectic of law school deans past or present, and must have provided him with unparalleled perspective on his chosen work.

Each entry begins with the work's bibliographic information, followed by the librarian's discussion.

### Dr. Meredith Shedd-Driskel, Law Library of Congress

Bonet, Honoré, fl. 1378-1398. *Larbre des batailles: autreme[n]t dit Larbre de douleur*.

[France, 14--]. Ms. on parchment, 109 leaves, bound. 33 cm.

Written, probably in France, all by one professional scribe. Title from explicit. Former owners: Mellon(?) Pseudomme (i.e. Pseudhomme?; inscribed, ca. 1780?); Signor Santorio, of Venice (Bibliotheca Santoriana sale, London, 1791). Purchased from H.P. Kraus in 1945. LCCN: 95125943.

This treatise in the Law Library of Congress is a germinal work on the law of war: it includes rules of military ethics, honor, and chivalry. It also displays the splendor and

artistry of French miniature painting with a large illustration on leaf 7a (reproduced here) and ornate initials and rubrication in colors with gold embellishments. Other contemporary manuscript versions of the text exist at the Pierpont Morgan Library in New York City (probably written in Paris, ca. 1390; MS. M.97); the University of California, Berkeley School of Law (Limoges, 1425; Robbins Collection, MS 91), and the University of Pennsylvania (Ms. Codex 622).

According to the catalog record describing the manuscript in the Robbins Collection, "the text is sometimes attributed to Christine de Pisan (ca. 1364-ca. 1431) ... in fact, only books III and IV of her 'The book of fayttes of armes and of Chyualrye' are based on 'Larbre de bataille.'" The fact that there seems to be a definitive literary connection between these two famous 14th Century authors only adds to the interest and value of Bonet's work! Printed editions of the text were published in Paris by Michel Le Noir in 1505 and 1510 and in Brussels and Leipzig by Ernest Nys in 1883. An English translation prepared by the Scottish

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# What Makes D.C. Special, Hmm...

*Frances Brillantine, Head of Access Services, Catholic University of America Columbus School of Law, Judge Kathryn J. DuFour Law Library, [brillantine@law.edu](mailto:brillantine@law.edu)*



Frances Brillantine

*Washington, D.C. It's paradise to me. It's not because it is the grand old seat of precious freedom and democracy. No, no, no [It's the librarians in LLSDC].*

—With apologies to The Magnetic Fields

I know I am biased, but to me one of the best things about being a law librarian in Washington, D.C. is membership in LLSDC. We are incredibly fortunate to have such a large and talented membership within a small geographic area. I am always amazed by (and grateful for) the amount of time our members are willing to give to support LLSDC and make it the success that it is. We offer outstanding publications and an impressive variety of events, both educational and social. Our members are supportive of one another, always willing to help a colleague answer a difficult research question or locate a hard-to-find resource. And our members are willing to work behind the scenes, performing the many administrative functions that are necessary to keep LLSDC operating smoothly.

## LLSDC News

The LLSDC calendar has been full the last few months with a variety of interesting brown-bag lunches, the Legal Research Institutes, the LLSDC Town Hall Meeting, and the Joint Spring Workshop. The Town Hall Meeting is our chance to give a “state of the society” report to our members, so I was pleased to see a good turnout. I am happy to report that LLSDC is now operating in the black, which enables us to offer more scholarships to our members and to build up our reserve funds. AALL Board Member Sally Wise also attended the meeting and gave an informative presentation on the many benefits of AALL membership. I encourage everyone to explore the AALL website and all it has to offer. Of particular note to AALL members is the free access to The Center for Computer-Assisted Legal Instruction (CALI) lessons. For those of you who are unfamiliar with CALI, these lessons cover a wide range of legal subjects and are a useful resource, especially for novice researchers.

LLSDC has been hard at work in other areas too. Work is progressing on The LLSDC Law Library Directory, with ninety-five entries as of this writing. The directory is accessible from the Publications page on [www.llsdc.org](http://www.llsdc.org), which is located on the left sidebar of every page. The LLSDC mentor program is up and running, so I encourage all of our experienced members to consider becoming a mentor. The resulting relationship is valuable to mentors as well as mentees. As always, I want to thank all of our board members, SISs, committees, and focus groups for your hard work.

In closing, I would like to offer a random list of some of the other things I like best about living in the Washington, D.C. area (none of which have anything to do with law libraries!): Litteri's (the only Italian grocery store in Washington, D.C.); Chuck Brown (the Godfather of Go-Go is still recording and performing at age 75); the Frozen Dairy Bar in Falls Church (the best frozen custard I have ever had); United States military bands, especially The Army Blues and The Navy Commodores (if you have never taken advantage of the many free concerts offered by these bands, go!); the availability of good pho (my favorite place is Pho 75 in Hyattsville, or just about any restaurant in the Eden Center in Falls Church); and Donnie Simpson (there is a reason he is still high in the ratings after thirty years on radio). Hmm, my favorite things all involve either food or music....those of you who know me will not be surprised by that!

By the time that this column is published, I will have handed the LLSDC presidency over to Cameron Gowan...and taken up the mantle of Immediate Past President on the LLSDC Board. So, I thank you for a great year and encourage you to offer your thoughts and suggestions to Cameron at [president@llsdc.org](mailto:president@llsdc.org). **LLL**



## That One "Special Book" *cont. from page 3*

Text Society in 1901 was followed by others in 1949 printed by Harvard University Press and the Liverpool University Press. In 2008, a Castilian version attributed to Diego de Valera (1412-1487?) was published by the Spanish Ministry of Defense.

Bonet's classic study of military art and science is also an important source for the development of international law, along with works by 16th Century publicists such as Francisco Suárez, Alberico Gentili, and Pierino Belli, as well as Hugo Grotius's epoch-making treatise *De jure belli ac pacis*, the first systematic secular commentary on the law of nations, published in Paris by Nicolaum Buon in 1625. The Law Library of Congress's manuscript version of Bonet's treatise is particularly special because it uniquely combines historical significance with aesthetic appeal.



Larbre des batailles: autremel[n]t dit  
Larbre de douleur.

### Lawrence S. Guthrie II, Covington & Burling LLP

Robinson, Nicholas. *A Treatise on the Virtues and Efficacy of a Crust of Bread, Eat Early in a Morning Fasting: to Which are Added Some Particular Remarks Concerning the Great Cures Accomplished by the Saliva or Fasting Spittle, As Well As When Externally Applied, As When Internally Given in the Scurvy, Gravel, Stone, Rheumatism, and Divers Other Diseases, Arising from Obstructions: With Some Critical Observations Concerning the Recrements of*

*the Blood*. Dublin: Printed by James Hoey, 1757. 2nd ed. Description: iv, [5]-32 p. : 20 cm.

One might not expect a law firm library to hold one of only two recorded copies in the United States of the 1757 edition of *A Treatise on the Virtues and Efficacy of a Crust of Bread* by Nicholas Robinson, M.D. (1697?-1775). Yet in this case, three factors converge to make what appears to be an unusual holding at Covington & Burling LLP entirely fitting: a distinguished food and drug practice group, a recognized luminary in food and drug law with a proclivity for rare books and collecting, and the law firm's history of treating its library as a precious asset.

Peter Barton Hutt is Senior Counsel at Covington & Burling, specializing in food and drug law. He began practice with the firm in 1960, and is widely acknowledged as "the dean of the food and drug bar." He served as Chief Counsel for the U.S. Food and Drug Administration (1971-1975), and beginning in 1962 he participated in drafting most of the major legislation amending the Food, Drug, and Cosmetic Act. Since 1994, Mr. Hutt has taught food and drug law at Harvard Law School, and is co-author of *Food and Drug Law: Cases and Materials* (3d edition 2007). He conceived, spearheaded, and continues to shepherd the development of the firm's food and drug collection.

Covington & Burling's library historically has enjoyed outstanding support from the firm. The late Covington partner Howard C. Westwood in his 1986 book, *Covington & Burling 1919-1984*, characterized the library as "the firm's most important single asset" (p. 87). Of the food and drug law collection at Covington, Mr. Westwood remarked: "They [the food and drug lawyers] have been carrying on by far the largest food and drug law practice enjoyed by any law firm anywhere. Evidencing the excellence of their service is the Food and Drug Law Library, subsidiary to the firm's overall Library. ... The collection is the most extensive of its kind anywhere in the world, including invaluable historical as well as current materials" (p. 264). Lewis A. Grossman, currently of counsel to the firm's food and drug practice and professor of law at American University, assesses this special collection as "unique."

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The popularity of this work [A *Treatise on the Virtues and Efficacy of a Crust of Bread*] is evident from its publishing history: the title was published in at least ten London editions (the third and fourth editions expanded to seventy-five pages), with at least one American edition (1844).

### That One "Special Book" *cont. from page 5*

*A Treatise on the Virtues and Efficacy of a Crust of Bread*, acquired in the mid-1960s, is one of approximately one hundred rare books in Covington & Burling's Food and Drug Library. Mr. Hutt began the collection with only one book and one notebook after joining the firm nearly fifty years ago. In the intervening years he has built this collection to its current size and distinction, continuing to acquire rare books through three booksellers in England.

Mr. Hutt notes that the history of food and drug law can be traced to the clay tablets of Sumeria. By the first century, lawyer and writer Pliny the Elder was railing against "the fashionable apothecaries [which also sold food] which spoil everything with adulterations." Food regulation has spanned history: Mr. Hutt points to a 1266 English statute, the *Judicium Pillorie*, "which never has been improved upon," forbidding food "not wholesome for Man's body." This statute included guidelines for inquiries into violations of the *Assize of Bread and Ale* (1267), which regulated the measure and pricing of bread and ale. Writers also assisted in the effort to assure the purity of food: Frederick Accum's 1820 London imprint, *A Treatise on Adulterations of Food and Culinary Poisons*, exposed food "sophistications," such as adding alum to whiten inferior grades of flour, and augmenting pepper with sweepings from the warehouse floors. According to Christie's, which sold a copy of the book at auction in 2008 for slightly over \$2,000, Accum's work was "the first systematic and 'thoroughly dispassionate' survey of the growing problem of food adulteration."

*A Treatise on the Virtues and Efficacy of a Crust of Bread* offers a physician's mid-eighteenth-century testimonial on the medicinal uses and effectiveness of "the staff of life," not only in the eating, but in the external application. Dr. Robinson counsels that a crust of bread is at the cutting edge of medical treatments for certain conditions: "in the gravel, stone, gout, and rheumatism, I know it to be the best and surest remedy hitherto discovered" (p. 5). Saliva also plays a key role, since external application of bread required chewing with a healthy dose of "fasting Saliva." The simplicity and economy of such treatments lead one to wish they could be effective, and in the context of

the less sophisticated medicine of the eighteenth century, well-educated medical men reasonably could believe in (or hope for) the efficacy of such procedures. Yet it is a short step from honestly-conceived medical directives such as these, offered by a trained and respected physician whose credentials included admission as a Licentiate of the Royal College of Physicians of London (1727), to disingenuous claims made by charlatans who also happened to sell "remedies." The vulnerable in the populace, with a desperate wish to believe, were at risk of losing both their health and their money, if in an unguarded moment they encountered one of these quacks on the prowl.

Dr. Robinson's treatise is eloquent as a milepost against which advances in medicine and its regulation can be measured, as well as a reminder of the ease with which dishonest so-called "practitioners" could operate in an era where medical knowledge was at best primitive, and often seemingly powered in substantial part by wishful thinking.

The popularity of this work is evident from its publishing history: the title was published in at least ten London editions (the third and fourth editions expanded to seventy-five pages), with at least one American edition (1844). More recent renditions attest to its importance as an artifact of medical history: the 1763 edition is available online as a Google Book (the Bodleian Library copy), and there have been numerous reprints, the most recent in 2003.

### William Ryan, Pence Law Library, American University Washington College of Law

Blackstone, William. *Commentaries on the Laws of England*: in four books. [Philadelphia] : America: Printed for the subscribers, by Robert Bell, at the late Union Library, in Third-Street, Philadelphia, 1771-1772. 4 volumes. First American edition.

While copies of many editions of Blackstone's *Commentaries* abound, the first American edition is relatively scarcer, yet happily still not an endangered species. According to Morris Cohen's *Bibliography of Early American Law* (entry 5312), there were 1,537 sets issued originally, a moderately large print run for the era; today there are fewer than one hundred copies currently recorded in library holdings. This work was acquired by the Pence Law Library through the

generosity of Leonard Goodman, a Washington, D.C. attorney who, prior to his gift, had no formal connection to the Washington College of Law. Mr. Goodman had been a longtime patron of the library, and wished to express his gratitude through the gift of his collection of rare books, as well as a donation to establish a rare book room in our then-new facility in the Spring Valley neighborhood of Northwest Washington. Mr. Goodman's collecting interests lay primarily with early American materials, especially statutory compilations. Works from his collection constitute the lion's share of the rare book collection of the Washington College of Law.

So why is this my "one special book," or in this case, my special four volumes? First, historically this is a very important set. In *A History of American Law Publishing* (Oceana, 1990), Edwin Surrency notes: "The biggest event in law book publishing before the Revolution was Robert Bell's publication of Blackstone's *Commentaries*...the list of subscribers was headed by four governors and the first names included John Adams and John Marshall's father Thomas" (p. 23). Surrency goes on to cite the publication of the American edition as "the most important event in the history of American legal texts..." (p. 132). These assessments indicate that this title is a special book in the annals of American legal publishing, as well as in the history of American law. But it does not fully explain why this set is special for me.

As an undergraduate history major specializing in early modern history, old books always intrigued me. Yet until Mr. Goodman's gift, I had given little thought to old law books or the history of legal publishing. I had not even taken legal history classes while in law school, nor archivist or special collection classes where I might have been exposed to antiquarian materials while in library school. Our law library did not at that time, nor do we presently, have a rare book librarian on our staff. But because of my background and affinity for old books, responsibility for this collection came my way. While unpacking and arranging the collection in our new rare book room, I was able to examine the gift closely. I became fascinated by the breadth of the collection and was spurred to action: I began the search for the education which could provide me with the background to provide better service for patrons using rare materials.

One of the first programs I discovered was the Tarlton Rare Books Lecture series at the University of Texas School of Law. The first lecture was "Subscription Publishing and the Sale of Law Books in Antebellum America," delivered by Michael Hoefflich, a legal historian and professor of law at the University of Kansas. Through the generosity of our law school, I attended this lecture, and it was a revelation. Professor Hoefflich's presentation centered on the development of legal publishing in America, and one of his prominent examples was Bell's edition of Blackstone. Essentially it was a pirated work, reprinted verbatim from the 1770 fourth Oxford edition. The eccentric "Scottish Professor of Auctioneering" turned bookseller and later peddler, Robert Bell, lately arrived from Dublin, placed the following notice at the beginning of volume one. It appeals broadly to the intellectual pretensions, patriotism, and frugality of potential subscribers to the new American edition of the Commentaries:

*All Independent Gentlemen and Scholars, as well as every Magistrate, civil Officer and Lawyer, ought to possess this SPLENDID and USEFUL WORK: Therefore the EDITOR hopeth, Patriotism to encourage native FABRICATIONS, with the Advantage of saving seven Pounds in the Purchase of ten pounds Worth. — The British Edition being sold at Ten Pounds Pennsylvania Currency, together with that innate Thirst for Knowledge, which is so admirably ingrafted in the Contexture of the human Mind; — will nobly animate all, whose Ideas are expanded in search of Knowledge, to encourage this AMERICAN Edition.*

A masterpiece of advertising indeed, worthy of Madison Avenue; and not surprisingly, Bell was by all accounts a success in bookselling and publishing, and a significant figure in the Philadelphia book trade. Professor Hoefflich noted the broad range of subscribers to this new American edition. In addition to lawyers, libraries, merchants, and other categories of purchasers appeared on the list; according to Hoefflich, only sixteen percent of the recorded subscribers belonged to law-related professions. By far the majority of subscribers were booksellers intending to purchase for resale this work

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**While copies of many editions of Blackstone's Commentaries abound, the first American edition is relatively scarcer, yet happily still not an endangered species....there were 1,537 sets issued originally.... today there are fewer than one hundred copies currently recorded in library holdings.**



### That One "Special Book" cont. from page 7

which they felt certain would be, in colonial terms, a bestseller.

Armed with my newfound appreciation for the early American book trade, plus a desire to learn more about the history of law publishing, I took my book history education a step further. I attended "Collecting the History of Anglo-American Law" at the University of Virginia's Rare Book School, taught by Morris Cohen and David Warrington. Their enthusiasm for the subject was contagious, and their combined knowledge of the Anglo-American legal tradition was unsurpassed. Students leave this course energized by the experience. I gained a new perspective on historical legal materials and a thorough appreciation of their role in the development of our legal system.

So Bell's edition of *Blackstone's Commentaries*, a milepost in the journey of American law publishing, was also the work which played a major role in catalyzing my interests in history and law into a useful expertise in rare legal materials: a very special book indeed.

A final note for those interested: Michael Hoefflich's lecture, and the other entries in the Tarlton Law Library Rare Books Lecture series, are available as part of the Tarlton Law Library Legal History Series at <http://tarlton.law.utexas.edu/newpublication.html>.

The homepage for Rare Book School at the University of Virginia is <http://www.rarebookschool.org>.

### Mary Strouse, The Catholic University of America Columbus School of Law, Judge Kathryn J. DuFour Law Library

White, Robert J. (Robert James), b. 1893, in collaboration with Adelbert M. Jakeman, Jr.. *My Burden Light*. Ocean Park, Maine: Adelbert M. Jakeman, Jr., 19--?. Typescript. 373 leaves (bound); 29 cm. OCLC # 56571729.

The Judge Kathryn J. DuFour Law Library acquired this unpublished typescript in the spring of 2004 as a gift from Mr. Adelbert ("Del") M. Jakeman, Jr., of Ocean Park, Maine, and subsequently created and bound two additional copies. The typescript, prepared sometime in the 1960s, is the memoir of Monsignor Robert J. White, Rear Admiral, U.S. Navy (Retired), Chaplain Corps, and covers his early life through the end of World War II.

It is dedicated to "the officers and men of the Eighth Fleet." Among his many accomplishments, Monsignor White served as Dean of the Catholic University School of Law from 1937 to 1948.

A graduate of Harvard College and Harvard Law School, Robert J. White practiced law for eight years, including two years as an assistant district attorney in Massachusetts, before entering a Catholic seminary in 1927. He was ordained a priest in 1931, having earned a doctorate in canon law from Catholic University, and promptly joined the faculty of the School of Law.

As a law professor, Father White specialized in teaching two subjects which had fallen into disfavor at American law schools: legal ethics and criminal law. Ironically, while criminal law practice was considered somewhat morally disreputable (p. 152), antipathy to the study of legal ethics arose from a "hostile rejection of any teaching which might even remotely touch upon morality or religion," combined with a "naïve misconception of the maturity of character of young law students wholly inexperienced in the nature and variety of ethical problems which would confront them in legal practice" (p. 155). In 1934, Father White assembled a mimeographed casebook entitled *The Lawyer and His Profession* for use in courses on legal ethics.<sup>1</sup> As Dean of the School of Law, Father White championed another neglected subject: military law. He organized a series of lectures on the subject in 1940 (p. 247).

While his connection to the School of Law won our grateful acceptance of this gift, Father White's abiding ties with the U.S. Navy form an indispensable part of his story. In 1917, Robert White and many of his classmates left Harvard Law School to enlist in the military as the United States entered World War I. He returned to Harvard after two years, having earned the naval rank of lieutenant. Twenty-five years later, law school Dean Rev. Robert J. White was

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<sup>1</sup> ROBERT J. WHITE, *THE LAWYER AND HIS PROFESSION* 156A (The Catholic University of America 1934). In addition to the original typescript in our library (complete with copyright permission), mimeographed copies of the casebook may be found in the libraries of Harvard Law School and Columbia Law School (OCLC # 56571729). A 1936 revised edition is in the library at Fordham University School of Law (OCLC # 34592840).



recalled to active status and assigned to duty as Senior Chaplain at the newly-built Bethesda Naval Medical Center in 1942. As Fleet Chaplain of the Eighth Fleet from November 1943 to December 1944, he took part in the Normandy invasion, for which he was awarded the Bronze Star. In 1945, Father White became the first U.S. Navy Chaplain to receive the rank of Commodore.

Although his memoir ends in early 1945, a later chapter was added to meld Father White's naval and legal careers. In 1946, he was commissioned by Secretary of the Navy James Forrestal to report on the Navy's justice system.<sup>2</sup> In his reports, and later as a member of the 1953 Board for the Study of Disciplinary Practices and Procedures of the United States Navy, Father White forcefully argued the need

<sup>2</sup>An initial sixty-page report titled A STUDY OF FIVE HUNDRED NAVAL PRISONERS AND NAVAL JUSTICE was followed by ARTICLES FOR THE GOVERNMENT OF THE NAVY: SUGGESTED DRAFT, STUDIES NOS. 1,2,3 (both published by the U.S. Department of the Navy in 1946), the latter also known as the "White Report." Both reports are archived at the U.S. Navy Judge Advocate Law Library.

<sup>3</sup>Thomas Haederle, *Bums, or a Bum Rap?*, CUA LAW., Winter 2003, at 15, available at <http://law.cua.edu/Alumni/CUALawyer/CUA%20Lawyer%20Winter%202003.pdf> (last visited July 19, 2009). See also Robert J. White, *Has the Uniform Code of Military Justice Improved the Courts-Martial System?*, 28 ST. JOHN'S L. REV. 19, 20-21 (1953-54).

for a trained cadre of military lawyers to advise Courts-Martial on questions of evidence and procedure, and to serve as both prosecution and defense. His reports were instrumental in sparking military justice reforms.<sup>3</sup>

### Conclusion

The works chosen by each of our four D.C. law librarians as their "special book" represent a diverse legal literature, yet reveal only a glimpse of the collective mother lode of uncommon books held by our many Washington law libraries. The good fortune we enjoy as law librarians working in such an environment is likely unparalleled in other locales, and awareness of our resources is only the first step toward taking pleasure in them, learning about them, and working with them. Go check your shelves; perhaps you will find the makings of a special collection, awaiting recognition and your initiative to unmask them.

My own "special book" which made me wonder whether others had one too? I will leave you with a teaser. Please see *A Legal Miscellanea*, Volume 6, No. 1, Spring 2009, p.1: "New' French Customary Law: The 1580 Coutume de Paris." I would be happy to send you a copy. Or check it out at: [www.law.cua.edu/Library/Friends/Documents/Legal\\_Miscellanea/FreindsNwsltr\\_Sp09.pdf](http://www.law.cua.edu/Library/Friends/Documents/Legal_Miscellanea/FreindsNwsltr_Sp09.pdf). **LLL**

**The good fortune we enjoy as law librarians working in such an environment is likely unparalleled in other locales, and awareness of our resources is only the first step toward taking pleasure in them, learning about them, and working with them.**

## Only Librarians Get It

*Cameron Gowan, Library Manager, Groom Law Group, [cgowan@groom.com](mailto:cgowan@groom.com)*

On my recent trip to Texas, I saw a sign that read "Only Texans Get It." While this bold statement might be accurate to the individual proudly displaying it, I know that in reality only law librarians truly "get it."

We get the significant contributions that we add to our organization. We get how to effectively network. We get the importance of building our professional community. And, most importantly, we get each other. As law librarians, we know how to work hard, striving to provide the highest quality work product possible, we know how to take a break and relax when need be, and we know how to give back to each other, thereby creating a tightly knit community that enables us to grow and rely on our peers. These are only a few of the reasons why I am invigorated to serve as the society's incoming president.

During the upcoming AALL Annual Meeting here in Washington, D.C., I encourage all of us to meet new colleagues, to venture out of our comfort zones, and to build new relationships that will inevitably further our profession. It has been almost a decade since the last AALL Annual Meeting in D.C. and there is an array of motivating seminars scheduled that will appeal to all of our interests.

As a member of LLSDC, I can confidently speak for all volunteers when I send our sincere gratitude to all past Board members, Committees, SISs, Focus Groups, and dedicated members that have worked so diligently to help improve our association. I would like to send a special "high-five" and note of gratitude to Frances Brillantine for doing a fine job as President in 2008-09 as well as for her mentoring and guidance over the past year.

I hope to see many of you at AALL and look forward to a successful upcoming year. **LLL**

It is here that the Constitution comes alive as we witness the three branches of government in operation. As law librarians, we cannot help but sense that somehow we are at the epicenter of our profession.

# Washington, D.C.:

## *A Capital City for the Profession*

Steve Young, Reference Librarian, The Catholic University of America Columbus School of Law, Kathryn J. DuFour Law Library, [youngslaw@law.edu](mailto:youngslaw@law.edu)

As a reference librarian working in an academic law library in the nation's capital, the most striking aspect of being in Washington, D.C. is the immediacy of everything. Yes, New York City has more law firms. Yes, a few New England cities arguably have more prestigious law schools; but here in Washington we are literally surrounded by our government and its legal institutions. It is here that the Constitution comes alive as we witness the three branches of government in operation. As law librarians, we cannot help but sense that somehow we are at the epicenter of our profession.

On a day to day basis, does this feeling of being at the center of it all impact our work? Surprisingly, the answer is yes. Before moving to Washington, D.C., I had worked for a number of years at the law library at the University of Texas at Austin. I spent many of those years researching and teaching aspects of legislative history, the work of the U.S. Supreme Court, and the vast amounts of material promulgated by federal government agencies. I certainly felt like I had a good familiarity with how the branches of government created, applied, and interpreted the law. However, it was not until spending time in Washington that a far more tangible aspect to this familiarity took hold. Reading about an oral argument before the U.S. Supreme Court and attending one are completely different things. To see how counsel presents their case before the justices, and then to see how the justices use counsel to make their own arguments, is not fully appreciated by a mere reading of the transcript. Obviously, this discussion is not limited to just the third branch of government, the same could be said about Congressional and agency hearings.

Before continuing with this article, I think it is important to avoid a parochial tone. My experience in Texas, and prior to that in the Midwest, taught me that this is not a nation comprised of two coasts separated by "fly over" country. I initially argued that Washington is at the epicenter of law librarianship, yet it would be impossible not to recognize the exciting and

unique professional opportunities offered law librarians throughout the country. But for our profession there is no denying that Washington, D.C. holds a special place.

### The Patrons

Perhaps the clearest signs to me that I work in Washington, D.C. are not the monuments or the famous buildings that I pass by on the way to work, but the people with whom I interact with at the law school. Each day I come into contact with many students who are either just coming from or are just going to their job on Capitol Hill, or their internship/externship at the Department of Justice, or a class outing to the Supreme Court. These are students whose understanding of how law is made and how it is implemented is derived from seeing it in action, not from a legal text or a lecture. This can make for an interesting time in class. I was recently teaching an upper-class course on legal research using the Internet, and in the process evaluating the U.S. Supreme Court's website as a legal research tool. I was unaware, until her hand shot up, that I had a student who works in the data systems division of the Supreme Court, and someone who could provide a far more nuanced description and analysis of the Court's website than me.

Our law school faculty members at Catholic, both full-time and adjunct, are often involved in the workings of government. Many times I know that the research I am doing for them will be used as part of their testimony before a Congressional committee hearing, or may be incorporated into the drafting of an agency regulation, or heard on N.P.R.'s *All Things Considered* later that day. Last year, I had the unique opportunity of providing research assistance to one of our faculty who had been appointed by the Supreme Court to brief and argue a case in support of the underlying judgment (the Court rarely appoints counsel to argue a case, but on occasion may do so if it decides that a certain point of view is not being fully represented). To be so involved

with a Supreme Court case, and then to be present in the courtroom while your research is being actively used as part of the oral argument, is an opportunity that is not afforded every law librarian. I have no doubt that if I were working in another city, I would not have been able to hear the justices react and respond to arguments based on research I helped compile.

The many events and invited speakers hosted by our law school also reflect the status of Washington as a world city. It is certainly not uncommon to have a high ranking government official or a representative of a foreign country attend symposia or present lectures. Commencement addresses are often provided by such dignitaries as Supreme Court justices, members of Congress, and Cabinet members. In recent years, our law school has also hosted heads of state. I know from speaking with my colleagues across town that the other law schools in the area also benefit in very similar ways from this proximity to power.

### **More Than Just a Federal City**

So far I have mentioned the enormous influence that the federal government has on this city, but it would be wrong not to also mention the many other players who make up the Washington, D.C. scene. This includes various think tanks, the very many national and international associations who maintain their headquarters here, the foreign embassies, the various non-governmental organizations such as the World Bank and the International Monetary Fund, and the various branches of the armed services. The private law firms also have a very large and strong presence here in the nation's capital. A number of prestigious law firms are headquartered here in the District, and many of the country's largest law firms maintain a sizeable office in the Washington, D.C. metro area.

Washington is also home to seven ABA-accredited law schools: American, Catholic, George Mason (technically it is located across the Potomac River in Arlington, Virginia, but we are happy to count it as a D.C. law school), George Washington, Georgetown, Howard, and the University of the District of Columbia. This conglomeration of academic law libraries provides us with a rich and diverse group of colleagues throughout the city whom we can call upon for assistance and counsel. Together, the combined resources of these institutions, both in personnel and collections, provide

extraordinary opportunities for law librarians and their patrons alike. With these resources to draw upon, there also comes a sense of responsibility: the belief that the answer to a question must lie somewhere here in the very many libraries and institutions that inhabit this city.

### **The Local Chapter**

No discussion of law librarianship in the Washington, D.C. area is complete without at least mentioning the local professional society, the Law Librarians' Society of Washington, D.C. (LLSDC). As the largest chapter of the American Association of Law Libraries (AALL), LLSDC serves as both a valuable resource for sharing information and ideas, as well as a wonderful vehicle for exploring opportunities in professional development. These opportunities might involve the obvious, such as serving on a committee or on the executive board, or the less obvious, such as participating in the chapter's highly recognized annual Legal Research Institute or contributing an article to *Law Library Lights*. The chapter's full calendar of events, speakers, and social gatherings ensures that all law librarians in the area are offered opportunities to network and actively participate in the profession. Although many local chapters offer similar opportunities, LLSDC benefits from the sheer size of its membership and the relative proximity of most of its members.

Beyond the professional dimension, the fabric of Washington, D.C. is also woven into our personal lives. It is interesting to note that many of us have friends who work on Capitol Hill, or who work in the Executive Office of the President, or one of the many government agencies around town. Social events almost invariably involve some discussion of what is happening in the city, and obtaining first-hand accounts of events that appear on the nightly news. Often these discussions provide useful insights into the workings of government, which in turn can spice up a lecture on legislative history with an anecdotal comment. And just as often these conversations come to a quick end when we realize that the next comment has to be "no comment."

### **Conclusion**

As Washington, D.C. gets set to host the 102nd Annual Meeting and Conference of the

*continued on page 12*

**Beyond the professional dimension, the fabric of Washington, D.C. is also woven into our personal lives. It is interesting to note that many of us have friends who work on Capitol Hill, or who work in the Executive Office of the President, or one of the many government agencies around town.**

## Washington, D.C. *continued from page 11*

American Association of Law Libraries, there is a sense that we, the local law library community, are welcoming our colleagues to the home of law librarianship. No doubt many conference attendees will visit the Capitol building, peer between the railings of the White House, and

walk through the marble halls of the Supreme Court building. In so doing, we hope that during their short time here our colleagues from all over the country and from other nations will get to experience the uniqueness that makes living and working in Washington, D.C. so rewarding to those of us who call law librarianship their profession. **LLL**

## MEMBERSHIP NEWS

*Shannon O'Connell, Reference/Interlibrary Loan Librarian, Williams & Connolly LLP,*  
**soconnell@wc.com**

**Capitol District Information**, a longstanding member of LLSDC, changed its name to National Corporate Research, effective June 1, 2009. The company continues to provide document delivery, interlibrary loan, and research/retrieval services at libraries, courts, and agencies in Washington, D.C. and throughout the U.S.

O'Melveny & Myers Librarian **Debbie Fisher** spoke at the LexisNexis Institute on Advanced Management for Private Law Librarians, held April 24-26 2009 in Dallas, Texas. Debbie's presentation titled, "Get the 'Lead' Out: Developing your Leadership Style," focused on the differences between management and leadership; leadership development for you and your staff; and leadership in turbulent times. She was also part of the Council that planned the Institute.

**Georgetown Law Library** has been accepted into OCLC's Regular Enhancement program, with responsibility for catalog records in the book format, meaning that the Georgetown Law Library can modify most member records in WorldCat.

**Cameron Gowan**, library manager at Groom Law Group, spoke in April 2009 at the Wolters Kluwer Legal Markets Group National Sales Meeting in Dallas, Texas.

**Larry Guthrie** was honored to be acknowledged in the book *Target Culebra* (2009) as "a superb Covington & Burling research librarian." The author, Richard Copaken, was awarded a lifetime tribute posthumously by the National Law Journal (6/1/2009) as a "Pioneer" in the Washington Legal Community.

**Lisa Harrington** will be filling in for Abigail Ross at Keller & Heckman while Abigail is on maternity leave. Lisa will serve three days a week from mid-June through late September.

**Jason Hawkins**, formerly a general reference librarian at The George Washington University Law School, Jacob Burns Law Library, is now Reference/National Security & U.S. Foreign Relations Librarian.

**Ken Rodriguez** joined the staff of The George Washington University Law School, Jacob Burns Law Library, in May 2009 as Reference/Intellectual Property Librarian.

**Robert Steele** joined the staff of The George Washington University Law School, Jacob Burns Law Library, in June 2009 as Cataloging Librarian. **LLL**



# Research at the National Archives

Jennifer Locke Davitt, Head of Faculty Services, Georgetown University Law Library,  
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About five years ago, when I accepted my current position at Georgetown, I was incredibly excited about the opportunity to work in such a great law library and with such fabulous people. The location of Georgetown was its only liability: I was living in Seattle at the time, and my husband was not particularly thrilled by the idea of moving to Washington, D.C. And so, the idea of being a librarian in Washington, D.C. was not something that I even considered as being interesting or unique.

That all changed within a few months of starting at Georgetown, when faculty started asking for materials that were not in our collection, nor in the collections of any other academic library: they wanted materials that could only be found in the National Archives.

My most extensive project at the National Archives was early in my career at Georgetown when I was asked to investigate the legislative history of one of the Articles of War and, in particular, any information with respect to a 1920 amendment to that Article. Traditional legislative history materials, books, and newspaper and scholarly articles all provided a substantial outline of the Congressional deliberations surrounding the 1920 amendment and its politics, but those materials left one rather intriguing gap. Not unusually, the 1920 amendment came to life in the traditional materials as a fully formed proposal. What became clear from the legislative chronology was that the 1920 amendment was identical to a version initially proposed by the U.S. War Department a decade earlier. Not surprisingly, the materials from the War Department in traditional sources that explained the reasons for the War Department proposal were either very broad or nonexistent. The formal Committee Reports and hearings were similarly less than forthcoming.

As conventional materials failed to answer my question, I turned to the Archives. My first foray involved research in the bill and committee files at the Center for Legislative Archives, housed in the National Archives Building at 7th Street and Pennsylvania Avenue, NW (also known as Archives I). The Center

holds all of the “historically valuable” records of the House and Senate and many pages of unique materials. The collection is far more complete than any Congressional Information Service collection: its records total more than 380 million pages.

On my first trip, I had no idea what to expect. My only prior experience with the Archives was as a tourist, and so I pictured cold vaulted rooms, security guards, and hushed tones (perhaps influenced by that terrible Nicholas Cage movie?). What I found was a bustling research center staffed with incredibly helpful archivists.

The first step in actually doing research at the National Archives Building involves going in the right entrance. The tourist entrance is on Constitution Avenue, NW (facing the National Gallery of Art Sculpture Garden), but the researcher entrance is on the other side of the building, on Pennsylvania Avenue, NW (facing the U.S. Navy Memorial), and is significantly less crowded. Upon entrance, security guards give you an ID to display and direct you to the researcher registration offices. After a short presentation on doing research in the Archives and filling out a few forms, you are given a researcher identification card and a unique researcher number. You are then more or less released into the Archives.

After a few questions on my first trip, I eventually made my way to the reference area and the legislative archivists. After explaining what I needed, the archivists helped me fill out retrieval request forms and told me to store my bags, go up to the reading room, and wait. To gain entrance to the reading room, you may not have anything other than hand-held wallets, loose paper research notes (which are inspected and stamped and the reading room entrance), and pencils. Laptops, cameras, and other select reproducing equipment that have been previously inspected by the main security guards are also permitted. Outerwear, scarves, and clothing with full-length zippers are not allowed. Luckily, the Archives has pleasant and extensive locker rooms.

*continued on page 14*

**My only prior experience with the Archives was as a tourist, and so I pictured cold vaulted rooms, security guards, and hushed tones (perhaps influenced by that terrible Nicholas Cage movie?). What I found was a bustling research center staffed with incredibly helpful archivists.**

The retrieval request forms and the wait are two of the frustrating aspects of trying to do research at the Archives. The retrieval request forms are necessarily complicated. Accessing Archives materials requires providing accurate record group numbers, file numbers, and file names. And, without the help of the archivists, figuring out those numbers so that the retrieval request forms may be properly filled out can be very difficult. Luckily, the archivists are uniformly helpful, knowledgeable, and pleasant and have put together numerous finding aids to help researchers get started. The wait is a second aggravation. Requested materials are pulled from the Archives at four specified times during the day: 10 a.m., 11 a.m., 1:30 p.m., and 2:30 p.m. It will then take 60 to 90 minutes (on one trip, it took two hours) for the materials to be delivered to the reading room. Thus, patience and time are two prerequisites to any successful Archives trip.

Another complicating factor in doing legislative research at the Archives is determining whether the relevant records are actually open to researchers. Upon transfer to the Archives, House and Senate records remain closed for at least twenty years and up to 50 years for sensitive materials. This was not an issue for the 1920s research, but it did become an issue when I was helping a faculty member research environmental laws enacted in the 1970s. In that instance, I spoke to the legislative archivist in advance of the faculty member's visit to the Archives. The archivist then reviewed and cleared the files for review, thus making the faculty member's trip significantly more efficient.

For my 1920s research, when the Articles of War legislative materials were delivered to the reading room, I signed a form acknowledging receipt and then brought the materials to a nearby desk. I was somewhat shocked by the lack of ceremony. I was not handed microfiche or reproductions; what I received were original copies and handwritten notes from committee members and staffers. I looked around, wanting to ask my fellow researchers if they could see what I had, and realized that everyone else in the room was elbow deep in equally unique and valuable materials.

Materials are generally delivered in boxes, and the procedures for handling the materials

are fairly straightforward. You may only review one file from the box at a time and must use flags to indicate the original location of the file in the box. If you wish to photocopy material from a file, you must bring the entire file to the information desk to have the material checked. If the material is stapled or otherwise bound, the staff at the information desk will separate it for you. After having the materials checked, you are responsible for making your own photocopies and for returning all materials and files to their proper places.

Unfortunately (or fortunately for those unable to travel to the Archives), there was little in the Articles of War bill or committee files that was able to shed additional light on my research problem. I found draft copies of bills, copies of bills with notes, and procedural memoranda, all of which would have been very interesting to someone doing a general history of Congressional deliberations with respect to the Articles of War, but nothing that addressed my specific Article. I returned my box to the information desk, had my materials checked by the security guards, and was free to go. If I had needed to spend more time with the materials, the staff at the reading room would have kept my boxes in the reading room so that I would not have needed to re-request the material the next day. If I am working on a project without time sensitivity, I will often submit a retrieval request form on one day and then go back the next day to review the pulled materials.

In my Articles of War research, the next step was to see if there were any relevant War Department records. After research on the Archives website and a phone call to an archivist responsible for War Department materials, I determined that the materials I needed were most likely housed in a large facility the Archives has in the D.C. suburb of College Park, Maryland (also known as Archives II). Opened in January 1994, the College Park facility is a study in contrasts with the Archives building in Washington. The D.C. building is a stately old structure, with elevators and a reading room to match. The College Park Archives sits on a large, aced campus and is a modern building full of glass and light. The main reading room in College Park is about four times the size of the D.C. reading room, and reference offices are generally accessible from the main reading room floor.

**The retrieval request forms and the wait are two of the frustrating aspects of trying to do research at the Archives. The retrieval request forms are necessarily complicated. Accessing Archives materials requires providing accurate record group numbers, file numbers, and file names.**

My research experience at College Park was also significantly different. Unlike in D.C., where I knew exactly what I needed, in College Park I only had vague references and could only generally identify the files I thought might be useful. And so, although I enlisted the help of a War Department archivist, I was less successful in pulling the right files.

After making my initial requests in College Park and waiting more than an hour for my files to be pulled, I quickly determined that the material was not useful. So, I then had to submit yet another request and wait another hour to access the newly requested, and fortunately more useful, material. I found it incredibly frustrating to have to blindly request files and not be able to quickly skim through large amounts of materials to figure out what exactly would be relevant. I also found the attendants at the College Park Archives to be somewhat less accommodating and less understanding than the attendants at the D.C. Archives. Fortunately, the College Park facility has a large cafeteria, and so I was able to spend my waiting hours reading and not sitting quietly at a table in the reading room with my approved loose paper and pencils (only entertaining for so long).

I eventually pulled the right records and found a few memoranda that contained short explanations of the proposed amendment to my Article. I did not find anything earth shattering, but the materials did help to flesh out the historical record.

Since that experience, I have regularly traveled to the D.C. Archives to look at materials. It is only about a mile from the law school, and so I can pop over for an hour or two and grab a quick copy of some normally impossible-to-obtain item. In addition to legislative materials, the D.C. Archives also houses the records of the U.S. Supreme Court. And, although not nearly as exciting, many of those records have been microformed and can be accessed without filling out retrieval request forms or waiting for materials. One of the better items I found in this collection was a copy of a map central to an 1820s case.

In general, there are a few things to remember when doing research at the Archives. The first is to do your homework in advance of your visit. Check out the National Archives website ([www.archives.gov](http://www.archives.gov)), locate the page for the materials you will be researching, and see if

there is a finding aid available. Then call the archivist in charge of the division you are researching. The archivist will give you additional direction and suggestions for research, will let you know if the material you want to access is open and available, and will sometimes pull materials for you. Second, when you get to the Archives, track down an archivist and ask him or her to help you fill out the retrieval request forms. Let the archivist know that you have done substantial research on your own and need help navigating the Archives' unique materials. Third, make sure that the notes you need to do your research are on loose sheets of paper and bring a quarter for the locker room and enough money to make copies of materials. Fourth, remember to note down the specifics of where you find any material that is useful. In general, this will include the record name, the file unit, the series, the subgroup, the record group, and the repository. This information is virtually impossible to recreate after returning the files. Finally, bring patience and a book to help you manage the waiting hours.

When I now talk about my job and what I like best about it, one of the first things I mention, after the fabulous facility and the incredible people, is the location—and the fact that the location of the school permits me to do in-person research at the National Archives and at the manuscript collections of the Library of Congress and various agencies around town. **LLL**

**In addition to legislative materials, the D.C. Archives also houses the records of the U.S. Supreme Court. And, although not nearly as exciting, many of those records have been microformed and can be accessed without filling out retrieval request forms or waiting for materials.**

Named to honor former Attorney General Robert F. Kennedy in 2001, the Department of Justice is also home to the oldest of nine libraries serving DOJ personnel in the area.

# One of the Federal Triangle's Semi-Hidden Gems

Jan Oberla, Web/Reference Librarian, U.S. Department of Justice, [janet.i.oberla@usdoj.gov](mailto:janet.i.oberla@usdoj.gov)

A walking tour of the Federal Triangle area of Downtown Washington, D.C. is a great way to spend an afternoon. You can see New Deal era sculpture, statuary, and architecture at almost every turn. If you were to look at this area from above, the distinctive red tiled roofs of its major buildings outline a triangular shape north of the National Mall extending roughly from the White House to the Capitol Building. Right about the center of the Federal Triangle is the Robert F. Kennedy Department of Justice Building (also known as Main Justice).

This seven story “Deco-Greco” structure has been the Department of Justice (DOJ) headquarters for almost 75 years. Named to honor former Attorney General Robert F. Kennedy in 2001, it is also home to the oldest of nine libraries serving DOJ personnel in the area. As the Department has grown, it has spread into office space around Washington to accommodate its many offices, boards, and divisions. While the library staff members in those locations have modern surroundings, they do not find themselves in the midst of larger-than-life paintings and statues as those whom work at Main Justice.

## History on the Wall and in the Halls

This brief summary of art highlights at Main Justice can offer only a quick glimpse and whet appetites for learning more. The library staff is working with Department personnel to provide more information on the DOJ website about works of art and research materials that are unique to our mission.

The building was completed in 1935 at a cost of twelve million dollars. One percent of the total cost of the building was allocated for art. It is estimated that, of all the General Services Administration (GSA) structures, Main Justice contains the largest historic art collection.<sup>1</sup> Generally, the collection reflects themes of law

<sup>1</sup> Barbara Horwitz-Bennett, Robert F. Kennedy Main Justice Building (Building Design + Construction News, Oct. 1, 2006), available at <http://www.bdcnetwork.com/article/CA6381351.html> (last visited July 19, 2009).

and its place in society. Some pieces also exhibit curious symbols and lore (more on that later).

The murals are of special interest to visitors. They have been the subject of stories on National Public Radio twice, most recently on January 5, 2009<sup>2</sup> President Obama even made mention of a particular treasure in his remarks at the installation of Attorney General Eric H. Holder, Jr.:

...one of these murals, painted back in the 1930s, depicts black children and white children attending school together, sitting side by side in the same classroom. This was years before *Brown vs. Board of Education*, at a time when Washington, D.C. was still a segregated city. It is, to this day, a moving reminder that sometimes, law lags behind justice—and it is up to us to bridge that distance.<sup>3</sup>

In addition to massive scenic paintings, the building boasts portraits, statues, decorative bas-relief, urns, mosaic, and tile work. Paintings in the building tend to be fairly contemporary for the time, but the sculpture is classical. Light fixtures, railings, and elevator doors are uniquely embellished, frequently using aluminum instead of the more commonly seen brass. This was considered an innovative material for this purpose at the time and has proven very durable, requiring little maintenance. Many find that this detail contributes to the Art Deco feeling seen in the design of both functional and ornamental items.

<sup>2</sup> Ari Shapiro, Murals Depict Power of Law and Justice (National Public Radio Morning Edition, Jan. 5, 2009), available at <http://www.npr.org/templates/story/story.php?storyId=98783331> (last visited July 19, 2009).

<sup>3</sup> The White House, Office of the Press Secretary, Remarks by the President at the Installation of Attorney General Eric Holder (Mar. 27, 2009), available at [http://www.whitehouse.gov/the\\_press\\_office/Remarks-by-the-President-at-the-Installation-of-Attorney-General-Eric-Holder](http://www.whitehouse.gov/the_press_office/Remarks-by-the-President-at-the-Installation-of-Attorney-General-Eric-Holder) (last visited July 19, 2009).



## The Justice/Art Connection

Many people are familiar with the various New Deal arts projects of the 1930s, which sought to employ painters, sculptors, writers, actors, and other artists who found work particularly scarce during the Great Depression. The genesis of this idea came from a letter George Biddle wrote in 1933 to an old schoolmate, who just happened to be Franklin Delano Roosevelt. Biddle was an artist from an influential family and his idea for a government funded arts program took off as creative solutions for widespread unemployment were actively being sought. Though more familiar today, federal patronage for the arts was a relatively new idea in the United States at that time. Importantly, Francis Biddle, George's brother, became attorney general during this period.

The Treasury Department's Section of Painting and Sculpture funded the murals that are located in Main Justice. "The Section," as it was commonly called, was a derivative of the better-known Public Works of Art Project (PWAP). Confusion about the origins of these programs is common as many changed names or had similar objectives, which attracted some of the same participants.

A committee to select eminent American artists to be commissioned for the Justice and Post Office Buildings included Justice Harlan Fiske Stone, Attorney General Homer S. Cummings, and several prominent artists and museum directors. Each member independently submitted a list of 32 artists and the seven most often mentioned were selected: Boardman Robinson, Maurice Sterne, Henry Varnum Poor, George Biddle, Leon Kroll, John Steuart Curry, and Louis Bouche. Three others received commissions after a series of competitions were held: Symeon Shimin, John R. Ballator, and Emil Bisttram.

## Squirrels, Masks, and the Lindbergh Baby

As hinted at earlier, the symbolism seen in the murals in particular can mystify viewers. Some tell stories of once current events that may be lost on an audience of today. Many also use images from mythology that are obscure. In the Main Library, twenty murals surround the two-story high reading room. Each has a theme, and some are more curious than others; the one titled "Red Tape" shows a huge spider web with a cow skull topped

by a squirrel. We know that Justice Holmes is the Don Quixote figure leading the people caught in the web, but we have yet to encounter an art scholar who can explain what the squirrel represents. More conventional is the triptych over the reference desk titled "Continuity of the Law," which includes pieces titled "The Past," "Continuity of the Law," and "The Future."

Just outside the library entrance is a John Steuart Curry panel titled "Law vs. Mob Violence." It dramatically shows a desperate man fleeing from a lawless mob. He takes refuge at the feet of a black robed man, representing constituted authority. The red bandana mask covering the face of the lead vigilante was added by the artist to soften his otherwise ghostly "death's head" appearance.

In another hallway, Henry Varnum Poor and Louis Bouche created frescos depicting the varied activities or divisions of the Department, such as the Bureau of Prisons, and the scientific advances of the FBI. A child being kidnapped is a reference to the sensational abduction of the child of aviator Charles Lindbergh. These scenes illustrate the reach and range of the DOJ.

George Biddle's multi-panel mural, "A Society Freed through Justice," contrasts sweatshops and tenements with a more bucolic farm life. Family figures and government officials such as Labor Secretary Francis Perkins are shown in the before and after scenes, which together depict how law produces a better life for hardworking citizens.

## Other Notables

Surrounding the stairway leading to the Great Hall are the "Great Codifiers of the Law" painted by Boardman Robinson, for a total of \$20,000. Justice Harlan Fiske Stone and Roscoe Pound advised Robinson on compiling the list, which includes Coke, Blackstone, Marshall, Kent, Papinian, Solon, Justinian, Thomas Aquinas, Holmes, Grotius, Jesus, Vitoria, Socrates, Menes, Moses, and Hammurabi. The eighteen panels are tempera on canvas covering 1,025 square feet.

Portraits of more than 80 former attorneys general generate considerable attention. The Main Library has featured selections from time to time. A sort of competition seems to take place for the honor of hosting the more popular

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## Federal Triangle's Semi-Hidden Gem

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portraits, so they move around the building as occupants come and go. Many were restored recently including plaster frames that had been damaged over the years.

On the stage of the Great Hall is a female figure symbolizing the “Spirit of Justice.” She is semi-draped, standing on a cloud with arms raised. To the right is a male figure, the “Majesty of the Law,” holding a cluster of oak branches and arrows. Both are more than twelve feet tall, made of aluminum, cast after C. Paul Jennewein’s models.

### Look on the Outside Too!

Near the main visitor entrance on Constitution Avenue, NW, is a small statue of Nathan Hale. The artist is Bela Lyon Pratt. It was donated in 1945 by Hale’s biographer and shows the figure with his hands tied behind his back.

Brilliant mosaic tile work can be seen in the driveway entrances. White quartz, blue and yellow ceramics, and black and red vitreous enamel were chosen to provide permanent color and to weather the outdoor conditions.

Numerous inscriptions and quotations surround the building exterior. Dozens of relief panels designed by C. Paul Jennewein are found on each side. These are replete with classical symbols and figures. The ornaments of all aluminum doors were also designed by Jennewein and the two large lions on the main entrance represent “Watchfulness” and “Strength.”

Since there are many more details than can be shared here, please look for more information on the DOJ website ([www.usdoj.gov](http://www.usdoj.gov)). We hope to soon offer a virtual tour and further expand on the Department’s art and history. In addition, the Department is at work on a book to update this information and to celebrate Main Justice’s 75th anniversary. [LLL](#)

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# GPO Launches FDsys

*Catherine Dunn, Reference Librarian, Georgetown University Law Library, [cmd77@law.georgetown.edu](mailto:cmd77@law.georgetown.edu)*

Long in the works, the “Federal Digital System” (or FDsys) is the U.S. Government Printing Office’s (GPO) much anticipated digital replacement of GPO Access. Title 44 of the U.S. Code requires GPO to provide public access to published materials of all three branches of the federal government, and FDsys enables GPO to manage this information using a digital format. FDsys is currently available in beta at <http://www.gpo.gov/fdsys/search/home.action>.

As set forth in GPO’s own overview of the system, GPO designed FDsys to have several key functions, including publishing, searching for information, preserving information, and version control. In short, GPO designed its new system to support the full spectrum of receiving and providing access to government information, from mechanisms that allow for the electronic submission of materials by executive agencies and Congress to expanded search capabilities and documents that are accessible yet controlled, authenticated, and preserved.

One of the most notable features of FDsys is its enhanced ability to provide users with

authenticated versions of government materials so they know they are viewing official copies of given documents. Even before the rollout of FDsys, GPO began the process of implementing digital signatures on certain electronic versions of government documents to verify that they had not been altered since their original dissemination. FDsys takes this authentication of documents a step further by allowing government entities to submit materials to GPO in electronic form with digital certificates, thereby establishing the necessary chain-of-custody for purposes of designating such documents as official records.

In terms of search functionality, FDsys is a large step forward from GPO Access. The greatest strength of GPO Access, from the perspective of an academic law librarian, was the fact that its materials were available in a single location in a PDF format that mirrored the documents’ print equivalents. These PDF files were invaluable for law journal source collections, for example, where student editors needed to verify citations using print materials or their equiva-

lents rather than relying on HTML copies. Despite the usefulness of these PDF files, however, locating even known items using GPO Access could be a tremendous challenge, much less unknown items. The search defaults were too narrow, the search capabilities were imprecise, and even short results lists could be challenging to interpret. The best avenue to relevant materials on GPO Access was almost always through browsing, but such an approach is only effective if one is searching for known materials. To do effective research in a particular subject area, browsing must be only part of a larger research strategy.

FDsys' initial search screen looks like a Google search screen, as is so often the case with interfaces designed these days. The search screen contains a single, natural language search box with basic searching capabilities. While this basic search screen appears less intimidating for a novice researcher than the initial search screen in GPO Access, its searches are far too broad to be useful for librarians or other information professionals. Immediately to the right of the search box, however, are links to an "advanced search" function and a "retrieve by citation" function. FDsys' advanced search function is a tremendous improvement over GPO Access's search capabilities, as it provides users with a large variety of possible field restrictions, including restrictions by document collection, date, title, citation, government author, category, branch, and/or SuDocs (Superintendent of Documents) classification number. The advanced search function allows users to mix-and-match these restrictions on their own or with the addition of full-text search terms in lieu of the Boolean searching used by GPO Access. Moreover, the retrieve by citation function is also well designed, as it allows users to select details about the documents they seek as part of a series of drop-down menus which appear in sequence, rather than by providing users with a blank box and then requiring them to guess at proper citation format.

While the types of searching available on FDsys show real improvement over GPO Access' limited search capabilities, the ability to manage, manipulate, and refine search results is what truly sets FDsys apart from its predecessor. At its most basic level, the search results screen far exceeds GPO Access' in terms of describing each document in the results list by providing clear information about what



Example of the retrieve-by-citation function

the document is, where it is from, and linking to it in a PDF format. Each document in the results list also has a "more information" link, which provides the user an incredible wealth of information about the document. The more information link provides all of the document's relevant metadata, options for downloading the document and/or the descriptive or authenticity metadata, and a section called "document in context," which is essentially an overview of the general framework around a particular document in a user's results list. The level of detail provided varies by type of document. For example, the document in context section of an Executive Order will include the table of contents of the appropriate Compilation of Presidential Documents, along with separate links for downloading any specific part of the compilation or the compilation in full.

Also, beyond the level of information supplied regarding individual documents, the results screen in FDsys provides users with greater control over the presentation of their search results as well as useful tools for refining their results. As a default, results are ordered by relevance and displayed ten documents to a page, but drop-down boxes at the top of the results screen allow users to re-sort their results either chronologically or alphabetically and to increase the number of documents displayed per page. Furthermore, FDsys allows users to refine their search results in much the same way as high-priced commercial databases available today. FDsys users can search within their existing results by checking a specific box, thereby creating a reduced and more relevant set of search results, or they can refine their search results using faceted search capabilities. The faceted search results line the left-navigational bar on the results screen, and they provide users with both a better sense

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**In terms of search functionality, FDsys is a large step forward from GPO Access. The greatest strength of GPO Access, from the perspective of an academic law librarian, was the fact that its materials were available in a single location in a PDF format that mirrored the documents' print equivalents.**

## GPO Launches FDsys *cont. from page 19*

of the documents in their results list and the opportunity to narrow their search by particular collection, date published, government author, organization, person, location, or keyword.

Despite the search strengths of FDsys, it is important to note that FDsys has camouflaged some very useful features for advanced users in an effort to provide a cleaner interface. For example, GPO Access's main screen listed its available document collections by government branch and, once a user selected a particular collection of materials, the user could immediately see the specific coverage dates for the selected collection. In FDsys, however, a basic or advanced search never explicitly reveals this information to the user, as both search "all dates" with no specific reference to what that means. A user can only determine the coverage of a given collection by investigating the collection through the "browse government publications" feature or the "retrieve by citation" feature. Also, the browse feature is more difficult to locate than the search features. Instead of providing a link near the basic search box, the browse feature is available only on the left-hand navigational bar, buried under the automatically highlighted "search government publications" link.

gressional Reports, (4) the Congressional Record, (5) Congressional Documents, (6) the Federal Register, (7) Public and Private Laws, and (8) the Compilation of Presidential Documents (which contains both the new Daily Compilation of Presidential Documents as well as the older Weekly Compilation of Presidential Documents it replaced as of January 29, 2009). GPO estimates that the migration of its full 50 collections of materials will be complete by the fall of 2009, and it plans to keep GPO Access active until the migration is complete.

These minor limitations of FDsys pale by comparison to the great enhancements GPO has made with FDsys, however. FDsys is a full-fledged digital information management system that GPO insists is designed to adapt regardless of the technological changes around the bend. In addition to functioning as a system that can effectively manage the electronic submission of information and authentication and version control, as well as provide effective search tools, FDsys is designed to serve an electronic preservation function. Toward this end, FDsys is being put into XML (Extensible Markup Language) structures, which allow a document's content to be defined separately from its formatting, to ensure that the government information in FDsys can be accessed in the future, regardless of the format being used.

As a final point, it is worth noting that GPO is soliciting user feedback as it rolls out FDsys. In addition to the formal beta testing that took place this past January, users may contact GPO at [PMO@gpo.gov](mailto:PMO@gpo.gov) if they are interested in participating in any FDsys activities or wish to provide feedback on the system. Alternatively, if one simply wishes to learn more about the development of FDsys, background material for the program in the form of both documents and presentations is available under the "Reference Material" heading on the FDsys site, and GPO maintains a blog on FDsys at <http://fdsys.blogspot.com>. **LLL**

The screenshot shows the FDsys search results page. At the top, there is a navigation bar with links for 'About GPO', 'Newsroom/Media', 'Congressional Relations', 'Inspector General', 'Careers', and 'Contact | askGPO'. Below this is the GPO logo and the text 'U.S. GOVERNMENT PRINTING OFFICE | Keeping America Informed'. The main content area is divided into two columns. The left column contains a 'Narrow Your Search' section with filters for 'Collection' (Compilation of Presidential Documents, 688), 'Date Published' (1990-2000), 'Government Author' (Federal Register Office, National Archives and Records Administration), 'Organization' (Group of Twenty, European Commission, Chrysler), and 'Person' (Clinton, William J.). The right column shows the search results for 'collection:CPD and content:(climate change)'. It includes a search bar, a 'Within Results' checkbox, and a 'SEARCH' button. Below the search bar, there are options for 'Advanced Search', 'Retrieve by Citation', and 'Help'. The search results are displayed as a list of five items, each with a title, a brief description, and a link to 'More Information'.

An example of facets available in a Compilation of Presidential Documents Search

Note also that not all materials available via GPO Access are currently accessible on FDsys. GPO is migrating materials from GPO Access in phases, and the collections currently available for searching in FDsys are: (1) Congressional Bills, (2) Congressional Hearings, (3) Con-



# Zen and the Art of Interlibrary Loan: Why D.C. is Special

Scott Wales, Librarian, Sheppard Mullin Richter & Hampton LLP, [Swales@sheppardmullin.com](mailto:Swales@sheppardmullin.com)

In 1985, while attending The George Washington University as a graduate student, I started working part-time at a now defunct law firm, Bergson, Borkland, Margolis and Adler. Back then, records were kept by hand. I used to run to the U.S. Supreme Court to pick up the latest decisions and I began to do interlibrary loans with other firms. I was amazed at the level of cooperation among the firms in the D.C. area.

Twenty-four years later, and interlibrary loans are still a part of my life. Even though the advancement of the Internet has made them less frequent—they are still important.

Okay, I have to make a confession here. As in *Zen and the Art of Motorcycle Maintenance: An Inquiry into Values* by Robert Pirsig, I am not referring to Zen in its traditional meditative sense. But for me, no other word seems to capture the essence of cooperation that I sense in our local law library community.

I will not get into a deep discussion about Zen. I am not an expert. But from what I have read about it, there is an emphasis on interconnection.

Years ago, when state statutes were harder to come by, the law library community here agreed to divide the responsibility of maintaining a set of all of the state statutes. At least one firm would house one set so that every state would be available for loan. This meant that even the small firms could have something to offer. Today, such an arrangement is less important—but just think about that level of cooperation. While our attorneys have been competing in court over the years—our librarians have devised a system of mutual cooperation—to better enable service to those attorneys.

Maybe this is not unique to D.C. However, just think of how competitive this city can be. As Harry Truman once said—“If you want a friend in Washington, get a dog”—well, I think law librarians in D.C. have plenty of friends.

In the early 1990s (yes, way back then), I would have 450 to 500 incoming and outgoing interlibrary loans per year. That amounted to at least three loans each way every day. Hours were

spent on the phone talking to other interlibrary loan folks. We even decided to create our own special interest section in LLSDC, where I served as president and treasurer. We wrote protocols for borrowing. Yes, it was a long time ago. Today, I do not have as many loans to do. Hein Online, for instance, has eliminated the need for borrowing law reviews. It seems as though everything is online—except it is not.

Now we have listservs to aid us. And the results have been truly marvelous. Has anyone ever failed to be amazed at the kind and helpful responses he or she receives after posting a question to the LLSDC listserv? And the timeliness—it seems as though the responses are often instantaneous.

Okay, here is the metaphysical part of this piece. I am a firm believer in karma, or “what goes around”...well you get the picture. We law librarians in D.C. have relied so much on each other over the years. Our attorneys may grumble, but our cooperation is here to stay. What makes our community great is its spirit. Even if I sometimes feel badly about the legal system, I never feel badly about my fellow law librarians. Every time I am able to help someone in this profession and every time I receive help, I feel part of something special. More so than most cities, many of whom rely heavily on county bar libraries—we rely on our community members.

It is that spirit which keeps us going. But the “art” of the interlibrary loan consists in maintaining that spirit—through kind and quick responses, through gratitude, and through acknowledgement.

Now, let us suppose that you get a request for an odd item—something that you never have heard of—something that seems impossible to get. What should you do first?

Relax and take a deep breath. We have all been there before. You know the resources—let the information flow from the back of your mind to the front of your conscience. You do not have to reinvent the wheel every time you need to change a tire. The work has largely

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I am not referring to Zen in its traditional meditative sense. But for me, no other word seems to capture the essence of cooperation that I sense in our local law library community.

## Zen and the Art of Interlibrary Loan

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been done. We have an excellent LLSDC Union List. We have OCLC. And now we have the wonders of listservs.

Just for a moment, imagine what life was like before the Internet. When you were stumped, you tried to think of who among your colleagues might be able to help. It was hard—but it often worked. Now we seem to have a collective consciousness. It almost seems like there is one large universal library—and we are all a part of it.

Okay, that is a bit sappy. But you get my point. The interconnectedness has never been greater. But the old rules still apply. A “please” and a “thank you” and a willingness to return the favor by helping someone else are all still important. That has not changed. At the other

end of every email is a real person. Let us not forget that. A person just like you who just might have a brighter day because of the help that you gave.

So, the next time you pick up the phone or send out an e-mail—think about the person on the other end. Remember, LLSDC has survived for decades. The Internet has only served to make us more connected. As the interconnection of life is true Zen, so in my opinion is our interconnection in LLSDC.

One final point: the book *Zen and Art of Motorcycle Maintenance*, which became a best seller, was rejected by 121 publishers according to Wikipedia.<sup>1</sup> So don't give up hope, you may still find that elusive item. **LLL**

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<sup>1</sup> Wikipedia, Zen and the Art of Motorcycle Maintenance, at [http://en.wikipedia.org/wiki/Zen\\_and\\_the\\_Art\\_of\\_Motorcycle\\_Maintenance](http://en.wikipedia.org/wiki/Zen_and_the_Art_of_Motorcycle_Maintenance) (last visited July 19, 2009).

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# Marketing the Firm Law Library During Challenging Economic Times

*Monique LaForce, Research and Information Services, Steptoe & Johnson LLP, [MLaForce@steptoe.com](mailto:MLaForce@steptoe.com)*

The command to market the law library seems to have morphed in recent years from “perhaps you should contemplate some marketing initiatives” to “you are ineffective as a librarian if you are not extensively marketing.” Okay, let us take the current conventional wisdom at face value. We should market the law library. Now we are faced with library staff cuts, lawyer lay-offs, budget pressures, and the general uncertainty pervading our industry. What exactly should we be doing?

For purposes of the current discussion, marketing is defined as “a conversation with your customers and potential customers that explains how your product or service solves their particular problems.” Now, how does this definition apply to law libraries in recessionary times?

## The Conversation

First, notice that marketing is a conversation, not a monologue. I am as big a fan as the next person of Shakespearean characters baring their souls aloud and contemplating life's

biggest questions (suffer the slings and arrows of outrageous fortune or take arms against it... interesting question), but marketing requires input from customers. Sometimes this comes in the form of raw numbers (no research requests this week, perhaps we should re-jigger the marketing mix, Fred). But, often, your customers will not provide feedback, and you must seek it from them (Jill, would a written summary of the information we found be helpful so you don't have to wade through a bunch of articles?).

Engage in the conversation. Find out what works for your particular set of customers, and what does not work. You will likely find that as firms' practice areas and needs are shifting in response to the global economy, your product or service will have to shift in response. Sometimes, in fact, you may be providing services beyond what the customer actually needs (in a down economy, not everyone wants to own a Maserati, when a taxi ride will get them to where they need to go) and you won't know if you do not ask.

## Customers and Potential Customers

For most law firm libraries, the universe of potential customers is limited (employees of the firm), but within this world, there are lots of little solar systems (practice groups, industry groups, partners, associates, laterals, and other departments). Think about whether there are particular groups within your organization you would like to converse with about your products or services. Examine your internal statistics to determine who is using the library. Are there groups whose library usage has slowed? Have the types of projects tasked to the library changed? Do you want to focus on getting more work? Better work?

When formulating your tactics for wooing new customers or obtaining increased work from existing customers, remember that if you successfully bring in lots of new business or more sophisticated projects, you are going to have to staff everything appropriately and maintain excellent service. During a recession, generally, you are not going to be given carte blanche to hire a bunch of new staff to tend to all your newly-found clients, and the last thing you want is for your deliverables to suffer.

Just a note here: if convincing the budget committee of your worth is what you want to do, you really are not engaging in marketing, what you are doing is more of a public relations exercise. You are not selling your products and services per se to the budget committee, but rather you are demonstrating your return on investment, justifying your budget, and explaining why you and your staff should still get paychecks every other week. If your marketing is effective and the products and services you offer are excellent, your public relations efforts should fall into place easily.

## Problem Solving

Finally, after you have determined what products and services are most responsive to your customer population (using information gained from your conversation), you can inform customers how the products and services you are offering solve their particular problems.

Whatever your customer's specific problem (what are the tax consequences of selling a S corporation to a limited partnership in Montana?) in the current economic climate, price matters. Emphasizing the efficiency, skill, and cost savings—in short, the value—that a trained

law librarian brings to the table, is an effective marketing tool.

Providing a superlative product or service is another excellent way to inform customers that the law library is well equipped to solve his or her information problems. This leads to repeat business, word-of-mouth referrals, and (as a side benefit) support in your public relations efforts.

Some libraries circulate newsletters or current awareness documents, or engage in branding efforts. If your organization's culture is amenable to these communications (and your conversations indicate that they are actually read), by all means, try them.

Other tried and true methods for communicating the law library's ability to solve customer problems include presenting to practice or industry groups, meeting with lateral attorneys, and offering training programs. The key with these methods is tailoring them to particular audiences, so that the potential customer understands how his or her particular problem is going to be solved (i.e., do not give a general presentation about how generically great the library is to the new work-out and restructuring group...rather demonstrate the research staff's capabilities and resources in those areas).

Adhering to these value propositions will serve your organization, customers, and staff not only during recessionary times, but will position your law library for the upswing that we all hope is coming. Good luck with all of your initiatives (marketing and otherwise). **LLL**

**Adhering to these value propositions will serve your organization, customers, and staff not only during recessionary times, but will position your law library for the upswing that we all hope is coming.**

# Embracing the Future at the Department of Justice Libraries

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The last few years at the U.S. Department of Justice (DOJ) Libraries has seen the addition of a number of new staff members following a wave of retirements. In looking at the demographics of the remaining staff, it is clear that more retirements will follow in the not-so-distant future. This situation is not unique to the Justice Libraries, nor to the federal government, as the departure of the baby boomers from the workforce will affect practically every organization and profession.

In early 2007, recognizing the trend and its implications for the future of the organization, the director of the Justice Libraries, Blane Dessy, formed a committee of library staff members to address this matter. The Library Succession Planning Group (LSPG) was comprised of nine librarians and library technicians from across the library staff. Beginning with the first organizational meeting, Mr. Dessy set out the goal of the committee, which was to draft a succession plan for the library staff within one year. It seemed a simple and reasonable enough goal, except no one on the committee knew what a succession plan was.

## Getting Started

The LSPG began the process of educating itself in a manner typical for librarians: it developed a bibliography. The document was comprised of literature from the library world and other professions as well. In order to familiarize ourselves with the elements and characteristics of a succession plan, we reviewed plans from both internal and external sources, attended programs such as the Federal Library Information Center Committee's Joint Spring Workshop, "Envisioning the Future: What Will Your Library Be Like in 5, 10, or 20 Years?," and consulted with Randy Bergquist, the Assistant Director for Learning and Workforce Development at the DOJ.

What we learned was that succession planning involves assessing the current organizational situation and preparing the workforce

for the future. It also takes into consideration rapid technological advances, shrinking budgets, and diminishing physical space. It involves developing a plan to address succession of current workers as they leave the workforce due to retirement, attrition, and other reasons, by implementing deliberate and systematic tools to ensure leadership continuity in key positions, retain and develop intellectual capital for the future, and encourage individual advancement.

Reading the literature and looking at other succession plans helped us determine what elements we needed to include in our plan and what format it should take. When we were researching, we happened to come across a succession plan that was created by the DOJ budget staff. It was in an outline format with bullet points, which made it very clear and easy to read. We decided on the same format for our plan because we wanted it to be a set of concrete observations and recommendations that could be implemented, and not just the equivalent of a term paper on succession planning.

Crucial to our understanding of how to develop our plan was our interaction with Mr. Bergquist, who has hands-on experience with succession planning. He explained four ways to achieve staff development goals:

- "Buy it" by recruiting from outside the organization or through a contractor
- "Buy it to grow," by hiring staff at one level with the expectation to grow into the position
- "Grow it" with existing staff through training and professional development
- "Borrow it" from other staffs on a temporary or rotating basis

This was helpful in figuring out the elements related to staffing that we needed to



address in our plan. For example, we might not have thought to stress recruitment and future hiring as one of the major elements of the plan if it were not for our conversations with Mr. Bergquist. He also talked to us about the different ways we could assess our staff to determine what skills might be lacking. The first idea he mentioned was focus groups, which we decided not to pursue because we wanted to get input from as much of the staff as possible. The next method he told us about was having employees and supervisors rate themselves and each other. We thought that was getting too close to a performance rating and we wanted to steer clear of anything that was going to make the staff think of this process as something that could have negative consequences for them. The third idea he told us about was a workforce assessment survey, which is what we decided to do.

### **Workforce Assessment**

Of the various methods we could have used to evaluate our staff, we chose the workforce assessment because we liked that it could be anonymous and, we hoped, relatively painless for the staff, while still giving us a snapshot of our overall skill levels. A key part of doing an assessment like this is to come up with the skills on which the staff could rate themselves. Fortunately, the staff had previously developed DOJ competencies for librarians and technicians, so we used those.

To create the assessment tool, we listed the skills in a table, and provided a proficiency scale by which staff could rate themselves in three categories: what degree of competency they felt they already had, what degree of competency they felt was needed to accomplish their work at that time, and what degree of competency they believed would be required in the future. We had a description of what each level meant on the assessment. The proficiency scale used was between 1 and 5, with 1 being basic awareness in the skill level and 5 being expert knowledge.

We kept the survey fairly short (about a page and a half), which we thought would make people more likely to complete it. The skills we used, based on the DOJ library competencies, were not very specific because we wanted them to be applicable across all staffs. Two examples of the competencies used in the survey are: Attention to Detail and

Problem-Solving. Most of the surveys were returned to the committee, which gave us a good sample from which to collect data. Once we had the results, it took a little time to figure out how to interpret them. We first put the data into an Excel worksheet, but not being statisticians, it was not immediately clear to us what we were looking at. It was not until we put the data into a graph that we were able to identify where the gaps existed between the skills that the staff currently had and those that they felt they needed now and in the future. The skills that we identified as lacking for both librarians and technicians closely mirrored what the literature tends to identify as the most important competencies for the future success of an organization: vision, leadership, strong technology skills, and the ability to plan and evaluate well.

It should be noted that an important aspect of the assessment survey was our communication with the staff. As we learned from Mr. Bergquist, if you decide to do a workforce assessment, it is extremely important to present to the staff what you are doing in the right way because when asking about individuals' jobs, skill sets, and competencies, some people can get nervous. Thoughts such as "Are they trying to run me out of here?" and "I am not performing my job adequately" are quite common from employees asked to do an assessment of their work. Therefore, as Mr. Bergquist explained, it is vital that you curb anxieties and paranoia by gently saying that you are merely preparing for the inevitable; that you are simply getting the library staff's bench strength ready to go so that when the time comes you will be prepared to keep the team as strong as possible—and you are not trying to push people out the door.

### **The DOJ Libraries Succession Plan**

Once we had the information from the workforce assessment, we considered that data, along with everything we read, the advice we got from Randy Bergquist, and our discussions as a group, in order to decide what the focus of our plan should be. Out of all the steps in our process, the most crucial was the series of conversations we had as a group. While reading and hearing about other points of view was helpful, our own experiences were vital to our understanding of what changes

*continued on page 26*

**The last few years at the U.S. Department of Justice (DOJ) Libraries has seen the addition of a number of new staff members following a wave of retirements. ...This situation is not unique to the Justice Libraries, nor to the federal government, as the departure of the baby boomers from the workforce will affect practically every organization and profession.**

## **Embracing the Future** *cont. from page 25*

could benefit the staff. As a result of our discussions, we decided on the following goals for our plan:

- Provide continuity and retain institutional knowledge
- Improve recruitment of new librarians and technicians
- Ensure employees have the tools they need to do their jobs well today and in the future

When we wrote the final plan, we chose to focus on five major elements. For each element, we broke up into subcommittees of two to three people based on the experiences and interests of the committee members. To start, we wrote a brief introduction outlining the purpose of the plan and including some information about our process in developing it. That was followed by sections outlining the five categories of recommendations, followed by addenda that included a copy of the assessment survey, as well as the survey results and comments that we received. The five elements were:

### **• Leadership**

How can we identify and encourage leaders at all levels? Subparts included items on mentorship, leadership training, professional organizations, and team-building.

### **• Professional Development**

How can we grow the skills/knowledge we need with the staff we already have? This section included information about the workforce assessment, as well as recommendations on the number of training hours required, implementation of Individual Development Plans (IDPs), self-assessments, and new employee orientations.

### **• Knowledge Management and Information Sharing**

How can we capture the institutional knowledge we have and share it? Recommendations for this section included a cross-training program, written procedures for each library and job function, best practices documents, use of a knowledge base, use of a staff bulletin board, and a method by which the staff could have

greater communication with management.

### **• Future Hiring**

How do we attract the best employees to fit the needs that we have? This section included recommendations with regard to job announcements, networking with local library schools and professional organizations, and internships.

### **• Mentoring**

How do we maximize staff potential and attract quality candidates? Recommendations for a structured mentoring program were laid out in this section.

## **Outcomes**

Following the completion of our succession plan to staff and a series of meetings with library management, the following recommendations have been implemented or are in the development stage:

- The new employee orientation check-list has been developed and is already in place.
- A committee was established to develop a curriculum using the DOJ online training system based on the skill gaps noted in the workforce assessment (which has now been completed).
- Written procedures for each library have been developed; and a “best practices” document will be culled from the procedures documents.
- The implementation of Individual Development Plans (IDPs) is beginning this year. Managers will first create IDPs and then next year it will be a requirement for all staff.
- A cross training program is in the development stage with a slated kick-off planned for October.
- A mentoring program for new employees has begun.
- Development of a staff wiki and/or discussion board is being explored.
- A knowledge base using the Question Point “Ask a Librarian” database is being developed.
- We are looking into modifications/enhancements that will allow us to use the federal government’s hiring system to our advantage.
- An anonymous question and answer box that employees can use is currently being

explored on the DOJ Virtual Library staff page.

Our committee began with what seemed like a daunting task: to develop a succession plan for the DOJ Libraries within one year. Without knowing what such a plan would entail, we used our experience and skills to approach our mission in a logical, organized manner. The end result was a workable action plan that should provide a roadmap to the

library staff in meeting future staffing and developmental needs. It has been gratifying to see that so many of our recommendations have been implemented or are being developed, and we hope that our work will assist the DOJ library staff in reaching its full potential now and in the future.

The DOJ Libraries Succession Plan is available on the AALL Federal Law Libraries Caucus Web site at: <http://www.aallnet.org/caucus/flc/SuccessionPlanningReport.pdf>. **LLL**

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## The Pence Law Library's Electronic Resource Management Implementation Tale

*Billie Jo Kaufman, Associate Dean for Library & Information Resources and Professor of Law, [bkaufman@wcl.american.edu](mailto:bkaufman@wcl.american.edu); Sima Mirkin, Catalog Librarian, [smirkin@wcl.american.edu](mailto:smirkin@wcl.american.edu); and Michael J. Petit, Head of Cataloging & Bibliographic Access, [mpetit@wcl.american.edu](mailto:mpetit@wcl.american.edu); of the Pence Law Library, American University, Washington College of Law.*

### 1. Vendor Selection

In the early Fall of 2005, the Pence Law Library at the American University, Washington College of Law, started the process of selecting a system for managing its growing number of the electronic journal subscriptions. The library was considering systems from three vendors: TDNet, Innovative Interfaces Inc., and Serials Solutions, Inc. The presentations of the representatives of two companies—TDNet and Innovative Interfaces—were held in the library for the entire staff, and a phone interview was conducted with a Serials Solutions, Inc. representative. All three companies presented impressive products which offered better control of subscription and license information for e-journals and better access to electronic collections via a smart linking capability.

The library made its vendor selection based which system offered the most seamless connectivity of its product with our existing integrated library system (ILS) and with other new technology tools (such as meta-search engines) the library might consider in the future. The winner of the bid was Innovative Interfaces, who's ILS the library was already using. Their product was the Electronic Resource Management (ERM) module packaged with the Content Access Services (CASE), containing ready for delivery metadata for e-titles.

### 2. Beginning the Implementation Process

The ERM and CASE implementation project began in the spring of 2008 with a three-day setup and training session conducted by a representative of Innovative Interfaces. Our library was one of the very first "clients" to be given Innovative's new ERM setup and training. While enlightening in many aspects, the training session still left the project team with a great deal of figuring out how to make the system work. The team was able to overcome its problems by studying the system user's manual, placing service calls to the Innovative help desk, and employing its own intuition within the context of trial and error.

### 3. Beta Testing and Problems We Encountered

#### 3.1 New Job Responsibilities

ERM & CASE implementation and the subsequent operation of these systems required some new job responsibilities in the Pence Law Library's Technical Services:

- Creating and maintaining RESOURCE records
- Creating and maintaining LICENSE records
- Creating and maintaining CONTACT records

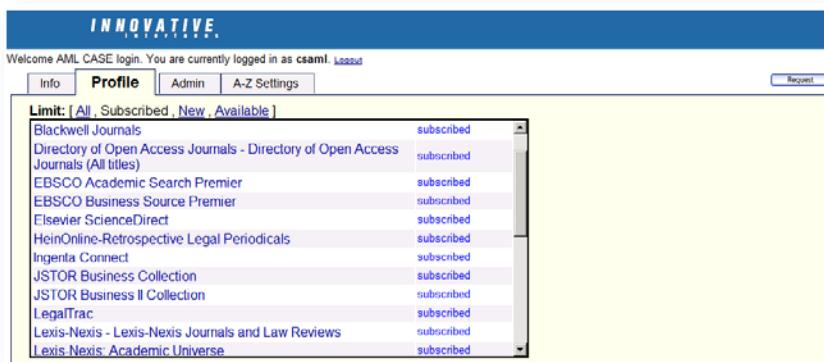
*continued on page 28*

- Creating the library's profile in CASE by creating and updating RULES for each aggregator database
- Loading metadata and coverage data received from CASE into Millennium via the ERM module
- Updating existing coverage by conducting periodical catalog and coverage data loading from CASE
- Creating .xml files for electronic non-CASE materials when the appearance of the ERM holdings record box in OPAC is desired
- Conducting regular maintenance of the e-titles to ensure correct matching, essential for accurate access to the materials

### 3.2 Setting Up the Library's Profile in CASE

The library's profile in CASE is created and updated by entering rules that determine the library's subscription with a certain provider. The library made a decision to include only full-text resources in the profile. The library included in its profile not only titles subscribed to by the Pence Law Library, but also the law-related titles subscribed to by the main library at American University.

Creating the profile for each aggregator in CASE requires browsing the list of all titles within the aggregator and selecting those suitable for the needs of the library users. The accessibility of the titles can be checked directly through CASE. We used this feature for selecting from the aggregators subscribed to by the main library. We either selected "All" titles for the law databases the Pence Law Library subscribes to, or selected the law related titles from other aggregators. Below is a screen shot of a part of the Pence Law Library profile:



### 3.3 Coverage Loads of CASE Files via ERM Module

Once a user has selected the library profile, a file must be requested from CASE. When the requested CASE file is received by the library server, the next step is to do a coverage load which creates brief bibliographic and holdings records in the catalog. The process is fairly straightforward, but not without its share of problems. The CASE file is preprocessed and prepared for the load in the Coverage Load component of the ERM module. The two options, Load Catalog and Load Coverage, can be done simultaneously or separately. The load can also be done individually by each vendor. There were many trial loads and modifications before we discovered the problems and figured out the remedies for them.

#### 3.3.1 Proxy Server Early Problem

At the time we started setting up the ERM, Innovative only supported their Web Access Management (WAM) proxy server. Since we use E-Z Proxy, another means of adding the prefix had to be devised. Since August 2008, Innovative has been supporting EZ proxy. However, the procedure described in this section can be utilized for loading into coverage table non-CASE metadata. The following is a picture of the "manually" created ERM holdings record for the *Federal Register*.

Title	Federal register [electronic resource]	
Imprint	Washington, D.C. : [Office of the Federal Register, National Archives and Records Service, General Services Administration] : Supt. of Docs., U.S. G.P.O., distributor,	
Available from	Coverage	Provider Information
Hein Online	v.1 Jan. 01, 1936-	<a href="#">About Resource</a>
LEXIS-NEXIS Congressional	v.45 Jan. 01, 1980-	<a href="#">About Resource</a>
WESTLAW (Password required)	v.45 July 01, 1980-	<a href="#">About Resource</a>
GPO Access	v.59 Jan. 01, 1994-	<a href="#">About Resource</a>

To add our proxy prefix [<https://proxy.wcl.american.edu/login?url=>] to the URLs in the CASE data coverage, we worked out a procedure that was tedious, yet effective. By accessing CASE files through Microsoft Excel, they were converted into .txt files, then the proxy prefix was appended to the URLs using the Find and Replace functions within Excel. These .txt files were then converted back into .xml files in Excel. We also had to learn how to edit the Coverage Spreadsheet Conversion Rules file to properly convert the coverage spreadsheet data into a form readable by the Innovative system. The revised files were uploaded into Millennium using the Coverage Load function



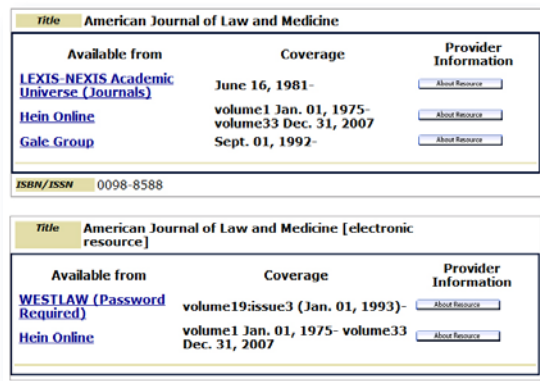
within the ERM. Load Catalog and Load Coverage can usually be done at the same time. However, with these revised .xml files, the coverage and catalog loads had to be done separately to be effective.

### 3.3.2 Match Points Issues

Match points are crucial to the loading of coverage data into the ERM. These are fields in which the system looks for duplicates. The fields used by ERM as match points are ISSN, Title, and the field labeled as the “OCLC number,” which it really is not. Alt lookup is also available.

We originally encountered problems because both print and electronic records were matching, causing the creation of duplicate records and the attaching of electronic holdings records to print bibliographic records. We were able to overcome this problem by creating and maintaining a review file of electronic journal records and running our coverage loads against that file. This took time and experimentation, but we seem to have solved most of our matching problems.

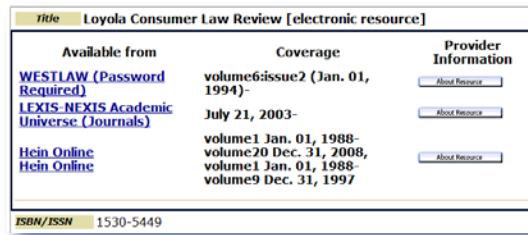
The matching problem that remains stems from drawbacks in CASE. Quite frequently CASE has different information in the match points fields (ISSN, “OCLC number”) for the same titles in different databases. This creates duplicate records (see two pictures below—the metadata in CASE for this title in WESTLAW lacks ISSN):



### 3.3.3 Title Changes in CASE

CASE does not handle title changes consistently. HeinOnline is the aggregator most affected by this issue. When the current and previous titles have the same ISSNs in CASE, then the number of links (equal to the number of titles) appears in the Holdings record box. The title in the picture below continues the *Loyola*

*Consumer Law Reporter*. Two identical links which lead to this journal page in HeinOnline reflect two titles of this publication and corresponding coverage data:



If the ISSNs in CASE are different for sequential titles of the same publication, the system then creates two separate records as in the picture below. Holdings records attached to each bibliographic record in this case contain identical links to this title page in HeinOnline.



### 4. Not Over Yet

The Pence Law Library reported the problems described above to Innovative in response to their solicitation for feedback on our experiences with CASE.

In March 2009, we received a message from Innovative:

*We have just completed development on a matching algorithm that generates a specific CASE ID to each journal title, thus ensuring that coverage loads with up-to-date holdings information is matched to the correct title.*

The message also contained a question asking whether the Pence Law Library would be interested in being a development partner to test this capability, to which the library agreed.

### 5. Administration Role

The role of the Pence Law Library’s administration in this very important project was “three-fold”:

- 1.) **Advocate to secure funds for the specialty OPAC tools.** These tools are part of a librarian’s mindset, but explaining them to deans, university budget officers, and purchasing managers is a bit difficult. They do not exactly have a grasp of the end

*continued on page 30*

game, and terms like federated searching and ERM really are not part of their vocabulary. It was necessary to show, to demonstrate, and to educate, and to give them a glimpse of what the end result would be in very practical, real terms.

- 2.) **Serve as a liaison between the librarians, staff, and Innovative.** It was important to make sure we got what we paid for. It was sometimes necessary to troubleshoot with vendor representatives, and we needed to be prepared to go all of the way to the “top” to keep a project on track.
- 3.) **Cheerlead.** This work takes time, patience, intellect, creativity, innovation, and desire. The staff time is enormous—hard work sometimes resulted in error messages or even failure. But the success is unbelievable. The Pence Law Library OPAC (known as LEAGLE) is “alive” and a researcher’s dream. More importantly, administration can pull data for the dean’s office that in the past was either maintained in someone “gray” matter or on yellow sticky notes.

Now, the truly tough part—educating faculty, staff, and students on LEAGLE’s power—ah, the work ahead!

## 6. Conclusion

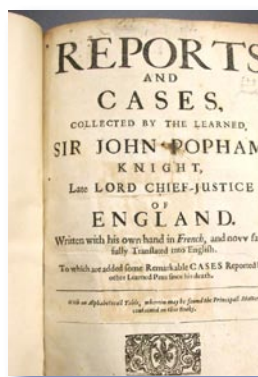
As a result of the ERM and CASE implementation, LEAGLE, the Pence Law Library online catalog, has become a one-step research tool that connects patrons directly to various full-text resources. 4,480 new bibliographical records have been added to LEAGLE, with direct links to their contents.

Patrons can connect to the current issues of any major U.S. newspaper or legal periodical directly from LEAGLE instead of going to specific databases. The metadata from CASE describing each e-resource is elegantly presented by the ERM in the OPAC pages.

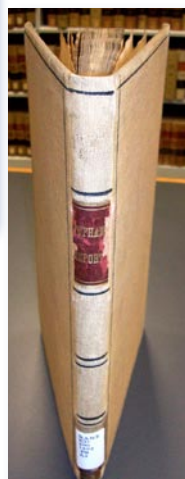
An A-Z E-Journal and Newspaper portal has been generated by CASE and linked to from the LEAGLE main page, further elevating access to e-resources. Simultaneously, with the ERM and CASE implementation, the Pence Law Library undertook the OPAC Refresher project. ERM and CASE systems, along with the addition of the new interface, have enormously enhanced the performance and visibility of our online catalog. The library’s OPAC has, indeed, been transformed into a powerful and modern research tool. **LLL**

## BOOK REVIEW

*Kasia Solon, Rare Books Librarian, The George Washington University Law School, Jacob Burns Law Library, [ksolon@law.gwu.edu](mailto:ksolon@law.gwu.edu)*



**Reports and Cases, Collected by the Learned John Popham, Knight, Late Lord Chief-Justice of England. Written with his own hand in French, and now faithfully Translated into English. To which are added some Remarkable Cases Reported by other Learned Pens since his death.** London, Printed by Tho: Roycroft, for Henry Twyford and John Place, and are to be sold at their Shops in Vine-Court Middle Temple, and at Furnivals Inne Gate in Holborn, 1656.



As I have written earlier in *Law Library Lights*, I am taking a detour with this year’s book review column to survey rare or archival material held by Washington, D.C. area law libraries. For this issue, I am focusing on the law library at the U.S. Department of Justice (DOJ) and one of their rareties, Popham’s *Reports* from 1656.

When it comes to rare or archival materials in the law, we carry with us certain expectations—that what is rare or archival is always old and that the largest special collections will always be at academic libraries because of the scholarly nature of their institutions. Writing these columns has given me a chance to explore some exceptions; my first book review was of an item produced in 2007 and my second was of a book at a government library with one of the largest legal special

collections in the world. Of course no one will be surprised that the Law Library of Congress owns a lot of rare books, but what about other non-academic law libraries? Mimi Vollstedt over at the DOJ was kind enough to give me a tour of its holdings and rare books at the Main Justice Building and a DOJ annex.

### Discovery through Serendipity

And what a rare book collection the DOJ turns out to have! They have quite a range of materials, starting with their oldest work, Sir Anthony Fitzherbert's seminal *La Graunde Abridgement* (published in 1577), to original transcripts from the Nuremberg war trials after World War II (published in the 1940s). When it comes to using DOJ's rare books, there is no particular rare books specialist. Instead the reference librarians handle legal history queries just like other questions. It appears, fortunately, that their rare book collection is fully cataloged and uploaded to WorldCat—not always the case when it comes to rare books. Physical maintenance of the collection is handled by a library technician.

The DOJ librarians have turned to their rare books for a variety of research projects. For instance, a question about the Jay Treaty of 1794 led to the use of *The Life of John Jay: with Selections from His Correspondence and Miscellaneous Papers* by his son in 1833, which included a chapter on the treaty in question. And the DOJ Library is in the midst of updating its portrait book, *Attorneys General of the United States, 1789-1985*. It was while working on this undertaking that a DOJ librarian discovered rare books written by Attorneys General from the office's earlier days. For example, there is *Sketches on the Life and Character of Patrick Henry* from 1817 by William Wirt. Wirt was one of the country's longest-serving Attorneys General, having held the position for twelve years under two different presidents. The rare books in this instance serve as a reminder of quite a change from current practice.

When I write that a DOJ librarian "discovered" some rare titles in the library's holdings, the word "rediscovered" is arguably more appropriate—of course somebody at the institution had to know about these books at some point, at least to the extent of cataloging them. But however much collective knowledge might be imputed to the institution, the reality is that actual notice of holdings comes down

to the individual level. "Discovered" captures a person's reaction on coming across books for the first time, whether new to a collection or not. This kind of experience demonstrates a facet of working with library collections in general and rare books in particular, that there is a recurring sense of discovery because it is impossible to learn and remember everything that a library owns.

Discovery can take on a serendipitous quality. I myself, after being pointed in the direction of rare books at the DOJ's annex, started browsing the shelves and opened them almost at random, searching for a good book review subject. I decided to focus on Popham's Reports as it had a marvelous preface on why the book was printed to begin with, and hence illustrates the origins of our modern law reports. Once I got back to my office to do more research, however, I felt as if my hand had been drawn to it—the author of these reports had in fact been Attorney General four hundred years earlier in England, when the position was first being established. Current U.S. Attorney General Eric Holder thus may not only find William Wirt's writings of interest, but also those of John Popham.

### Nominate Reports: Reports from the Dead

In giving the title up above, I could have given just the short and sweet version, Popham's *Reports*, but that would have taken all the fun out of it. The short title would also have removed all trace of how case reports that we take for granted today, whether as lofty as *United States Reports* or as specialized as *Bankruptcy Reporter*, got started. Popham's *Reports* belongs to the category of legal literature known as *Nominate Reports* in that it is a collection of case reports gathered under one person's name. Nominate Reports span the sixteenth and seventeenth centuries, a bridge between the medieval Year-Books noting arguments of bench and bar to today's steady stream of solely judicial opinions.

The content and style of a *Nominate Report* like Popham's varies from that of a current report, largely due to the differing aims behind them. Whereas today's reports are published for their precedential value, the bulk of Nominate Reports are "casual gleanings from dead men's studies" reproduced for study, but not necessarily citing, by others.<sup>1</sup> Popham's is no

*continued on page 32*

When I write that a DOJ librarian "discovered" some rare titles in the library's holdings, the word "rediscovered" is arguably more appropriate—of course somebody at the institution had to know about these books at some point, at least to the extent of cataloging them.

different. As the title page proclaims, this collection was the work of John Popham, a lawyer who hopped his way up the ladder from Speaker of the House of Commons to Attorney General to finally Lord Chief Justice of the Queen's/King's Bench. He lived from 1531 to 1607, finding time in his busy life to produce manuscripts as the title says "in his own hand in [law] French," but these reports were not published for a wider audience until 1656, nearly fifty years later.

Why publish one man's necessarily idiosyncratic take on cases and why again when that man is long dead? The preface itself lays forth its reasons for publication. To begin with, the name of such an eminent lawyer as Popham "would be a sufficient invitation to any understanding Reader." But the preface goes on to explain that having finally successfully "importuned" the private hands that held the reports to make them public, it is hoped that their publication "may (peradventure) be a means to invite others more learned to publish other things of like nature, for the benefit of Students, and Professors of the Law." "Things of like nature," i.e., more reports, were in fact published, and it eventually turned into a matter of course for courts to have professional court reporters. As the content of reports became standardized and their production serial, lawyers started to use reports more for their precedential value rather than their practical pointers. What we are left with today are reports so regularized it no longer matters who the reporter is.

You might not suspect it, but several of us probably own Popham's *Reports* in one fashion or another. The original 1656 edition, besides being at DOJ, is at the George Washington University Law Library, the Georgetown University Law Library, and the Law Library of Congress. Apparently there was enough demand for Popham's *Reports* even sixty-five years after his death that another edition appeared in 1682. This second edition is held at Georgetown, the Law Library of Congress, and the U.S. Supreme Court Library. Popham's *Reports* was then included in such collected reprints as the *English Reports Full*

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<sup>1</sup> J.H. BAKER, AN INTRODUCTION TO ENGLISH LEGAL HISTORY 183 (4th ed. 2002).

*Reprint*, from the early twentieth century (specifically volume 79 of the King's Bench series). And now that reprints have been microfilmed and digitized, many more have it still through HeinOnline and the Law Library Microform Consortium (LLMC). It appears, however, that these reprints do not include any of the fascinating explanatory prefaces such as the one I have described for Popham's (the reprints certainly do not include advertisements like the one I found at the end of the volume, listing other books for sale from the same publisher). The chance to read such prefaces then provides at least one reason for us law librarians and anyone else interested in the history of legal information to seek out the rare books.

### **An Attorney of General Jurisdiction**

After researching John Popham, it does make one long for the days when reporters had outsized personalities. Popham turns out to have been quite a character and, while much of what has been written about him probably would not withstand close scrutiny, it still says something about him that he could inspire such tales. The legends go all the way back to his youth, when gypsies supposedly kidnapped him and left a cabalistic mark on his body. Apparently this set him on a path to the dark side as he was also believed to have been a highwayman for a time.

As I mentioned earlier, he did eventually hold the position of Attorney General, just as it was taking on its modern form. The Attorney General was one among many who represented the monarch, but what secured the position's ascendance is that instead of being appointed to a particular court or cause, the Attorney General could represent the monarch generally in all courts. As a prosecutor and judge, Popham became known for his brutality. Thus as legend would have it, he died after being thrown from his horse into Popham's Pit and descended straight into hell; his ghost is condemned to wander until he can make it one step per year to his wife's church grave. Then again, maybe it is for the best that reporters are now faceless.

Thanks again to Mimi Vollstedt for making this column possible. And as before, I welcome suggestions on rare or archival items in the vicinity to highlight. You can contact me at [ksolon@law.gwu.edu](mailto:ksolon@law.gwu.edu). **LLL**



# A Short Discussion of URL Shorteners

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## Short URLs Described

On the web, you have probably come across links that contain domain names like <http://bit.ly>, <http://is.gd>, or <http://tinyurl.com>. These are three examples of websites that provide hypertext link redirection to websites. These services shorten long URL strings to create links often just a few characters long. On Twitter, short URLs are essential because text updates can be no more than 140 characters. In fact, Twitter truncates many long URLs whether you want them to or not.

Short URL services predate the Twitter phenomenon by several years. Previously, they were necessary because email clients might otherwise break long strings in hypertext links, which would likewise make it impossible to just click on the link as received. Links could be broken in mail clients that truncated text at an arbitrary character length or as a result of hyphenation rules that break string characters like “&” or “?” across multiple lines of text.

According to links provided on one shortening service’s website, there are more than thirty active URL shortening sites available (see <http://notlong.com/links>). Interestingly, this site also mentions around fifty shortening websites that are either extinct or do not allow free registration. Some have gone off line, while others have been taken over by spam sites.

## Criticism of URL Shortening Services

Recently, Joshua Schachter posted a stark criticism of URL shortening services on his blog, which you can read on a custom link I created here: <http://bit.ly/Ironic>. He says that “[t]he worst problem is that shortening services add another layer of indirection to an already creaky system.” Schachter also points out that short URLs are a popular way to hide spam messages, and they require an intermediary connection for every page access.

Schachter is one of the creators of the popular bookmark sharing site Delicious, so he knows a few things about the importance

of sharing links online. Read his brief blog post for a thoughtful critique of these services. Schachter suggests a speculative, but realistic, concern that short URL services could try to monetize traffic by forcing ads to appear before a link is resolved. Since short URL services are typically free to users, the host companies may seek a way to pay for bandwidth and storage space.

Recently, TinyURL was down for a few hours, and other services have gone down in the past. Beyond this, several short URL services no longer exist. Also, the bookmark sharing site ma.gnolia accidentally deleted their entire database, and the bookmarks are gone for good: <http://ma.gnolia.com>.

Advanced researchers are also hindered by the use of short URLs. One research technique on Google is to search for sites that are linking to a particular page. If you find one useful resource, another page linking to this may have similar items on it. For instance, a search today for “link:<http://uscodesurf.com/>” reveals four sites linking to this URL. One of these pages is from the company “elog” providing this service. Additional sites linking to US Code Surf will be easy to find on Google if the same URL is used.

## Privacy Issues with Short URLs

If you work at a law firm or court, you should consider privacy implications in using short URLs. Whenever somebody accesses a short URL link, the service hosting it will have some data about how it is accessed. If you click on a link on a web server, the short URL provider could know where a document is linked. If you send a link in an e-mail or Twitter post, the short URL service will probably know the IP address where a click originated.

This may be a minimal privacy concern, as little personally-identifiable information is included in redirecting a link. That said, it is a good idea to look at the privacy policy

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or reputation of a short URL provider if you regularly send links to attorneys using a specific service. Also, when performing confidential research, it is good to think about how your activities could be tracked.

### **Tips for Using Shorteners**

One problem with short URLs is that they always obscure the source of the site being linked. With a link like <http://bit.ly/1628nB>, how are you to know if this points to a Rick Astley video or a post from Rick Klau's legal weblog? Thankfully there are some tools that help reveal a link's source before clicking on it. For the popular URL shortening service TinyURL, you can get a preview of any link by simply typing preview before the link text, such as: <http://preview.tinyurl.com/Peep2009>. This takes you to the TinyURL site where you can see the full link before clicking on it.

Another way to reveal link sources for multiple services is by using the Firefox extension bit.ly Preview: <https://addons.mozilla.org/en-US/firefox/addon/10297>. Once installed, this allows you to hover over a short URL link to show a linked page's title and long URL string. For items that use bit.ly links, the extension also shows how many times a user has clicked on the link on their service. More technically savvy people can try a Greasemonkey script like TinyURL Decoder,

which replaces links inline as you view them: <http://userscripts.org/scripts/show/40582>.

### **Suggestions on Short URL Usage**

Whether we like it or not, short URLs are a fact of life online. Services such as Twitter require a strict economy of characters. Also, the services can be very convenient.

The following are a few suggestions that I have for the best use of short URL services:

- Use short URLs in fleeting communication, such as Twitter, and email that is not archived online.
- Do not use short URLs in web pages, as the links could expire and obscure a site's source.
- Do not use short URLs to link to your own materials if possible. As Schachter points out in his post, search engines probably do not recognize the correct host domain for short URLs, which could impact search engine ranking.
- Several short URL services provide usage data. If you need a short URL service, look at the administrative and tracking options that they provide, if this is important to you.

If you have ideas for a topic in a future Tech Talk column, please contact me at [rvs5@law.georgetown.edu](mailto:rvs5@law.georgetown.edu). **LLL**

# Time to Collaborate: A Review of the 2009 Joint Spring Workshop

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The Joint Spring Workshop is one of the annual highlights of the Washington, D.C. librarian community, and is a collaborative effort of the Law Librarians' Society of Washington, D.C. (LLSDC), the D.C. Special Libraries Association (DC-SLA), the District of Columbia Library Association (DCLA), the Federal Library Information Committee (FLICC), and OCLC Eastern.

The 2009 workshop, titled "Collaboration: The Key to Survival!" was held on April 2 in the James Madison Memorial Building at the Library of Congress. The economic crisis that commenced in the Fall of 2008 was clearly an underlying theme of the workshop, but despite the fears that it invokes, it was also presented as an opportunity to build a more dynamic role for librarians.

The program included a key-note speaker, Stephen Abram, Immediate Past President of the Special Libraries Association (SLA), and two panel discussions on using collaborative practices. The first discussion profiled embedded librarians and the second discussion dealt with using social media to build collaborative practices. The day concluded with Donna Scheeder, Acting Director of the Law Library of Congress, presenting her thoughts on competencies for collaborative librarianship. While none of the topics specifically addressed law librarians, seeing viewpoints, competencies, and opportunities in other forms of librarianship provided an interesting cross-pollination of ideas.

Stephen Abram's keynote speech focused on leveraging the dramatic economic and technological changes affecting librarians to the benefit of the profession. In particular, Abram focused on developing multi-dimensional thinking and intergenerational collaboration, and considering more strategically about how librarians are viewed by c-level executives (those with CEO and CFO titles, for example). In terms of multi-dimensional thinking, Abram noted the popularity of YouTube as a search engine. He viewed the growth of video

and audio as opportunities for librarians to expand their influence by using more information tools as part of their training, research, and presentations.

Abram emphasized that the coming generational transition will result in a number of changes to the library profession. In particular, he noted that the succession of leadership and management will in many cases pass over Generation X, or those born in the 1960s and 1970s, in favor of Generation Y, those typically born after 1980. The leapfrog of Generation X will occur because there were so many people fewer born during this period, especially in contrast to the number born during Generation Y or the echo boom. Another factor is the longer working years of baby boomers. This dynamic will increase the likelihood of multi-generational workplaces and result in more complex succession situations, but also lead to unique opportunities in which to share knowledge.

In reviewing the results of the SLA Alignment Project, which surveyed c-level executives internationally, Abram urged librarians to focus less on the physical space of the library and instead embrace their collective reputation for providing credible, useful, and informative content. Most importantly, Abram notes that librarians need to "value the value we add, not the effort." He also pointed out a disconnect that is often seen when comparing surveys of c-level executives and librarians: namely that executives see librarians as sources of analysis and competitive intelligence, while librarians see themselves as providers of information. It is in this underlying difference in how we view our jobs that librarians often undersell themselves to their organizations.

The embedded librarian panel included two medical librarians, Blair Anton of Johns Hopkins Medical Institutions and Pam Sieving of the National Institutes of Health Library, along with David Long, Combatant Command Support for the Department of

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## 2009 Joint Spring Workshop

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Defense Research and Engineering, and Bruce Rosenstein, former *USA Today* newsroom librarian. The panel was both exciting and sobering. The panelists from the army and medical libraries were able to describe how embedding with specialized units had taken them to the “action” so to speak. They described how their roles actually had a life saving component that enabled them to be not just supportive of their parent organization, but an essential part of the mission.

The subject of the current economy, however, could not be avoided. Bruce Rosenstein had won awards from *USA Today* for developing a database of the soldiers that had died in Iraq and Afghanistan. He had been included on several bylines, wrote an occasional column for the paper, and yet lost his job in December 2008.

What was evident from each of the embedded librarians was how important it was to not just build information skills, but to gain substantive expertise within one’s field. In the case of the medical informationists, such expertise often comes from earning another degree in a specialized scientific area. As the term implies, to embed successfully as a librarian, one must be identified beyond the physical space of the library.

The social media/technology panel included Michelle Springer of the Library of Congress, Sheldon Kotzin of the National Library of Medicine, and representatives of the Howard County (Maryland) Library. These panelists described how they fostered collaboration by using a growing number of social technologies. In particular, they described how social technologies such as Flickr and open source products enabled them to broaden their libraries’ engagement with patrons.

Highlighted in this second panel were three projects. First, the Flickr Commons project<sup>1</sup> showed how the leadership of one organization can build into a worldwide movement. Michelle Springer, the Flickr project coordinator, noted that the advantage of the Flickr system to her is that it allows the Library of Congress

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<sup>1</sup> Flickr, The Commons, at <http://www.flickr.com/commons?PHPSESSID=ea7b4da468f5935f24b65f41dbfc56f> (last visited July 20, 2009).

to expand the reach of its photo collection far more deeply into the public, as well as develop a devoted following of power taggers (over 3,000 tags) and engage innovative technology at a minimal cost.

Second, Sheldon Kotzin described a project faced with many political hurdles that affected the development of open source content in the National Library of Medicine’s Medline and PubMed databases. The open source content available in these databases actually came from several acts of Congress, and this content continues to face opposition from certain members of Congress. Kotzin’s description of the debate highlighted that the barriers that impede information are often political rather than technological.

Third, the presentation by the Howard County Library demonstrated how the use of open source software both internally and externally can empower a system. While many of us may not be able to use open source systems, we should examine them to see how innovation is occurring around us, and bring details on that innovation back to our work places when appropriate.

The final discussion by Donna Scheeder of the Law Library of Congress pulled the ideas of the two panels together in an examination of the competencies librarians need to pursue to excel at collaborative opportunities. On a personal level, Scheeder emphasized that one’s performance and attitude reflect the library profession. Scheeder continued on by noting that our knowledge of our profession, our workplaces, and our use of emerging technologies provide unique opportunities to influence and align ourselves within parent organizations.

Collaboration requires mastering technology—including an awareness and understanding of the relationship between knowledge and our organizations. We must also know how certain tools support collaboration, and know what can and should be tossed. Collaboration, though, fundamentally rests on our personal skills to form networks, alliances, and partnerships, and to personalize our interactions. Indeed, these are the primary lessons from this year’s wonderful Joint Spring Workshop. **LLL**



# Library Rules: A (Modest) Procedural Proposal

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Those of us who work in law schools know that the bottom line of a law school education is learning the rules. Sure, professors tell students that in law school they “learn to think like a lawyer” or “learn to apply a set of facts to the law.” To a certain extent these clichés are true, of course, but in the end law school is all about the rules.

Students learn some rules, how to read the rules, how to find the rules, how to apply the rules, what the policy is behind the rules, how to think imaginatively about the rules, and how to use the rules both to help their client and hurt the other guy. At the end of a semester, the most common student question (other than “Is this on the test?”) is “What is the rule?” Law students understand that they need to know the rule, even if the professor never talks about the rule and no one points out the rule in the case they are reading. That is what studying law is about—on the final exam the professor wants to know whether the student knows what the rules are, the client wants their lawyer to tell them what rules govern their conduct, and the judge wants to know what rule applies to the case before the court. Learning the law is learning the rules.

Yet after sitting through class after class learning about rules, some students cannot seem to follow even the most basic library rules? How come they seem to spend so much time trying to get around the simple rules that the library has put in place. No food in the library. Seems like a simple enough rule. It is an easy rule to understand, and does not require a lot of parsing or an en banc hearing by a court of appeals to interpret it. There is a solid purpose behind it—food has a tendency to go where it wants, it crumbles and falls to the ground and then attracts ants, mice, rats, and other creatures that have no business being in the library. Plenty of space is provided in the law school where students can eat multiple course meals. One of those places is *not* the library. However, students often seem to think that this rule is as hard to understand as the rule against perpetuities. They blissfully eat away as if they are at Barnes & Noble.

I used to litigate on the plaintiff’s side of the bar. The greatest fear of any litigator is to miss a deadline, and I mean a court mandated deadline, not the boss’ deadline (which is still pretty bad). The worst deadline that you could miss on the plaintiff’s side was the statute of limitations, the dreaded SOL. It is no coincidence that SOL also stands for a certain well-known phrase, since if you miss a court deadline, that is exactly what you are, with a grievance hanging over your head to boot. Believe me, litigators pay attention to the SOL.

Libraries have their own statutes of limitations. For example, a law library I used to work at has a large collection of law-related videotapes that may be borrowed by students. The borrowing time was two days, which would allow students to check the movie out over the weekend. So did the students follow this rule? Nope. One student insisted that there was a “grace period.” When I explained that the loan period was two days, and if she wanted it longer she must renew it, she said she would not be fined anyway if the video was late.

I then asked if she knew what the statute of limitations was. She said yes. I asked her if she thought that if she missed the statute of limitations she could ask the judge for a grace period. She did not think that was the issue. This convinced me that either she was not learning anything in law school, or that she was already a lawyer...since many of us know that often times lawyers do not think the law actually applies to them...(although I think I won the argument, I believe the student had the makings of a great attorney, as she did not let the law or the facts get in the way of her argument).

Rather than maintaining constant vigilance over library patrons, and to spare patrons the embarrassment of being caught violating petty rules, we can compromise. My compromise would help librarians enforce our petty rules and assist in the education of the law students. My modest proposal is that librarians should

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begin to enforce their rules like lawyers and judges do. The library will no longer have fines, it will have sanctions (that will scare the heck out of them!) Books will no longer be “overdue;” once the deadline for returning them has lapsed the “statute of limitations on the book will have passed” and the borrower will be sanctioned (I love this). Interlibrary loan requests will be renamed “motions,” and students will “move” that a book be loaned to them. If their request cannot be filled, the motion will be denied.

Reference desk questions will need to be presented in forms consistent with the rules for discovery—e-mail questions will be called “interrogatories,” in-person requests will be called “depositions.” Requests to libraries for items will be “Requests for Production,” which the librarian will either comply with or refuse. If we refuse, the patron will have to request a hearing before the circulation manager or another member of library management

(perhaps they could even wear judges’ robes!). Failure to appear at programs put on by the library will result in “Contempt.” Library procedures would be called “Library Civil Procedures” in order to impress upon law students the importance of these measures. When students attempt to evade these civil procedures (like real lawyers do), the librarian will have to sharpen his or her own wits in order to maintain the library system. Now if we could only come up with some way where librarians were less like adversarial litigants and more like federal judges with lifetime tenure....

I know that sometimes a law library’s rules seem pointless. Students often have a negative image of librarians as enforcing pointless rules in a “hobgoblin of little minds” sort of way. This is probably true, but I have a feeling that at most workplaces there are rules that appear pointless but nevertheless are ruthlessly enforced. The problem is that the library (and librarians) seem to like a “soft touch.” The library as an institution is in the business of giving away something useful (books, information) and asking only that the recipients return things on time and follow some simple rules (a perceived burden to the patron many times). The problem may come at this intersection—everyone likes to get stuff, but few like it when rules are attached. But lawyers should understand this exchange of value, as it really is a *quid pro quo* underlying a sort of contract. See how easy that was? Now if we can only come up with a way to get faculty to follow the rules.... **LLL**

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