



Law Library Lights

“Down Some Steps, Up Some Steps:” The 1910 Buying Trip of Margaret C. Klingelsmith, Librarian

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On June 4, 1910, Margaret Center Klingelsmith, director of the Biddle Law Library of the University of Pennsylvania, set sail for Liverpool. The name Klingelsmith might be familiar to some law librarians as she was the only female charter member of the American Association of Law Libraries.¹ When Klingelsmith set sail, she had been in her position for 11 years, a position she would hold until her retirement in 1931, shortly before her death. During her tenure, Klingelsmith transformed the Biddle Law Library.² She also forged a path outside of the library. She was one of the first women to be admitted to the Philadelphia bar and she was a staunch suffragist, as well as an author and translator.³

Klingelsmith was on a mission to purchase “early sources of our law, British colonial law, and Continental law” for the Law Library at the behest of the dean of the law school, William Draper Lewis.⁴ This trip was but one of many she made to England and the Continent

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*Margaret C. Klingelsmith, date unknown.
Courtesy of the University of Pennsylvania, University Archives and Records Center.*

to purchase books for the library. But this 1910 trip has been memorialized by the publication of the report she submitted to the University and it provides a tantalizing view of Klingelsmith as a librarian.⁵ Throughout this report, her competitive nature, knowledge of historical legal literature, and skill as a buyer are displayed.

The Biddle Law Library had experienced continual growth since the creation of the University of Pennsylvania's dedicated law

department in 1850. However, Klingelsmith's tenure as director of the library spanned the era of the transformation of law school libraries from small collections,⁶ which were naturally limited by the nascent legal publishing industry in the United States,⁷ to multi-faceted comprehensive establishments with large collections of resources dedicated to assisting the research of faculty and supporting the learning of law students. Despite the growth of legal publishing and increasingly reliable shipping methods during the latter half of

the 19th century,⁸ it was still necessary for those who wanted to obtain English and European legal texts to travel in order to directly purchase the desired volumes. Dean Draper's desire to obtain materials on early English law and Continental law made this a particular responsibility for Klingelsmith.

On June 15th, Klingelsmith's steamer docked in Liverpool. She would spend the next few months travelling to Liverpool, Bath, London, The Hague, Berlin, Leipzig, Munich, Paris, and Oxford, returning to London to complete purchases, have materials bound, and cement relationships with book sellers to secure future access to titles. She encountered multiple impediments, including weather, copious amounts of dust, false leads, and the threat of having one's skirts catch on fire from getting too close to gas jets.⁹ Klingelsmith became particularly concerned when she lost the file containing information on the books she planned to purchase, which "seemed for the moment to stop everything."¹⁰ Fortunately, Scotland Yard returned the file to her.¹¹ These inconveniences were secondary to her primary concern—the presence of competition. Her sights were on London where she knew other collectors would be searching for titles to add to their libraries or book stocks.

Despite this worry she remained in Liverpool for a few days where she courted contacts in the hopes

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of obtaining volumes from the dispersal of local private law libraries. She had also wished to find colonial law there, but was disappointed to find that these materials are "concentrated in the hands of Sweet & Maxwell."¹² She then made her way to Bath in the hopes of obtaining "the older books" in a Cathedral town, but was again disappointed despite buying a handful of volumes.¹³

Klingelsmith arrived in London "barely in time, for it was quite a gathering of the law book clans" she found there, including a Mr. Soule, a Mr. Crossley, a Mr. Carswell, and a Mr. Fraser.¹⁴ Charles Carroll Soule was a founder of the book firm Soule, Thomas & Winsor of St. Louis, established in 1869. In 1878 he became a partner in Little, Brown & Co., but left in 1881 to create the firm Soule & Bugbee in Boston, which specialized in legal titles. After the death of his business partner, Soule incorporated Soule & Bugbee, creating the Boston Book Co. He also published the popular magazine, *The Green Bag: An Entertaining Magazine of the Law*.¹⁵

Frederic B. Crossley was a law librarian at Northwestern University Law School and the managing editor of the *Journal of American Criminology and Criminal Law* and was a founding member of the American Association of Law Libraries. Alexander Fraser was the law librarian at the Cornell University College of Law, lauded for his "unusual skill as a collector of books."¹⁶ The "Mr. Carswell" is most likely Robert Carswell of the Carswell Co., Limited, of Toronto, Canada, a legal publisher who supplied a large assortment of titles throughout the latter half of the 19th century and well into the 20th century, eventually being absorbed into Thomsen-Reuters.¹⁷ Despite the stiff competition, Klingelsmith was able to successfully purchase the titles in which she was interested. It is not without some inference of pride that Klingelsmith noted that Mr. Crossley "was just after [her] nearly everywhere," but that she was able to have "first choice" since she was "first on the ground."¹⁸



Being first on the ground was but one aspect of Klingelsmith's buying process; her structured planning, forethought, and expansive knowledge of legal literature are all on display, particularly in her description of the Continental leg of her trip. After spending nearly six weeks in England she set off for Holland on August 2nd, arriving in The Hague the next day. There she met with a bookseller, a "most intelligent man," of Fijhoff & Company, with whom she had been in correspondence.¹⁹ Having a contact in The Hague was important to Klingelsmith for she considered the city to be "a sort of door to the continent, or out of the continent, for everything."²⁰ She planned to use this company as a jobber, in modern parlance, in order to maintain a current collection of the statutory and case law of various European countries, as she had been disappointed by the inability of the Boston Book Company to do so, with whom she had had a similar arrangement.²¹

Klingelsmith's desire to collect current materials in European law underpinned her work in Europe. Berlin followed The Hague, where she consulted with Dr. Earnest Heymann.²² She found that his interest in the law lay too much with the "sociological side of the law, than in the active practice of law" and, therefore, he could not assist her with identifying a suitable supplier of German texts.²³ However, she was able to identify a firm, Speyer & Peters, which she hoped could supply the contemporary German law.²⁴ She continued to network and establish relationships with booksellers in Leipzig, Munich, and Paris, and was able to report that "as a result of the trip on the continent you will have, and probably within the year, all the statute law of the countries in which such law is published and which we have not now."²⁵

Klingelsmith conceived of the Biddle Law library as a source of broad research support for the faculty and students of the law school. She noted that the "library is continually called upon for books that you or I would have said would be of little

"She noted that the 'library is continually called upon for books that you or I would have said would be of little value to it. I confess that I have no rule or measure by which I can surely say that any one book will not be needed in your work.'"

value to it. I confess that I have no rule or measure by which I can surely say that any one book will not be needed in your work."²⁶ This uncertainty spurred her policy of collecting a wide variety of titles. Her knowledge of the history of legal texts, as well as her acumen as a buyer, made it possible for her to suss opportunities to purchase desired items that were too expensive, or too rare.

For example, Klingelsmith was given an opportunity to purchase a copy of Gowel's²⁷ Dictionary of 1607, a title that would normally be out of reach due to its price and rarity. She was able to identify that the copy offered to her was a reprint of the first edition, it was uncollated, and the seller could not guarantee that it was "perfect."²⁸ She was able to negotiate a price of four dollars. Upon inspecting it further she found that the copy was complete and perfect.²⁹

Klingelsmith purchased over 1000 volumes directly from booksellers. The report provides a selection of the titles she purchased, which ranged in price from sixty-two cents to \$125.00.³⁰ Klingelsmith reported that she purchased 61 treatises, 97 titles in statutory law, 16 titles in case law, and 106 pamphlets. The titles provided in the sample list were published in the 16th and 17th centuries; she also purchased multiple titles from the 18th century.³¹ Despite the success of her



trip, Klingelsmith encouraged the law school to continue to actively purchase specific titles and mentions a list she compiled of “two thousand titles” she would like to have purchased. She explains that she did not buy from this list as these are “bargain books” that should be bought *en masse* from a seller for a “low bid.”³²

As has been oft mentioned in the few writings on her career, Klingelsmith increased the size and breadth of the Biddle Law Library. This report is evidence of the skill and knowledge she brought to this endeavor. Despite Klingelsmith’s contemporary success and influence, not only within the arena of legal librarianship and scholarship but also as an early pioneer of women in the law and as an active suffragist, the study of her career has been scant. This brief article marks the beginning of a comprehensive research project on the career of Klingelsmith, which, hopefully, will result in a work that is commensurate with her achievements. ■

Notes

¹ FRANK G. HOUDEK, *THE FIRST CENTURY: ONE HUNDRED YEARS OF AALL HISTORY, 1906 – 2005* 25 (2008).

² One fact of Klingelsmith’s tenure as librarian that is oft repeated is her expansion of the Biddle Law Library’s holdings from under 10,000 to 78,000 titles.

³ LINDA MALLON & ANITA SAMA, *FRANKLIN’S DAUGHTERS: PROFILES OF PENN WOMEN 22-23* (2001); *AMERICAN NATIONAL BIOGRAPHY* 794 (John A. Garraty & Mark C. Carnes, eds., 1999). In 1915 Klingelsmith published her translation of Statham’s *Abridgement of the Law*. A digitized copy of a 2007 reprint of her translation is available via Google Books, <https://perma.cc/XBY7-JNQU>.

⁴ MARGARET C. KLINGELSMITH, *REPORT OF THE LIBRARIAN ON THE TRIP TO ENGLAND AND THE CONTINENT* 1 (1964).

⁵ This report was published in booklet form in 1964 by the Biddle Law Library as an “entertaining and illuminating view of a superb librarian at work.” It was also published in *The University of Pennsylvania Law Alumni Journal* vol. 12, issue 2 (1977), p. 14-18. The passages cited herein are taken from the booklet published in 1964.

⁶ For a history, see GLEN-PETER AHLERS SR., *THE HISTORY*

OF LAW SCHOOL LIBRARIES IN THE UNITED STATES: FROM LABORATORY TO CYBERSPACE (2002).

⁷ For a history of legal publishing, see M.H. HOEFLICH, *LEGAL PUBLISHING IN ANTEBELLUM AMERICA* (2010) and ERWIN C. SURRENCY, *A HISTORY OF AMERICAN LAW PUBLISHING* (1990).

⁸ For a history of the development of the legal publishing industry in the United States, see HOEFLICH, *supra* note 7, at 30-73, 96.

⁹ KLINGELSMITH, *supra* note 4, at 9. Klingelsmith’s skirts caught fire while she was in the storage building of the London booksellers Wildy and Sons. She successfully extinguished the flames. The death of women by immolation was a relatively common occurrence in the 19th and early 20th centuries. See Becky Little, *Killer Clothing Was All the Rage in the 19th Century*, *NATIONAL GEOGRAPHIC*, Oct. 17, 2016, <https://perma.cc/7N9X-R8YA>; ALISON MATTHEWS DAVID, *FASHION VICTIMS* (2015).

¹⁰ KLINGELSMITH, *supra* note 4, at 7.

¹¹ *Id.* at 8.

¹² *Id.* at 3.

¹³ *Id.* at 3-4.

¹⁴ *Id.* at 4.

¹⁵ “Obituary Notes: Charles Carroll Soule,” *THE PUBLISHER’S WEEKLY*, Jan. 11, 1913, at 107.

¹⁶ As quoted in E.E. Willever, *The Law Library at Cornell University*, 4 *CORNELL L.Q.* 133, 136 (1919).

¹⁷ See advertisement in issue no. 1 of volume II of the *BARRISTER* (1896), <https://perma.cc/EQ36-E3QJ> and “The Carswell Company (Limited),” *REPORT OF THE SECRETARY OF STATE OF CANADA* 23 (1886), <https://perma.cc/F9UH-4ZA6>.

¹⁸ KLINGELSMITH, *supra* note 4, at 4.

¹⁹ *Id.* at 15.

²⁰ *Id.*

²¹ *Id.* at 16.

²² Spelled incorrectly in the Report as “Heyman.”

²³ KLINGELSMITH, *supra* note 4, at 18.

²⁴ *Id.*

²⁵ *Id.* at 25.

²⁶ *Id.* at 28.

²⁷ “Gowel” is likely a misspelling; Klingelsmith is most likely referring to Cowell’s *Interpreter* of 1607.

²⁸ KLINGELSMITH, *supra* note 4, at 10.

²⁹ *Id.* Approximately \$100 in today’s money.

³⁰ Adjusted for inflation 62 cents approximately equals \$16 and \$125 approximately equals \$3,000.

³¹ KLINGELSMITH, *supra* note 4, at 1.

³² *Id.* at 29.



From the Editor

What We Do Best

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What do we, as law librarians, do best? Although the majority of law librarians are generalists, there is a lot of variation in our day-to-day responsibilities, which often allows for the development of specialized skills. This should seem like a natural extension of our previous themes. Our first issue allowed us to reflect on where *Lights* has been, coinciding with the 60th anniversary of the publication.

Our second issue explored the traits and transferable skills that allow our members to make changes and move across sectors. In this issue, we wanted to get a deeper dive into our members' specific areas of expertise. Some of these skills will definitely be more familiar to some readers than others, but we hope you enjoy these illustrations of the diverse range of skills, resources, and insight that can fall within our professional purview.

The articles highlight our members' wide-ranging experiences and expertise. Kenneth White writes about how to find and use declarations as evidence of prior art; Sandra Fennell discusses the importance of building relationships as a law firm librarian; Heather Casey describes two recent law librarian conferences she attended and helped organize in Africa; and Rachel Jorgensen provides a fascinating profile of Margaret C. Klingelsmith, a pioneering law librarian at the University of



Submission Information

If you would like to write for *Law Library Lights*, contact Andrew Lang at awl20@georgetown.edu. For information regarding submission deadlines and issue themes, visit the LLSDC website at www.llsdc.org.



From the Editor, Continued

Pennsylvania, and her 1910 buying trip across England and Europe. We are also pleased to include a guide to the resources available through the D.C. Public Records Office, written by Rebecca Katz, the Public Records Administrator for D.C., which we hope will be a valuable reference point.

In our regular columns, Matt Zimmerman discusses implementing Primo, the front-end user interface for Alma; Lowell Rudorfer reviews three current museum shows in a new Eyes on Exhibits; and Emily Florio provides an introduction in her first column as the new President of LLSDC.

Finally, we're excited to announce our first student essay contest—detailed information is included after the Member Spotlight section—which we hope will continue to be an annual tradition for years to come. The theme for the Summer issue is “The Next Generation,” and what better way to showcase the ideas of soon-to-be law librarians than by publishing their work in the pages of *Lights*? We hope that you will share the contest information with potential applicants; the board has approved some fantastic prizes for the winner and runners-up and we're excited to create new opportunities to acknowledge our student members. ■

President's Column

Collaborating, Volunteering and Starting Anew

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I am pleased to write my first column and introduce myself as your LLSDC President! I hope to use this column as a way to lay out my thoughts and goals, and also to encourage volunteer participation in making the next year another great one for our chapter.

President's Column, Continued

Although I have worked in libraries since my first summer in college, I can't say that I always knew I'd be a librarian. Growing up in a small town in northern Vermont, my Mom was the town's elementary school librarian and well-connected with the local librarian community. Despite my reluctance to do so, it was at her urging that I got a part-time job at the St. Johnsbury Athenaeum Public Library and Art Gallery. Since that summer, I have worked in public, academic, and private libraries, and have inadvertently spent most of my career in law firms that specialize in intellectual property.

After working in Boston for nine years, I made the move to DC. I have now been working at Finnegan and in the area for over four years. Shortly after starting at Finnegan, I joined LLSDC and knew I had found my professional home. I have enjoyed informal discussions, formal presentations (speaking and listening), business/board meetings and, of course, networking events. LLSDC offers something for everyone and is always expanding and evolving to appeal to the diverse group of law librarians we have in this tight-knit community. We are always looking for new ideas; sharing your feedback and expertise is one way to give back to LLSDC, so please consider doing so.

LLSDC is known as one of the largest AALL chapters, with a history of offering great events and publishing a strong, professional newsletter. Anyone that has attended an LLSDC event knows we are a dynamic and active chapter, so let's continue that tradition, along with finding new ways to engage. As president, I hope to increase member collaboration and engagement, especially with our newer members. Some future programming ideas include a resume review workshop, a career growth panel, and a "preparing to practice" discussion between academic and firm/government law librarians. I have been fortunate to serve on the AALL Executive Board for the past three years and have enjoyed being able to bring some of the successful ideas that have worked at the national level (or with other chapters) to DC.

Thank you for the opportunity to serve and lead our wonderful chapter. I look forward to meeting as many of you as possible at upcoming educational programs and networking events. Spring is always a busy and exciting time with plenty of LLSDC events to attend. Look out for announcements of our annual Town Hall (and AALL Executive Board member visit), Executive Board election, and National Library Week events.

Please don't hesitate to reach out with any questions or comments, especially if you're interested in getting involved or have suggestions for programs—I'm eager to hear from you! ■



Foreign, Comparative and International Law Librarians Come Together to Hold Conferences for Law Librarians in Africa

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Over the past couple of years, I have had the privilege of traveling to Kampala, Uganda, and to Abidjan, Côte d'Ivoire, to assist with workshops on open access to legal knowledge in Africa. The first workshop, in Uganda, was for anglophone African law librarians, while the second, in Côte d'Ivoire, catered to francophone African law librarians. Both workshops were organized through the International Federation of Library Associations (IFLA), in cooperation with the International Association of Law Libraries (IALL). Our Kampala workshop was sponsored by IFLA, IALL, and HeinOnline while the Abidjan workshop was sponsored by IFLA, IALL, Cairn.info, and the Assemblée Nationale du Côte d'Ivoire.

I was one of several organizers. For the first workshop, I was joined by Mark Engsborg (Emory University), Joe Hinger (St. John's University), Caroline Ilako (Makerere University), Sonia Poulin (Justice Education Society), and Bård Tuseth (University of Oslo). With me in Abidjan were Michel Fraysse (Université Toulouse Capitole), Adama Koné (Assemblée Nationale du Côte d'Ivoire), and Sonia Poulin (Justice Education

Society). Over the course of several months leading up to the Kampala workshop, we worked to bring together a group of African law librarians that came from the following countries: Uganda, Ghana, Tanzania, South Africa, Kenya, Nigeria, Zimbabwe, and Côte d'Ivoire. Librarians attending the Abidjan workshop came from Côte d'Ivoire, Senegal, Benin, Ethiopia, and Burkina Faso. We hope to host a third workshop in Senegal later this year.

Goals for the workshops were to empower participants to utilize open access legal sources in legal research. Both workshops served as a first step in building a network of law librarians across Africa in order to share knowledge and assist each other in solving practical legal research questions. Participation provided an overview of open access legal sources worldwide, the practical skills required to benefit from them, and an opportunity to establish contact with colleagues from different countries.

One essential component of the workshop model we used was for every participant to give a presentation. Most were 5 minutes long and



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organizers spoke from 15 minutes to 45 minutes on various topics with Q&A sessions afterward. Our reasons behind having every participant give a presentation were several; first, it encouraged each participant to plan for the workshop and guaranteed active participation. Second, each participant shared information on the legal research environment in their jurisdiction, which allowed for other participants to learn more about jurisdictions outside their own. It also assisted with networking, as each presentation allowed participants to better acquaint themselves with one another. Getting up in front of their peers gave each participant a chance to exercise skills in public speaking that they may not have otherwise used over the course of the two-day workshop.

The workshops also contained four breakout sessions where participants were gathered into small groups to foster discussion. After 45 minutes to an hour of discussion, the entire workshop group would come together and people from each group would relay their group’s findings. Discussion would ensue.

As organizers, we wanted to ensure that participants would continue to contribute to a network for African law librarians. To that end, we established several online forums after the workshop for participants and organizers to

engage in virtual and practical collaboration with international colleagues. The forums included an email group hosted through Google Groups and a website hosted through Google Sites (where slide and paper presentations from the workshop were uploaded).

As a part of the Abidjan workshop, we convened with an address from the Secretary General of the Assemblée Nationale of Côte d'Ivoire. He later met with Sonia and I again during a tour of the Assemblée Nationale after the conference had concluded. The workshop was covered by the local paper in Abidjan and we were interviewed for the local nightly television news station there as well.

After the Côte d'Ivoire workshop, Sonia Poulin and I traveled to Ghana, Togo, and Burkina Faso. We were able to meet with participants from both workshops we had held and tour their law schools and parliaments in each jurisdiction. We were welcomed with open arms by people associated with our workshop participants and were both truly humbled and appreciative of the warm welcomes we received in our travels. We have been pleased with the success we've seen thus far from these workshops and look forward to continued growth of law librarian networks within Africa.

While workshops like these take a fair amount of advanced planning and work, they can be done relatively inexpensively. Finding a few sponsors, like IFLA, IALL, and vendors who specialize in the jurisdiction you wish to reach will ensure you have the budget necessary. It is essential to have someone in the jurisdiction as an active participant in the organizing process as well. They will be the one to scope out conference locations, accommodations, and other details that must be dealt with before you arrive. While our budget for both workshops was modest, the lasting benefits have been impressive. Because of these workshops, librarians across Africa are now in regular



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communication with one another and with those of us around the world who work frequently with foreign and international law.

Within the past month, I was able to refer one of my students to a law librarian in Ghana who attended our workshop in Uganda. He will be able to assist my student in finding resources we do not have access to here in the U.S. Several librarians from the workshops have gone on to receive grants to attend conferences and online courses from organizations like IALL and ALCTS. Others have voiced interest in becoming involved with

the IFLA law libraries section standing committee. Opportunities like these benefit not just the librarian seeking the grant or committee position, they benefit all of us because we learn more when we expand our networks.

One thing that impressed me during both workshops was how much we, as law librarians, have in common with one another. Our locations, languages, and legal systems may vary, but we all face similar challenges, wherever we are. Listening to librarians in both the Uganda and Côte d'Ivoire workshops, I heard them discuss issues of collection development, patron outreach, and information services that we discuss in our own libraries.

As an organizer of both workshops, I am excited to see these two groups of African law librarians continue in their efforts to further the goals of the workshop and look forward to further collaboration with members of the workshop. The experiences we had in both Uganda and West Africa were unforgettable and I personally was truly honored and humbled to take part in both events. ■



Law librarians conference in Uganda.



Law librarians conference in Côte d'Ivoire.

What the Art?! How Librarians Can Use Declarations to Help IP Lawyers Prove ‘Prior Art’

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The term “prior art” is an extremely complex area of patent law, and sometimes even the most seasoned intellectual property (IP) professionals may need assistance in determining what constitutes prior art and what does not. Law librarians can play a key role in this effort. This article will help shed some light on the multifaceted concept of prior art, and provide some context as to how it is defined and what challenges it presents for IP professionals and legal researchers.

The 2011 enactment of the Leahy-Smith America Invents Act (AIA) marked a significant turning point for patent law in the United States.¹ The AIA was the first major revision of U.S. patent laws since the 1950s and made prior art a much more complex concept.

Before the passage of the AIA, patent law in the United States was a “first-to-invent” system, in which the first person to conceive of an invention was afforded patent protection. Now, under the AIA, the United States uses a “first-inventor-to-file” system, which focuses on the date of the filing of the patent application—not necessarily the date of the invention. It gives priority to the inventor who

first files a patent application, and it pertains to all patent applications filed on or after March 16, 2013.

The AIA also greatly expanded the definition of what constitutes prior art. In plain English, prior art is evidence that the inventor’s invention or concept is already known.² Prior art can exist in numerous forms and can be found through a variety of resources—such as scientific and trade journals, newspapers, existing patents, or even

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a college thesis.³ Courts have ruled that prior art must guide someone with average skill and ability to comprehend how something is structured and how it works. It needs to be obvious to the average person; if it is not obvious, prior art may not exist.

One of the major challenges IP professionals often face is proving that prior art existed before the first patent application was filed for an invention. This can be a critical component of a patent infringement action, because if the attorney can show that prior art existed, they have a compelling argument that the patent should be invalidated.

But how do attorneys prove that prior art existed and how can law librarians assist? The most common way is obtaining a declaration, certification, or legal affidavit from a library or other source stating that they had the prior art as part of their collection, and that they had it on or before the effective filing date. There are a few key steps in producing a declaration. The first step is finding a library or source that has the item in question. Second, there must be some record—either a date stamp or catalog record—that shows when that library or source actually received the item. Lastly, the library or source must be willing to sign the declaration or affidavit that will be filed with the court. This last step often proves to be the most difficult because some institutions refuse to be a part of litigation—and as soon as they know that the declaration will be used in court, they often cease correspondence.

Fortunately, there are some resources that specialize in providing these declarations. One resource is Wisconsin TechSearch (WTS) at the University of Wisconsin-Madison.⁴ Wisconsin

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TechSearch will only provide legal documents for articles and items that are held in their print collection, and they must have a record of when they received it. The cost for declarations starts at \$100 per citation and may include article and copyright fees. Additionally, WTS will collaborate with the attorney on the language of the declaration, and will customize it to meet the specific needs of the case. This is a key distinction, as some libraries will not provide this service.

The University of California, Berkeley, also provides article declarations. They charge \$250 per hour for services in support of legal matters, and they require that certain pieces of information accompany the request. The request must include your name and that of your law firm or



organization, the full name of the case, and the complete citation. It also must specify exactly what services you are requesting (e.g., determining the date an item was made available to the public, providing a signed declaration, scanning a document, etc.). This library has developed an informational guide on the services they offer, which is available online.⁵

In addition to WTS and UC-Berkeley, the British Library has a public availability date service. The library staff will provide a letter confirming the date of availability of an item with a copy of the relevant date stamp. If a certification is necessary, they use a notary public to notarize the letter. Pricing for these availability documents starts at 90 pounds per hour, with a minimum of one hour, plus any applicable notary fees. More information on the British Library's services is available on their website.⁶

The New York Public Library (NYPL) also offers a certification service. However, their service is just to certify that they have an item as part of their collection; they do not provide a declaration of public availability. Also, they cannot sign the document; rather, they will provide a certification with a notary stamp that the item is part of the collection and has a date stamp for a particular date. This certification will not indicate what the date stamp represents; however, this will be indicated in the cover letter NYPL provides you on their letterhead. They will only provide certifications for items that have a date stamp, and they do not allow any changes to the text of the language in the letter and certification, other than the date of the date stamp. The fees start at \$70 for the article, plus a certification fee of \$50, and can

be ordered via their website⁷ and the library staff can be reached at copies@nypl.org.

Declarations are just one way to prove that prior art existed, and the above are just a few examples of how to obtain the necessary documentation. These are merely suggestions and are not an exhaustive list of ways to prove prior art. Showing that prior art either existed or didn't can be a tedious and time-consuming task. These types of documentation cannot be obtained quickly; they can take anywhere from a few days to a month to obtain. Due to the complex nature of declarations, and as a best practice, I recommend overestimating the time needed to obtain one. This will help ensure that the attorney receives what they need and will also help manage expectations.

Good luck and happy researching! ■

Notes

¹ Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 285 (2011).

² IP.COM, ip.com/solutions/what-is-prior-art (last visited March 13, 2018).

³ *Id.*

⁴ WISCONSIN TECH SEARCH, <https://wts.wisc.edu> (last visited March 26, 2018).

⁵ UNIVERSITY OF CALIFORNIA, BERKELEY, GUIDELINES TO COUNSEL AND RESEARCHERS SEEKING DISCOVERY FROM THE UNIVERSITY OF CALIFORNIA, BERKELEY LIBRARIES, <http://www.lib.berkeley.edu/sites/default/files/ucb-lib-guidelines-to-counsel-researchers-seeking-discovery.pdf>.

⁶ *Our Research Service*, BRITISH LIBRARY, <https://www.bl.uk/business-and-ip-centre/our-research-service> (last visited March 26, 2018).

⁷ *Interlibrary Services and Document Delivery*, NY PUBLIC LIBRARY, <https://www.nypl.org/help/research-services/interlibrary-loan> (last visited March 26, 2018).



Member Spotlight

Have you recently changed positions? Received a promotion? Participated in any professional events, conferences, or symposiums? Retired? Published? Been elected to serve in a professional organization? Anything else? Let LLSDC know by submitting your news and announcements to our editorial team. Photos are always welcome!

Cameran Gowan

Cameron Gowan, Research & Library Services Manager at Jones Day, was appointed to serve as the Diversity & Inclusion Co-Chair for the Association of Legal Administrators in April. She will serve a two year term.

Carla Wale

Helen Frazer retired last summer as Associate Dean for the Law Library and IT at the UDC – David A. Clarke School of Law. Carla Wale is the new Associate Dean, joining the school from Temple Law library. She started on March 1, 2018.

Yasmin Morais

Yasmin Morais recently received a LLB (Hons.) degree from the University of London. She is currently the Cataloging and Reference Librarian at the David A. Clarke School of Law, and, prior to that, worked at the Georgetown Law Library from 2007-2009 as Resident Librarian.

In the 2018 book, *Covington: A Centennial Story*, author Charles A. Miller acknowledges the Covington law library and librarians throughout the text. From the Author's Note: "Larry Guthrie took the lead in arranging publication and in researching authorities too obscure for my limited search capabilities..."

From the text: "[Jen] Pelaia was particularly responsible for preserving the full [FDA/Life Sciences] collection [against strong pressure to discard most such written material] at the time of the Washington office move to One CityCenter in late 2014. ... [Roberta] Shaffer's eight-year tenure, which coincided with the emergence of the Internet as an information source, saw the beginning of the reduction in the collection, which continued under her successors, Daniel Bears, John Harbison and Jennifer Pelaia. ... Shaffer later went on to the Library of Congress, where she [served] as Director of the Law Library. Her assistant at Covington, David Mao, also served as Law Librarian at the Library of Congress, and later as Deputy Librarian of Congress as well as Acting Librarian during a hiatus in the directorship." The book also includes a section on the Library and covers early Library Directors Elizabeth Finley, Jack Ellenberger, and Ellen Mahar.



Law Library Lights Student Essay Contest

LLSDC and Law Library Lights are seeking essay submissions from the next generation of law librarians.



PROMPT

While reports of the death of the library may be greatly exaggerated, there is no doubt that law librarianship is a career of perpetual change. As the next generation of law librarians, where do you see the profession headed in the next ten years?

PARAMETERS

The contest is open to graduate students currently pursuing a career in law librarianship, including students enrolled in a library science degree program, students enrolled in a dual degree law and library science program, or students with a library science degree that are enrolled in a law degree program.

- ▶ Each submission can have only one author.
- ▶ Only one submission allowed per author; subsequent submissions or revisions will not be accepted.
- ▶ The submission must be between 1,000 and 1,500 words, not including references.
- ▶ All entries must include references cited from academic and/or professional sources; any academic reference style is acceptable.
- ▶ All entries will be judged on originality, responsiveness to the prompt, clarity of expression, and appeal to the LLSDC membership.
- ▶ All entries must be submitted to the Law Library Lights editorial board via e-mail; the Editor-in-Chief for 2017-18 is Andrew Lang (awl20@georgetown.edu).
- ▶ Failure to follow these rules may lead to disqualification.

PRIZES

1st Prize - AALL Conference Student Registration, CONELL Registration, 1 year LLSDC membership, Essay will be published in Summer 2018 issue of Law Library Lights

2nd Prize - CONELL Registration and 1 year LLSDC membership

Honorable Mention(s) - 1 year LLSDC membership

TIMELINE

All submissions must be received by Monday, April 30th at midnight.

- ▶ Judges will review submissions and make a final decision by Wednesday, May 16th.
- ▶ The first place entry will be published in the Summer 2018 issue of Law Library Lights in late June.



Marketing the Law Library by Building Relationships and Adding Value

Sandra Fennell

Research Services Manager, DLA Piper

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I recently read an interview with former Wall Street CEO Sallie Krawcheck, where she discussed her career and its success and failures as well as her new book, “Own It.” Overall the interview impressed me, but what really stuck out was her discussion about women and relationship-building. Law firm libraries are overwhelmingly staffed by women. Krawcheck is correct—we are fabulous relationship builders. In D.C., the law librarian community has created a vast network of resources and professionals from all over the metropolitan area and relies on it for tracking down hard-to-find documents, getting advice on new products, advertising job postings, placing ILLs and more. If we embrace Krawcheck’s ideas of applying our natural talent for connecting to the broader community, we can play an even more vital role in our respective firms. As she explains in the interview:

The skills women bring to work are valuable because companies with more women in senior leadership positions tend to outperform more homogenous companies by quite a bit. Women are very good at relationships, which is a hard skill to outsource. [This] matters even at a big company [like

Citigroup]. While there were processes and procedures in place for almost everything, the real game-changing work got done through relationships: convincing people of something, communicating with them and understanding the tradeoffs it would take for them to support a project.¹

Outsourcing is a fact of life in today’s professional marketplace. In law firm research centers we use third parties to order technical articles, prepare patent histories, retrieve court filings, and access archived documents; the list goes on and on. Most legal research professionals are more than happy to outsource these administrative tasks.

The issues become more complicated, however, when the conversation moves to outsourcing research. Legal research staff are highly educated and trained professionals. The work they perform requires a bank of knowledge and experience not available in the general public. Research staff work closely with lawyers and staff daily, learning the needs and preferences of each lawyer in the office. In other words, relationships are formed and— from those relationships—trust is built. It is not impossible to build relationships over email but it is



“Research staff work closely with lawyers and staff daily, learning the needs and preferences of each lawyer in the office. In other words, relationships are formed and— from those relationships— trust is built.”

much more difficult. As much as we have become an electronic society, nothing yet takes the place of face-to-face interaction. Tone and meaning are lost in text and email. Even the telephone isn't perfect because you don't have the benefit of facial expression and body language.

The more relationships you build in the office, the more rewarding your work will become. I have generated my most interesting projects by forming relationships with lawyers outside of research. I exercise regularly and meet coworkers in the gym and locker rooms. At one point I taught a donation-based exercise class. Not only did I become friends with the people who came to my class, they also began calling me to help with their work projects. Try to participate in the social events in your office. Go to the happy hour, the Christmas party, walk or run in the 5K, and volunteer to help with charitable activities.

A couple more secrets to building relationships in a law firm environment are simple but crucial. Develop a thick skin and don't take things personally. Lawyers are busy people. They have

work to do; they are not ignoring your emails (ok, maybe they are) but it's not out of malice. When they do make time to talk to you, have something to say and make it about saving them time. Allow time for it to work; it will not happen overnight. You may have to reach out multiple times, but once the relationships at work become friendly you will find plenty of openings to propose speaking at lawyer luncheons or attending practice group meetings.

In addition to obvious research and resource skills, legal research professionals hold a vast amount of institutional knowledge not found in other areas of a law firm. Research centers serve as information clearinghouses for law firms. Research staff are not wedded to a particular practice group; they have no incentive to operate within information silos and can freely use the information they gather in their day-to-day work to benefit all the lawyers and clients in a firm. Knowledge management is a relatively new concept to law firms but many are making progress. Progressive firms are seeing the value of knowledge management and how the research department can play a vital role in its development.

A research professional with a deep personal network within the firm will continually receive interesting assignments, become more involved in the work of the firm overall, feel more satisfied professionally, and be less likely to fall into the category of employee a firm wants to outsource. In other words, your value will become clear. ■

Notes

¹ Full interview available here: <https://www.thriveglobal.com/stories/15028-former-wall-street-ceo-sallie-krawcheck-on-bouncing-back-after-getting-fired-twice>.



A Law Librarian Walks into an Archives

Rebecca Katz

Public Records Administrator, District of Columbia Office of Public Records

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How many times have you tried to find an old D.C. law (1960 edition of the D.C. Code, anyone?) and been absolutely stumped? It happens occasionally, I know, because I see the requests on the LLSDC email list. I am here to help.

As the Public Records Administrator for the District of Columbia, I direct the office responsible for coordinating and maintaining the inactive or historically valuable records of the District. The Office of Public Records was established by law in 1985 with three component entities, each of which has value for law librarians. We have inactive agency records stored in the Records Center; legal and vital records, among other categories of historical records and publications, in the D.C. Archives; and publications in the Library of Governmental Information.

Before I expand on the specific resources you can find at the Office of Public Records, let me share some history to give context to what records are found at OPR and what records are not. At various times, District government records have been maintained by the governments of the Washington County and the Cities of Washington and Georgetown, by the federal government, by the Commissioners, by the Department of General Services, and by the Office of Public Records. Consequently, records may be in one or more of many possible places, or may have been lost due to inattention or a lack of a clear authority. Complicating matters further, the District's financial crisis of the late 1990s left the Office of Public

Records with a severe staff shortage, resulting in inconsistent documentation of records that were received. In other words, OPR may have items but not realize it. The following list of records and publications, which is tailored specifically for the needs of a law librarian, should therefore be considered a starting point and not an exhaustive list.

Laws and Legislative Records

The Office of Public Records holds in the Library of Governmental Information incomplete sets of prior codifications of the laws of the District of Columbia. These include:

- ▶ 1901 Code, in the publication including amendments through June 7, 1924
- ▶ 1929 edition, supplements I (1933), III (1937), IV (1938), and V (1939)
- ▶ 1940 edition, Part V (General Statutes, Tables and Cumulative Index)
- ▶ 1966 supplement to the 1961 edition
- ▶ 1967 edition, volume 1
- ▶ 1973 edition, 3 volumes, with supplements V (1978), VI (1979), and VII (1980)
- ▶ 1981 edition, with various supplements and pocket parts
- ▶ 2001 edition (Thomson), with 2003 pocket parts, 2005 replacement volumes, and 2006 pocket parts
- ▶ 2001 edition (Lexis), with 2013 pocket parts

OPR also holds District of Columbia Statutes-at-Large for 1975, 1981-1982, and 1996.



Records of the appointed D.C. Council, 1967-1974, are available on the website of the Council of the District of Columbia, <http://dccouncil.us/> legislation, and are in an unprocessed accession in the holdings of the D.C. Archives.

For older legislation, the Government Printing Office published annual compilations of Acts of Congress Affecting the District of Columbia; OPR has these volumes beginning in 1906 and through 1966, as well as looseleaf volumes of additional Public Acts. OPR also has Deficiency Acts for 1924-1938 and Appropriations Acts for 1926-1954.

Administrative Publications

DC Register, 1985 through 2007 (note that the DC Register is available online at <https://www.dcregs.dc.gov/> beginning in October 2009). The DC Register beginning in 1954 is available from the Office of Documents and Administrative Issuances.

DC Rules and Regulations

In 1979, the Council of the District of Columbia mandated the compilation of all rules then in effect into the District of Columbia Municipal Regulations. The compilation project took longer than the year required by law, and for a five-year period between 1979 and 1984, some titles were published as the District of Columbia Municipal Regulations and some continued to be published as they had been prior to the Home Rule-era compilation, under the title "DC Rules and Regulations."

The DCRR was in some cases published in looseleaf form and in other cases as individual booklets by title and subtitle. The title numbers of the DCRR do not correspond with the title numbers of the DCMR. The following DCRR titles are only a small sample of those that the Office of

Public Records has in the Library of Governmental Information:

- ▶ Title 7: Fire Code, effective dates December 1970, March 1981, February 1982
- ▶ Title 8: Health, effective date 1965, temporary supplement to 1985 edition; Solid Waste regulation effective October 1975; Hospitals effective July 1966
- ▶ Title 8: Office of Human Rights, effective date October 1971
- ▶ Title 10: Board of Appeals and Review, effective dates August 1970, May 1974
- ▶ Title 33: Insurance, effective dates March 1972, August 1980, March 1982
- ▶ Title 34: Hackers License Appeal Board, effective date February 1972
- ▶ Title 35: Metropolitan Police Department, effective November 1980

DC Municipal Regulations

Until the District government adopted an online publishing platform at <https://www.dcregs.dc.gov/> ("DCRegs") in October 2009, the Office of Documents and Administrative Issuances maintained lists of sections amended to accompany the published titles of the DCMR. OPR does not have those lists but does have a selection of published titles including the following:

- ▶ Title 1, Mayor and Executive Agencies, 2001
- ▶ Title 10, Planning and Development, 1989
- ▶ Title 11, Zoning, 1987
- ▶ Title 14, Housing, 1989
- ▶ Title 18, Vehicles and Traffic, 1981 and 1987
- ▶ Title 23B (now title 25A), Food and Food Operations, 1991
- ▶ Title 27, Contracts and Procurement, 1988



The staff of the Office of Documents and Administrative Issuances updates the DCMR on the DCRegs site regularly, and each section includes its amendment history. It is consequently possible to recreate the text of the section on a given date using the rulemakings published in the DC Register.

Other Executive Branch Records

Along with the above, the Office of Public Records also has Mayor's Orders, reports of the Inspector General, Corporation Counsel opinions from 1950-1970, and budget proposals from 1990-2000 and 2004-2006.

Judicial Records

Many records of the Superior Court, Court of Appeals, and their predecessors may be found at OPR. For the most part, the records of the courts are in the Records Center and thus must be requested through the relevant court, as explained below.

Records of the Superior Court's predecessor courts that are in the DC Archives are primarily genealogical in nature. We have marriage records dating back to 1850, wills back to 1801, probate administration between 1879 and 1958, and records of guardianship between 1879 and 1934.

Additionally, the Library of Governmental Information has volume 1 of the 1985 Court Rules.

Using the Office of Public Records

Now that you know what you might want to find at the Office of Public Records, it is important to know how to access those resources. The three sections of OPR have different access rules and methods.

Records in the Records Center are in the physical custody of OPR, but OPR staff are not authorized to release those records to members of the public. Those records remain in the legal custody of the agency that transferred the records to the Records Center. OPR is able to direct researchers to the agency's records management officer.

When records move to the DC Archives (which may be a physical move or may be a change of notation on a spreadsheet), they are moved to the legal custody of the Office of Public Records and are made available for public research. Research must be done on-site and requires an appointment. Records in the archives may be identified only at the box level (e.g. "events between 1971-1973" or "Aa-Bi") or the accession level (e.g. "Records of the Historic Preservation Board, 1977-1995"), or they may be identified at the folder level within identified boxes. Appointments allow OPR staff to pull the boxes for researchers in anticipation of the researcher's arrival.

Publications in the Library of Governmental Information are also available only on site and by appointment; in the case of the Library of Governmental Information this is because the layout of OPR does not allow researcher access to the shelves, and consequently staff need to pull the items in advance.

At the moment, none of our inventories are available online. We are working on that, though, and hope that by the next issue of *Law Library Lights*, we will have an update.

To reach the Office of Public Records, email archives@dc.gov or call 202-671-1105. ■



Customizing Discovery: Critical Skills for Modifying the Primo User Interface

Matt Zimmerman

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As I've noted previously in this space, WRLC and its members have been working hard to implement Alma, the consortium's new library services platform. This is a huge challenge affecting many local libraries, which is why I keep returning to it. It is daunting, but filled with opportunities for growth and learning and collaboration among libraries across our region.

Lately I—and many other WRLC librarians oriented toward web services and discovery—have been focusing on Primo, the front-end interface that comes with Alma. Figuring out how to work with Primo as our sole catalog interface is one of the many challenges my library is facing.

It is mid-March as I write, and we are configuring, testing, and basically wrapping our heads around how to best configure Primo to serve our patrons. In this article I will take a look at some of the specific technologies and concepts that are involved in customizing Primo.

Like many modern web applications, the big three technologies that make the interface work are HTML, CSS, and JavaScript. HTML is used to structure the elements on the pages. CSS is used to style them. JavaScript makes it dynamic and interactive.

Many of us have experience with HTML and CSS, maybe from library school, a Lynda.com tutorial, or elsewhere. If you want to tweak your Primo home page or the heading color, then these are the skills

Tech Talk, Continued

you need. Add in some Photoshop or Illustrator know-how to update your library logo and you're good to go.

JavaScript is a greater challenge. Primo pages are not static. JavaScript (JS) is used to dynamically add and remove HTML content. Primo uses a JS framework called Angular to make this happen. Modifying the dynamic behavior of the site or introducing new JS features requires hooking in to Angular "directives." Understanding this framework is high on my personal priority list because we want to insert things into Primo, like links to floor maps to help users find books in our facility.

It's worth noting that messing with a discovery interface's JS functionality can be a serious project with potentially site-breaking consequences. Other consortia that have adopted Alma/Primo have set up procedures for developing, testing, and sharing customizations. WRLC is looking to do something similar.

Another key concept to understand when considering Alma and Primo are application programming interfaces (APIs). These systems provide APIs that allow other programs to retrieve information and perform certain functions. A good example of how this may be useful for discovery is the "bento box" approach to presenting search results, as with the [George](#)

[Washington University libraries](#). The discovery layer and other systems may be queried via API from an external application. This application gathers the results and formats them into separate boxes for articles, books, databases, etc.

HTML, CSS, JS, and the know-how to leverage APIs are the tech skills your institution may need from your library team. But these IT skills are not necessarily where librarians can add the most value. The purpose of web-scale discovery interfaces like Primo is to facilitate access to the huge universe of resources available to our patrons. But making sense of that universe is hard. Discovery interfaces provide a lot of sophisticated tools for searching, filtering, and sorting. Making decisions about how to configure these options requires an understanding of the underlying data and a connection with users, in addition to technical skill.

Working with WRLC to implement Alma and Primo opens up some interesting possibilities for pooling our technical expertise as well as our bibliographic metadata. My hope is that we'll find new efficiencies and modes of collaboration. Sharing the tech burden may help us better apply our librarian expertise within our unique institutions. ■

Questions? Comments? Advice to share? Please let me know at matt.zimmerman@georgetown.edu



Eyes On Exhibits

Former President Barack Obama's and Former First Lady Michelle Obama's Portraits

National Portrait Gallery, on view indefinitely



The last several times I'd seen such crowds in DC, it was for a political protest. As if on cue—certainly on schedule—here comes a political celebration.

"In the present times of political excitement," Robert Peel told the House of Commons in 1832, as that body was about to establish Britain's National Gallery, "the exacerbation of angry and unsocial feelings might be much softened by the effects which the fine arts had ever produced on the minds of men.... [T]he erection would not only contribute to the cultivation of the arts, but also to the cementing of the bonds of union between the richer and poorer orders of state."¹ It wasn't just future Sirs arguing for the congealing power of art; an official as American as then-D.C. Mayor Harold Washington, speaking at the opening of our National Portrait Gallery in 1968, declared, "As we look at these portraits, we feel a part and parcel of this rich heritage of ours which is America... The Gallery is a levelling force, a synthesizing force, a pulling together force."²

Notes

¹ 14 Parl Deb HC (3d ser.) (1832) col. 645 (UK), <http://hansard.millbanksystems.com/commons/1832/jul/23/supply-national-gallery>.

² *New Man Opening*, NEW YORKER, Oct. 19, 1968, at 50, 51.

Eyes On Exhibits, Continued

But Margaret Mead, speaking at an inaugural symposium the previous day, had extemporaneously noted, “This is a black city. There’s something wrong with this audience. Some people are not here.”³ Not everything was pulled together: if black D.C. had known this all along, so did everyone else by October 1968.

Hence my surprise at the long lines to see these portraits. It’s not just because the last first couple were famous, or powerful: every first couple has been for a while. Nor is it just that an aura, a demand, has built around them: they’ve only been out of the White House for a short time. But maybe it’s felt different: in July 2008 the Obamas were the subject of another joint portrait event, Barry Blitt’s New Yorker cover. The phrase “terrorist fist bump” may remind the reader how cathected the couple were even before the election.

Neither Kehinde Wiley, who painted Barack, nor Amy Sherald, who painted Michelle, played into any such trope. Barack’s portrait sees him almost melting into the plant wall behind him; and if Michelle’s sees her wearing a sharp dress and giving a sharp look, it too is against a neutralizing backdrop. It’s not what Robert Peel would have expected; its audience is not what Margaret Mead would have expected. (Andrew Mellon, who had wished to help found a national portrait gallery in the 1930s, would have been surprised that the subject of these portraits had “not been dead for some time, so that their status in the life of America could be judged without prejudice.”)⁴ But it fits our times pretty well.⁵

Notes

³ *Id.*

⁴ Marcia Pointon, *Imaging Nationalism in the Cold War: The Foundation of the American National Portrait Gallery*, 36 J. AM. STUD. 357, 364 (1992) (citing interview between Charles Greely Abbott, Sec’y of Smithsonian Inst., and Mellon, Jan. 8, 1936, Smithsonian Archive, record unit 36, box 143).

⁵ [Editor’s Note: The Obama portraits have inspired a lot of commentary in the brief time they’ve been on display. To read more, we recommend: Holland Cotter, *Obama Portraits Blend Paint and Politics, and Fact and Fiction*, N.Y. TIMES (Feb. 12, 2018), <https://www.nytimes.com/2018/02/12/arts/design/obama-portrait.html?mtrref=undefined>; Rachel Wolfe, *The Obamas’ just-unveiled presidential portraits are unlike any before them*, VOX (Feb. 12, 2018), <https://www.vox.com/2018/2/12/17003806/obamas-official-portraits-unveiled-national-gallery-reaction>; Philip Kennicott, *The Obamas’ portraits are not what you’d expect, and that’s why they’re great*, WASH. POST (Feb. 12, 2018), https://www.washingtonpost.com/entertainment/museums/obamas-portraits-unveiled-for-americans-presidents-exhibition/2018/02/12/d9f3691a-1000-11e8-8ea1-c1d91fcec3fe_story.html.]



Eyes On Exhibits, Continued

Sally Mann: A Thousand Crossings **National Gallery of Art, exhibition through May 28**

Under a mile away, more surprises. Who would have thought, a decade ago, that a federally funded museum in D.C. would welcome an exhibition of Sally Mann? She was infamous for a bit when some of the photographs of her children released in her 1992 book *Immediate Family* were labeled "child pornography" by some because she shot her kids without regard for how (un)clothed they were (while playing outdoors in mountainous Virginia).

As unending as some cultural battles seem while they're in the news, that one was settled definitively. Her 2015 memoir was very well reviewed; even her last presence in D.C., the 2004 Corcoran exhibition "What Remains," photographs of corpses (obtained through the proper channels, which apparently do exist) posed in the wild, was mostly admired. This exhibition, co-organized with the Peabody Essex Museum, is a synopsis of a career making lovely things, about family and death and history and Appalachia, having found and kept the good fortune not to run too afoul of the law.

Brand New: Art and Commodity in the 1980s **Hirshhorn Museum, exhibition through May 13**

Jeff Koons would gladly take "lovely" as a descriptor of his work, or so he says, remaining po-faced in interview after interview, insisting that his blown-up and gilded consumables are aimed to please. The Guerrilla Girls were tired of trying to please. The activists of ACT UP never had the chance to try. The third sentence of Richard Prince's Wikipedia page reads, "He began copying other photographers' work in 1977."

The Hirshhorn these days is one of the densest places in D.C. When I squeezed into the Yayoi Kusama exhibition last year, I felt echoes of waiting in line at the Verizon Center during a Capitals playoffs game. A shipping container in the courtyard housed a Dolcezza outpost. And Barbara Kruger continues to shout, white on red, wall to wall on the bottom level.

This exhibition, 140-odd works, presented rapid-fire—roughly chronologically, I think—is overwhelming but not particularly illuminating. The villains are by now familiar—Reagan, AIDS, marketing, sexism, textbook notions of artistic originality—though none of those battles has been resolved. Each artist represented here has inspired reams of articles over the decades; the footnotes have been written, elsewhere. Here there's only room for the art, a lot of it, and the people, again a lot of them. And for the Dolcezza. It has moved indoors.



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Law Library Lights is published quarterly by the Law Librarians' Society of Washington, D.C., Inc. 20009, ISSN 0546-2483. Beginning with Vol. 50, #1 (Fall 2006), Law Library Lights is now published in PDF format on the LLSDC website: www.llsdc.org. Notification of availability of each new issue will be sent to the LLSDC listserv.

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