Law Library Lights

Learning From What A.I. Isn't

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"Law librarians in this age require a base level of knowledge to see through the marketing haze and navigate through the evolving legal technology landscape. Our definition of AI must be relevant to this context. To be an informed consumer of AI technology, we need a foundational definition that allows us to engage with the myriad technologies we see every day, while empowering us to be critical of how that term is used."
– Cassandra M. Laskowski, *Law Librarianship in the Age of AI* (2019)

Few subjects in the realm of information technology cause as much hype and confusion as artificial intelligence or AI. Many great minds have touted AI as having the potential to revolutionize all aspects of our lives in an unprecedented manner. I don't disagree and I don't purport to be an expert on the topic. However, the perceived mysteriousness of AI often detracts from the realities of it – that there are many things that AI is not and will not do. Misconceptions about AI can arise from either misinformation or a lack of information on the subject. In this article, I go through some of what I call the

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main "don'ts" and "won'ts" about AI and suggest additional resources to keep you informed in the ever-changing landscape of AI.

1. AI Doesn't Equal Human Intelligence

AI is a product of computer engineering. It consists of software tools aimed at solving problems. Some forms of AI might give the impression of being "smart," but it would be unrealistic to think that current AI is similar or equivalent to human intelligence.

Although some forms of machine learning, a separate category of AI, have been inspired by the human brain, they are not equivalent. The takeaway with AI today is that it may learn to do one task exceedingly well, but if the conditions of the task change just a bit, it fails. For an excellent tutorial on how image recognition technology is a prime example of this, see CGP Grey's YouTube video on How Machines Learn (https://youtu.be/R9OHn5ZF4Uo).

This video elucidates that by processing image after image of a bee, a machine will learn to distinguish a bee from the number three, for example. But the machine can be tripped up by a video of a bee or an upside down image of the number three, or err in its classification after coming across a picture of a dog dressed as a bee. When its tools are properly calibrated for a task, AI can be more accurate than most humans can, but each subsequent task then requires additional calibration and training while the human brain often simply intuits it.

2. Machines Don't Learn Independently

AI applications tend to fall into either specialized or generalized categories. We already touched on specialized AIs – ones focused on performing one job, or working in one field, and becoming increasingly good at it. For the most part, this is what we are seeing in the legal technology world today.

On the other hand, generalized AIs, which are capable of applying themselves to a number of different tasks and learning on their own just as human or natural intelligences do, are further from reality. While a finished machine-learning product gives the impression that it is able to learn on its own, we must be aware of the cogs that make up the machine. It is humans who create a context for a problem, prepare the data and parameters, outline the datasets, attempt to remove potential bias in the training data, and continually update the software to integrate new information and data into the next iteration of a product. This brings us to why AI fails in the next tenet.

3. AI Isn't Completely Objective

AI technology is a product of human creation, so it can exhibit some of the imperfections of their very human creators. Every AI technology is based on data, rules, and other kinds of input from human "experts." Because all humans are intrinsically biased in one way or another, so is the AI.

In getting up to speed on this topic, I recently read a journal article titled *May It Please the Algorithm* (Bob Lambrechts, 2020), that discusses human and machine bias by way of Amazon's failed AI recruiting tool. According to 2018 media coverage, Amazon built a computer program in 2014 to review job applicants' resumes with the aim of finding "exceptional talent." By 2015, Amazon realized that the program's algorithm was not rating candidates for software developer jobs and other technical posts in a gender-neutral manner. The AI was trained to screen applicants in line with historical patterns of top resumes submitted to Amazon. Most of those resumes

were provided by men, a reflection of the male-dominated tech industry. As a result, Amazon's tool ended up teaching itself that male candidates were more desirable, inadvertently downgrading or penalizing applicants who attended all-women's colleges, as well as any resumes that contained the word "women's" (such as in the phrase "women's chess club").

The strength and weakness of AI is that the software will do exactly what it is programmed to do. A human must program the AI at the outset, but awareness, questioning, and review of the results produced by the AI is required to significantly reduce bias.

4. AI Won't Replace (Most) Jobs

AI will increasingly take over a number of tasks; after all, as AI improves, its efficiency enables it to perform certain tasks better than any human could. AI can compile (or mine) vast amounts of data from various sources, process that data in a matter of seconds and give you the best possible suggestions for what actions to take. A human just cannot do that on the same scale on or on the same timeline. What makes AI so valuable is that it allows businesses to make more accurate decisions via predictions and classifications. For the most part, this doesn't mean elimination of jobs but, rather, changes in many job descriptions.

Take, for example, the age-old job of legal document review. If AI were all that it's hyped to be, this is one of the first jobs that might have become obsolete. After completing my library science degree with limited employment options in rural North Carolina, I found myself doing part-time document review in the period between having worked as an attorney and accepting my first librarian position. Document review is as mundane as it sounds but it has evolved considerably with the AI tools that have emerged. With advances in e-discovery, document review technology no longer relies

solely on seed sets and users who can define the parameters for relevance. Rather, e-discovery software algorithms attempt to predict document relevance or privilege and take steps to speed up human review by suggesting document codes or prioritizing documents for review. In many cases, AI has eliminated the first and even second passes of document review by being able to create the relevant sets of information at the outset; however, the human element remains necessary to handle nuanced analysis – such as conducting legal and evidentiary analysis, classifying tiers of relevance, and providing creative solutions to quality control issues.

Recommended Reading

How do you keep up with AI when it is changing every day? The answer might be that you don't – you just stay informed. The titles listed below are recommendations that have been passed along by my colleagues, past and present, on getting and staying current on all things AI – some, but not all, focusing on legal AI.

Books

Law Librarianship in the Age of AI, Ellyssa Kroski (American Library Association, 2019)

Winner of the 2020 Joseph A. Andrews Legal Literature Award by AALL, Kroski provides a great introduction to the core concepts of artificial intelligence and a survey of issues confronting legal information professionals. The title covers: an overview of AI tools in law and generally; benefits, drawbacks, and risks of AI; how librarians are embracing AI; the impact of AI on legal research and education; access to justice in the age of AI; the risks and ethical challenges of AI; and the future of AI in law libraries. In a particularly fun chapter by Erik Adams, readers gain surprising machine-learning insights from tokenizing, stemming, and lemmatizing the text of Shakespeare's plays.

Neural Networks and Deep Learning, Michael Nielsen (2018).

This interactive book not only explains neural

networks and deep learning, but also provides simple examples to make the concepts relatable. This book is currently available free online at http://neuralnetworksanddeeplearning.com/.

***You Look Like a Thing and I Love You: How Artificial Intelligence Works and Why It's Making the World a Weirder Place*, Janelle Shane (Voracious, 2019)**

From the publisher: Janelle Shane, a scientist and engineer, is also the go-to contributor about computer science for the New York Times, Slate, and the New Yorker. Through her hilarious experiments, real-world examples, and illuminating cartoons, she explains how AI understands our world and what it gets wrong. More than just a working knowledge of AI, she hands readers the tools to be skeptical about claims of a smarter future.

Newsletters & Blogs

The Algorithm (https://forms.technologyreview.com/the-algorithm/)

The Algorithm is a newsletter sent out by the MIT Technology Review and provides subscribers with brief, no-nonsense updates on AI news stories. Its "Deeper" section aims to explain the research behind emerging AI technologies.

AI Weekly (http://aiweekly.co/)

Industry news and articles on AI tools and hardware. Its "Some Inspiration" section is a good place to read thoughtful comment pieces on broader industry ideas and concepts such as ethical and regulatory questions.

AI Weirdness (https://aiweirdness.com/)

A humor blog about AI (also by Janelle Shane) and the sometimes hilarious, sometimes unsettling ways that machine learning algorithms get things wrong.

Law and AI (http://www.lawandai.com/)

Law and AI is a blog devoted to studying the emerging legal and policy issues surrounding artificial intelligence and autonomous machines. Readers can also subscribe to receive emails on new posts. ∎
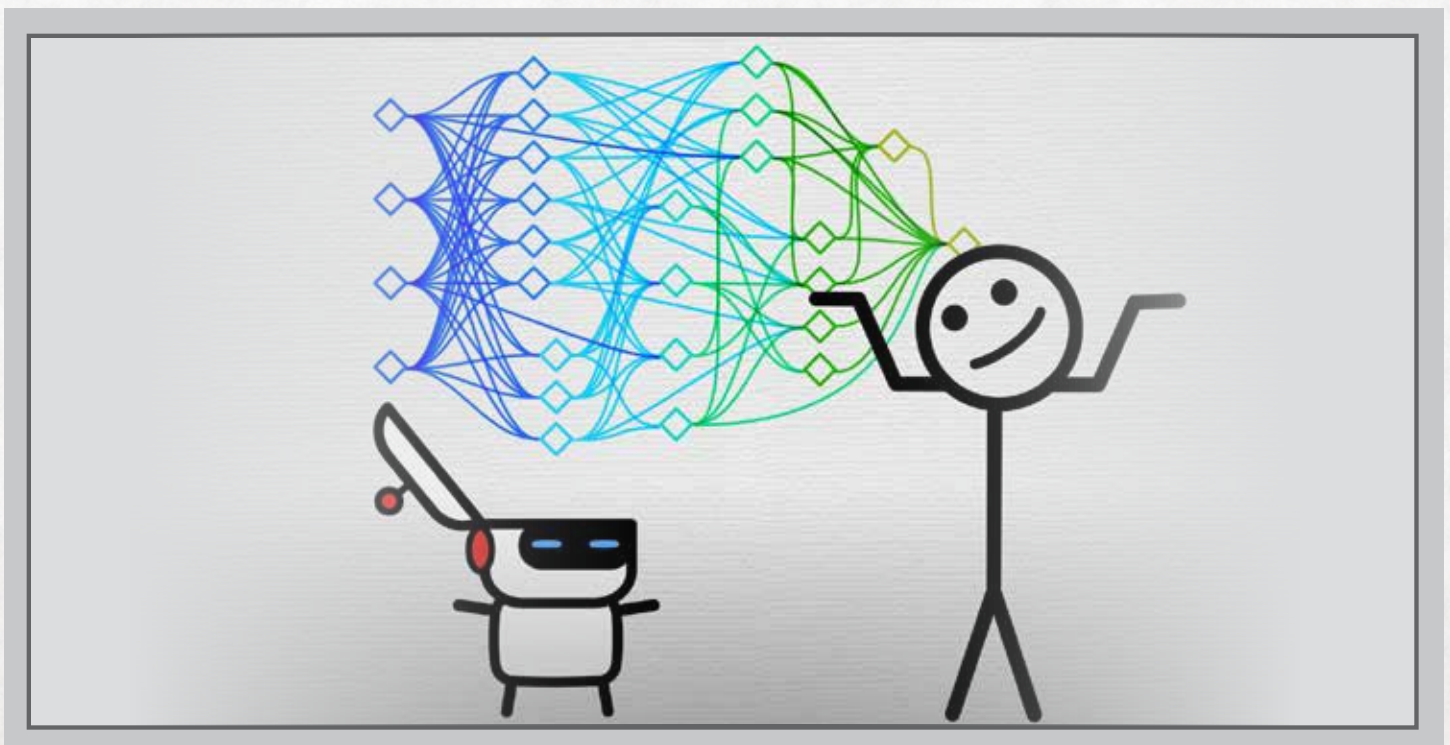
Source: CGP Grey. *"How Machines Learn"* (2017).

From the Editor

Technology and Change

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   For this, the final issue of Volume 63, our theme is Technology and Change. As D.C., Maryland, and Virginia -- along with other jurisdictions nationwide -- move in and out of various states of opening or closure, both the contributions of technology and the challenges and limitations that it can present in our work (and home) environments have come into sharp focus.

   This issue features three articles from our membership. Since our library at Georgetown Law has not had access to our print collection (or ILL services, for the most part) this summer, our Book Reviewer, Jennifer Krombach, has opted to contribute an introductory article on artificial intelligence and machine-learning, including a collection of fascinating and accessible resources of various types for those who might want to learn more about these topics.

Submission Information

If you would like to write for Law Library Lights, contact Anne M. Guha at amg300@georgetown.edu. For information regarding submission deadlines and issue themes, visit the LLSDC website at www.llsdc.org.

From the Editor, Continued

Next, Dawn Adair Johnson, librarian with the Occupational Safety and Health Review Commission, writes about her library's process of transitioning resources to an online environment, which had been already in the works but was suddenly escalated once services were moved to a virtual/remote environment in response to COVID-19.

Finally, John Moore, of the U.S. Court of Appeals for the Federal Circuit Library, explores the history of his library and its staff and services since its creation in 1967, including how the technology used therein has changed and evolved over time.

In our columns, Jeff Gerhard writes in Tech Talk about the concept of a changelog and how it might be borrowed from the software and technology development sphere to serve us in various sorts of projects in our law library work; he also provides a resource for readers who want to explore this practice more in depth.

The Member Question posed by our Assistant Editor, Rachel Jorgensen, called for our members to reflect on how technology has helped or hindered their work since the various shut-downs began; we received a number of comments from members that have been included in this issue.

As always, we hope you will enjoy this issue as much as we enjoyed putting it together! This will be my final issue as editor of *Lights*; I leave this publication in Rachel's very capable hands for Volume 64.

My sincerest thanks to Rachel, as well as to our columnists, Jen and Jeff, and our design editor, Catherine Walter, for all their invaluable work on this volume! If you are interested in being involved in some way with Volume 64, please don't hesitate to reach out to Rachel at roj2@ georgetown.edu. ■

The New Normal —
Library Life in the Cloud

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For the past 11 years, I have served as a part-time Law Librarian to the Occupational Safety and Health Review Commission, an independent quasi-judicial federal agency that adjudicates disputes between employers and the Occupational Safety and Health Administration. In that decade plus, the Library, which falls under the Office of the General Counsel, has been pleased to provide a wide range of legal research and reference support for the agency's Commissioners, judges, attorneys, and support staff across three offices nation-wide. This work has included everything from legal research to reviewing, editing, and cite-checking trial and appellate decisions, and assisting Commission personnel in obtaining legal materials as needed.

As part of its research function, the Library maintains a series of research starters to jump-start basic research in the areas of legislative and regulatory history. Developed over several years using feedback from Library patrons, these research starters are stored on the agency's network drive — over 10 folders and well over 900 files addressing numerous topics, such as the agency's regulatory and legislative history, relevant briefs filed in circuit courts, and origins of the OSHA standards and their supporting Federal Register postings. This resource constitutes a significant and extensive treasury, all of it relevant to the narrow and deep mission of OSHRC's adjudicatory functions.

When one of the agency's regional offices moved to 100% telework, the Library was presented with the challenge of making this resource more readily available. Fortunately, LAC Group, my employer, provided me with access and time to complete several courses online to get up to speed on Office 365. Upon completion of a few courses, it was then time to put the training to the test! The Library regularly monitors the progress of agency cases before the circuit courts and shares that update weekly via email with links to the documents on the agency's shared server. I started a small trial using SharePoint to distribute the weekly update and focused solely on the one regional office. This trial was an immediate success with the personnel in that office, who

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could more quickly and easily access the briefs, oral arguments and decisions of the circuit courts.

While the trial run was a success, transferring this enormous amount of data to SharePoint is proving to be challenging. None of the more than 1,000 links could be transferred automatically—they would all have to be redone and checked by hand. The template for SharePoint pages didn't allow for landscape view, only portrait, and the formatting and editing functions were very limited in this environment. The data was stored in Word, which didn't seem to translate well to a web-based SharePoint environment. The challenges were mounting, even with the agency's outstanding IT staff providing extraordinary support.

Then came the call on a Friday in mid-March that changed everything. Like many of my colleagues, the COVID-19 crisis meant that I would now be teleworking, providing the same research support, editing and cite checking, as well as transferring these research starters to SharePoint. My focus had to be on providing the same types and levels of service, but remotely.

Continuing to assist with research and reference (my favorite part!), I have been routinely reaching out to Library patrons to check in to make sure they have all the support they need. This gives me an opportunity to seek (then implement) feedback on the SharePoint sites. While transferring data to SharePoint seemed cumbersome but do-able in the abstract, there were even more challenges to face when I could not run down the hall and ask someone from IT to come take a look when something went awry.

The first order of business was to be sure that the circuit court briefs, oral arguments, and decisions were available since OSHRC cases are governed by circuit court precedent. After lots of cutting and pasting and verifying, this went well due in large part to the successful small trial done previously.

As for the other data, charts documenting OSHRC regulatory history seemed to progress at a stately pace, as did the collection inventory, the compilation of Supreme Court cases, and a compiled regulatory history to name a few.

One chart has been particularly challenging: it includes several hundred links to the associated Federal Register postings for all OSHA standards and is over 100 pages in Word. This proved to be far too large for a single SharePoint page. By chipping away at it in smaller chunks, it is progressing even as additional references continue to be added. I am also learning the ins and outs of embedding documents and links.

While there are more challenges ahead, working remotely, yet closely, with agency IT staff and patrons, the Library is making progress toward providing many of its resources and tools accessible virtually. COVID-19 may have been the impetus for accelerating this work, but the transition will continue to benefit the agency for many years to come and may spur new ways of delivering Library services to the entire OSHRC community.

Now that you know what I've been working on and the associated challenges, please let me know if you'd like to start a SharePoint user group for law librarians. I'd love to hear your experiences and share ideas with you! ■

A Brief History of the Federal Circuit Library

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Temporally speaking, the Federal Circuit Library has had a long history. Its existence, if not its name, predates the creation of the U.S. Court of Appeals for the Federal Circuit. The United States Court of Claims library had been in the Corcoran Building (now the Renwick Gallery) and the United States Court of Customs and Patent Appeals (CCPA) library had been in the IRS building. When their collections came to the new National Courts Building in 1967, they became the joint library of the two courts. This joint library became the Library of the Federal Circuit on October 1, 1982, when the two courts merged by operation of the Federal Courts Improvement Act.[1]

The Library, designed as part of the National Courts complex by the architectural firm of John Carl Warnecke and Associates, fronts Lafayette Square at Madison Place between the Benjamin Ogle Tayloe House and the U.S. Treasury Annex. The Library sits on the space on the Square once occupied by the Belasco Theater, formerly known as the Lafayette Opera House. Before that, it was the site of a house built by Commodore John Rodgers, which became the residence of William H. Seward, Secretary of State under Lincoln during the Civil War, and site of the attempt on Seward's life on April 15, 1865.

Interesting architecturally, the Library sits atop five camber arches, which form the entryway from the street to the courtyard in front of the main building, and has five two story cant windows running parallel on each side of the Library. The windows rhyme externally with those of the eighth and ninth floors of the main courthouse and the New Executive Office Building across the Square. Internally, the floor-to-ceiling windows provide plenty of natural light and pleasant views of the Square on the west side, and the fountain in the courtyard to the east. Other libraries designed by the Warnecke firm include the Nimitz Library at the U.S. Naval Academy in Annapolis, the Moffitt Library at the University of California, Berkeley, the main library at the University of California, Santa Cruz, and the Palmdale, California City Library

Pre-History

As was mentioned previously, the Court of Appeals of the Federal Circuit was born 1982 of the merger of the Court of Claims and the CCPA. Those predecessor courts had predecessor libraries.

Joseph Gauges was the Marshal and Librarian of the CCPA and an early figure in the history of the Law Librarians' Society of the District of Columbia (LLSDC). He was a charter member of the Society when it was formed in 1939 and was President when it petitioned the American Association of Law Libraries to become a chapter, which was approved in 1942.[2] In an article for the Law Library Journal in 1942 Gauges described the CCPA library, and many of the old international trade and patent materials are still in the Federal Circuit Library.[3] He retired in 1962 after a total of 48 years at the court.[4]

James A. Hoyt was Reporter of Decisions and Librarian of the Court of Claims. While he didn't achieve the same prominence as a librarian as Joseph Gauges did, he had a remarkable career as a legislator, journalist, and banker before coming to the court. He wrote the legislative history of the Court of Claims. The documents he compiled for this history, along with others he identified but which were since reproduced with modern technology, are still in use at the Court. He retired after 18 years at the court.[5]

Before the two courts formed a joint library in 1967, they had hired a former DOJ librarian, Lou Ella Ingram, as a consultant to study the task of merging the collections. The judges were so impressed by her proposal that the Court of Claims hired her to be director of the library, a position in which she served until 1982. Lou Ella Ingram had graduated from the University of California at Berkeley in 1940 and received her Master of Library Science (MLS) from Columbia University in 1941. She worked at the Department of Justice from 1943 until 1948. While at the Court of Claims she served on the Executive Board and various committees of the LLSDC.[6] After her retirement, she was made a life member of the Society.[7]

The Collection

The Library maintains a collection reflecting the jurisprudence of both courts it serves, the Federal Circuit and the United States Court of Federal Claims. Thus, in addition to the standard Federal legal materials, the collection includes treatises, court and administrative reporters, law reviews, legislative histories, and reference books and treatises on such topics as administrative law, constitutional law, intellectual property law, Federal taxation, customs and international trade law, and government contracts law.

The Library has received files from judges relating to the creation of the courts, the construction of the courthouse, and local history. These files include memos, drafts of legislation and related documents, historical newspaper clippings, and photos of judges and staff of the predecessor courts. Items are scanned and saved as digital images or PDFs as resources permit. The Library staff continues to be responsible for supporting the court's efforts to maintain items of historical interest to the court.

Transitional Technologies

In 1984, the Library joined On-line Computer Library Center (OCLC), a computerized database of shared cataloging records and holdings information from libraries large and small across the United States, Canada, and the United Kingdom. This gave the Library two benefits. One was the ability to obtain shared cataloging information so that cataloging records could be produced for the treatise and reference collection, making it easier for patrons to determine what was in the collection and where it was located. The

other was to access the holdings information of other library collections that were also connected to this service, so that interlibrary loan could be greatly extended, not just in Washington, D.C., but from all over the country.

Initially the electronic OCLC records were used to generate cards for filing in the card catalog, which stood inside the entryway to the Library. This replaced the means by which catalog cards had been either purchased from the Library of Congress or manually typed. Having the information electronically stored at OCLC meant that when the Library obtained an integrated library system (ILS) the records were available to be downloaded immediately into the new system.

The Library had been shifting more items from print to microform in the 1980s to eliminate paper copies of the Federal Register, the Congressional Record, and the Code of Federal Regulations and to provide additional growth space for other parts of the collection. In addition, the Library undertook to purchase the CIS microfiche of all Congressional documents since 1982, which augment the selective acquisition of paper documents purchased from the Government Printing Office. As an information media, microform has its own storage requirement in special cabinets. The Library has also had to purchase and maintain reader-printers for its use. The technology of the reader-printers has improved and the Library recently acquired a Scanpro 3000, which copies microform media directly to digital.

Another interim technology still used by the Library is CD-ROM. For about 20 years, it was the way a number of Federal agencies distributed information. The Library has a cabinet of CDs, though only a few items are still received this way, including the Budget of the United States and the Harmonized Tariff Schedule of the United States.

The older discs are retained for agencies who don't archive their own issuances.

Technical Services

The Library had always had a technical services component to purchase, catalog, and organize research materials for use in the Court and the Library. In the 1990s MS Access and MS Excel were used to track purchases. The nature of the work began to change radically after the adoption of the SIRSI integrated library system. In lieu of paper files, records of ordering, purchasing, receipt, cataloging, and location information could be maintained in the ILS for the entire Court, as well as the Library. The ILS supported the work of the Assistant Librarian for Acquisitions and Collection Development during the purchasing process by generating purchase orders and tracking expenditures. The ILS also served as an inventory record of book and serial subscription purchases. The ILS replaced cumbersome accession logs and check-in cards, allowing real-time examination of acquisition and cataloging records by all staff. Staff continued to manually prepare materials for use in chambers or the Library by opening mail, entering data in the ILS, and flagging problems with receipt of items.

The collection had an increasing shift to electronic resources, particularly statutes, case reporters, and codes, but print treatises continued to find favor with Court staff. The ILS supports cataloging all formats and also supports hyperlinks to sources on the Internet or from commercial vendors. A single bibliographic record can describe the location of a treatise available in print or provide links to online versions from Westlaw or Lexis. At one time the catalog linked to the print legislative histories in the Library, numbering into the hundreds. Now there are bibliographic records with hyperlinks to every legislative history in ProQuest Legislative Insight, numbering into

the thousands. In the years from 2002 to 2012, the number of bibliographic records in the ILS grew from 3,508 to 17,532. By 2012 there were 5,765 records for electronic publications, 11,149 for print, and 1,070 for print and electronic materials. In the present year, the number of bibliographic records has grown to 60,576, of which 48,132 are web-based materials. There are at present 3,304 items in the digital archive.

Digitization was initially used to create and transmit information for filling reference requests and interlibrary loan. After the Library purchased the Hyperion system from SIRSI (since updated and redubbed Portfolio) it came to be used for adding material to the collection, such as government documents, photographs, chronologies from our compiled legislative histories, judicial conference materials, oral histories, and records of Court events. The Library has digitized or uploaded 3,304 electronic documents, which are all accessible from the online public access catalog (OPAC).

Technical Services Staffing

Rosa Alicea, who earned her MLS from Catholic University, was the Assistant Librarian for Technical Services from 1996 to 2003. It was by her efforts that the card catalog was replaced by the ILS. After a period of vacancy, her position was filled by Jiman Wang, who had obtained her MLS from the University of Hawaii at Monoa. Jiman brought experience with using the SIRSI ILS system from a period of employment at the U.S. Department of Education. She was responsible for general oversight of the Technical Services branch and set about dealing with the cataloging of new acquisitions, historical materials, and electronic resources, including resources from Westlaw, LexisNexis, ProQuest, and Bloomberg Law. Having electronic items in the OPAC made it possible for Court staff to find and retrieve them from

their personal computers in their offices. Jiman implemented the SIRSI discovery layer, which allows users to search across the print, electronic, and archival materials from a single search box.

Michele Hutter, Assistant Librarian for Acquisitions and Collection Management, arrived at the Court in 2001. She obtained her law degree from the University of Richmond and her MLS from Catholic University in 2000. She spent more than eight years at Lexis where she was an editor of state codes. This experience proved valuable when she was editing slip opinions for publication on the Court website.

Shelby Jones came to the Library with experience from the White House Libraries, and with a life-long interest in working in libraries. Shelby's help with inputting records into the ILS helped the Library transition from a card catalog to an online public access catalog. Melvin Cotrell came to the Court as a temporary employee and later became a full-time permanent employee. He left the Court in 2013. Kristee Copley came to the Court in 2015 and has a MLS from the University of Maryland. She works in technical processing, collection management, preservation, and video production.

Research Services

With the passage of time, the number of visitors from outside the Court began to decline in the 1990s. Part of this was probably due to the shift of these researchers to using electronic resources accessed in their own offices. Another reason was likely the removal of local materials from the collection. The District of Columbia, Maryland, and Virginia codes and regional reporters, and citators of all jurisdictions, were cancelled to save funds and free up space for the expanding Federal case reporters and statutory materials. The money saved was used to offset consistent annual price increases for treatises and subscription renewals.

Research assistance to staff attorneys and chambers staff became more oriented to email communication and electronic delivery in response to requests. The treatise collection was moved from the stack room to the main reading room, a change suggested by Judge Daniel Friedman, since these items were being used for reference and being circulated more. Recommending treatises, assisting readers with statutes, regulations, and codes, and helping with legislative materials became the most common kinds of assistance provided for these titles. Borrowing books from other libraries became a process of locating them using online catalogs, LLSDC's General Union List, or OCLC, then reaching out by phone and email. Locating government documents had once been a process of making telephone calls to the issuing agency; it became a process of using Google or navigating the deep web to find them buried on agency websites.

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The Library always offered orientations to new law clerks and Court staff, but these came to focus on electronic resources. A demonstration of the Library website and how to find links to electronic sources other than Lexis and Westlaw became part of the Library orientation. Reference services, which had once consisted mostly of showing law clerks how to use print reporters, codes, and citators became a matter of explaining how and where to find materials online.

While law clerks arrived with strong searching skills, they were frequently unaware of how and where to find the more obscure and hard-to-find electronic resources from smaller niche commercial services or on the internet. HeinOnline expanded their offerings beyond law reviews and statutes, digitizing and offering online administrative decisions and regulations, classic treatises that were out of copyright, Federal tax research tools, and legislative histories, The Library cataloged these materials to make them easy to locate alongside information about the print materials in the OPAC. As alluded to previously, the acquisition of ProQuest Legislative Insight in 2013 was transformative to how legislative history was done in the Library. It also brought about the end of microfiche acquisition.

Research Staffing

David J. Lockwood, Deputy Circuit Librarian, joined the United States Court of Customs and Patent Appeals as an Assistant Librarian in 1982, just prior to the creation of the Federal Circuit. He earned his MLS at the University of Maryland. He later rose to the position of Deputy Circuit Librarian. Besides doing reference work and helping to manage the Library, he was the primary legislative librarian. He compiled hundreds of print legislative histories in response to judicial requests, and these became standard works used by judges, staff counsel, and law clerks hoping to understand Congressional purpose behind the legislation. Mr. Lockwood also offered a popular legislative history training class. Among his

significant accomplishments were the compilation of the histories of the Veterans Judicial Review Act, the Nuclear Waste Policy Act, and the Leahy-Smith America Invents Act, as well as many others. He was also the computer-assisted legal research (CALR) coordinator from the early days when legal research for courts were performed using two dumb terminals connected to a single dot-matrix printer for output. A longtime member of LLSDC, Mr. Lockwood was Chair of the Federal Law Librarians SIS from 2005-2006. He retired in 2013.

The author, John Moore, worked at the court as a library technician from 1987 to 1990, and, after receiving his MLS from University of Maryland, was appointed Assistant Librarian for Public Services in 1990. In addition to staffing the reference desk, Mr. Moore produced current awareness materials for Judges and staff, such as The Clipping File, a weekly collection of news articles about the Court. He made intranet pages of legal research guides; when the Library purchased a subscription to the LibGuides content management system, the guides were migrated to that service. He assisted with collection development decisions, which became helpful when he became Circuit Librarian in 2015.

In late 1995, the Clerk of the Court, Francis Gindhart, approached the Library staff to discuss the possibility of producing a website for the Court. With the blessings of Chief Judge Glenn Archer and the Circuit Librarian, work on the project proceeded. John Moore was assigned the task of creating and maintaining the web page. Armed with a copy of HTML for Dummies and a Netcom dial-up shell account on a Unix server, the site was created and debuted at the 1996 Federal Circuit Judicial Conference.[8]

Jessica Perovich was hired as the Assistant Librarian for Research Services in 2015. She earned her J.D. from University of Dayton School of Law and her MLS from the University of Wisconsin-Milwaukee. She worked at Pepperdine Law School as a reference and circulation librarian, and her primary focus was reader services.[9] She's become the principal author of new LibGuides and has increased the outreach program in the Library. She organizes classes eligible for CLE, gives orientations to new court staff, trains in the use of online resources, and creates Captivate training videos for instruction on Court, Library, and Office applications.

Space

Use of space, always an issue with the Library, seemed it would become less urgent a problem with the removal of several thousand volumes from the collection. Regional reporters, law reviews, and some under-utilized sets such as the America Law Reports 3rd and 4th series, International Trade Commission publications were removed from the collection. These sets were viewed as redundant of electronic resources. Sixteen thousand volumes were ultimately withdrawn and 438 serials were cancelled. Competing priorities within the Court required the removal of staff from offices in the main building back into the Library in 2007. The tax collection was removed from its own space to the main stacks and storage rooms in the basement. Microform materials, once deemed the salvation of Library space problems, were themselves cancelled in favor of online materials, as mentioned earlier.

The storage rooms in the basement had long held duplicative sets of old reporters and digests. Most of these sets were discarded, and the area has become a home for less frequently used treatises and rare, but infrequently used, administrative publications.

Management

The Circuit Librarian is a statutory position appointed by the Court.[10] Patricia McDermott was the Circuit Librarian from 1982 to 2015. She earned her library degree from Drexel University in 1980 and her law degree from George Mason University School of Law in 1991. Ms. McDermott was responsible for hiring and managing staff of the Library, including purchasing, major collection development decisions, oversight of the cataloging, acquisition, and reference functions, as well as liaising with other divisions of the Court, preparing and submitting budget requests, and approving book and subscription purchases and renewals. Consulting with judges, she helped them plan the scope and arrangement of the chambers' book collections. With Library staff, she oversaw the provision of Westlaw and Lexis, coordinated with other Court offices, and consulted on personnel matters involving judicial libraries with the Administrative Office of the Courts. She also selected and approved the acquisition of new software and technology.

Ms. McDermott was a visionary who was able to lead the Library — and the Court — through successive waves of technological innovation. It was at the start of her tenure that online legal services were brought to the Library. Later they were made accessible in chambers with the Court's adoption of ethernet technology. Since legislative history research required the provision of Congressional documents, she undertook to acquire the complete sets of committee reports, hearings and prints on microfiche. When technology matured to the point of digitizing these materials and delivering them over the Internet, she pushed for purchase of the ProQuest Legislative Insight platform to do that. Lastly, she foresaw that "discovery" search engines were the future of OPAC design and made the purchase of SIRSI Enterprise to bring that to the Court.

She was also professionally active as a member of the Federal Law Librarians SIS of LLSDC, and became President of the SIS in 1983.[11] When Ms. McDermott retired in 2015, she was replaced by the author, John Moore, as Circuit Librarian. ■

John Moore has been a member of LLSDC since 1991. He was Corresponding Secretary from 2002 to 2005, and an At Large member of the Executive Board from 2018 to 2019. He is also a longtime member of the Federal Law Librarian SIS of LLSDC.

Notes

[1] The presence of the shared library, and other facilities, was used as an argument for combining the two courts already located in the same building. H.R. Rep. No. 96-1300, at 21 (1980).

[2] Bertha M. Rothe, The Law Librarians' Society of Washington, D.C., 1939-1955, 49 Law Libr. J. 192-3 (1956).

[3] Joseph G. Gauges, The Library of the United States Court of Customs and Patent Appeals, 35 Law Libr. J. 23 (1942).

[4] Retirement of Joseph G. Gauges Marshal of the Court, 49 C.C.P.A. (Patents) XXIV

[5] Retirement of James A. Hoyt, 133 Ct. Cl. XXXI (1956).

[6] Patricia M. McDermott, In Memoriam: Lou Ella Lafon Ingram (1918-2000), 44 Law Libr. Lights 1 (2000).

[7] Cynthia Radcliffe Smallwood, News of Members, 27 Law Libr. Lights 12 (1983).

[8] The Fourteenth Annual Judicial Conference of The United States Court of Appeals for The Federal Circuit,170 F.R.D. 539 (1996)

[9] 1 The Federal Circuit's Library Newsletter 4, #5 (May, 2020)

[10] 28 U.S.C. § 713.

[11] 33 Law Libr. Lights 5 (1989).

Keep a Changelog: Making Meaning Out of Ongoing Projects

Jeff Gerhard
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In a time when many of us are working from home, I find that it's surprisingly challenging to mark the passing of time. My supervisor adds the date to her Zoom virtual background images, an effective strategy for helping me to remember what day of the week it is. With so many disrupted routines, it takes that kind of deliberate effort to keep everything from running together into a messy blur.

The same basic problem happens in many aspects of our lives where we make incremental changes over and over, as in many of our ongoing professional projects. The scope and duration of the work outpaces our capacity to remember everything that we've done, every decision that we've made or suggestion that we've incorporated. Tasks all blend together unless we step back to mark specific moments with "draft" statuses or revision dates or filenames like *FINAL final version.docx*. In software development, this differentiation is referred to as versioning, typically consisting of numbers like 0.9 or 3.2, sometimes using nicknames like macOS Catalina or Android Pie.

It's worth reflecting on the rationale for this versioning system. Behind the scenes, of course, software changes much more rapidly than this release cycle, and for the developers, that history is readily available. Like so much of our work that is connected to a computer, automatic backups and histories are saved constantly; in software, this is done through version control systems like git and GitHub. In mediated environments like Google Docs, a complete editing history makes it easy to look back at earlier stages of a work. But automated collecting of edits is not the same as versioning. Naming a version is a human decision, a method of organizing and delineating discrete changes, a useful

> "A changelog is effective because it imposes a narrative structure, and narratives are the way we make sense of things. Maintaining a single document is not an onerous task, and the payoff is impressive: turning your work into a story."

Another good thing about changelogs is you can mark Halloween with a bat emoji.

equivalent of seeing the text on a background screen and remembering, "oh right, today is Wednesday."

I've been aware of software version numbers for ages, but I've only recently begun to use them in my own work. Naming a version is inherently fun, but the most useful part of the practice — and the main reason why I'm talking about this at all — is the role played by a low-tech, humble document called a **changelog**. There are conflicting interpretations of what exactly should go into a changelog, but I am a big fan of the philosophy listed at keepachangelog.com. This website suggests that we create changelog entries for every software version, written for humans, grouped by date and then sub-grouped by categories like "Added," "Changed," or "Removed."

This is a simple but powerful idea. Since I first started to use changelogs (and versioning) in working on tech development, I've begun to wish they were more widespread in all the different types of library projects I work on. We may have old and new versions of documents, policies, datasets, web pages, handouts, and other workplace artifacts, but it is usually tedious to compare them and inconvenient to save them. A changelog is effective because it imposes a narrative structure, and narratives are the way we make sense of things. Maintaining a single document is not an onerous task, and the payoff is impressive: turning your work into a story. Take a look at keepachangelog.com and think about ways you can borrow the same technique to manage versioning for any kind of project. ■

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!

Jeff Gerhard

Jeff Gerhard has taken the position of Metadata Librarian in the Integrated Library System Program Office, Library of Congress. Jeff previously held the position of Head of Digital Initiatives at Georgetown Law Library. He can be reached at gerhardj@gmail.com.

Larry Guthrie

Larry Guthrie, Inter-Library Loan Librarian, Covington & Burlington, was recognized for his work in Theodore Vorhees new book *The Silent Guns of Two Octobers: Kennedy and Kruschev Play the Double Game*, published by University of Michigan Press. Larry can be reached at lguthrie@cov.com.

LLSDC Scholarships and Grants

LLSDC members are encouraged to keep an eye out for announcements about our scholarships and grants. You can find information about these opportunities – including application forms and guidelines — at: https://www.llsdc.org/scholarships-grants

Has technology helped or hindered your work-life balance during the shut down?

Hindered

4.3%

Helped

95.7%

Member Poll
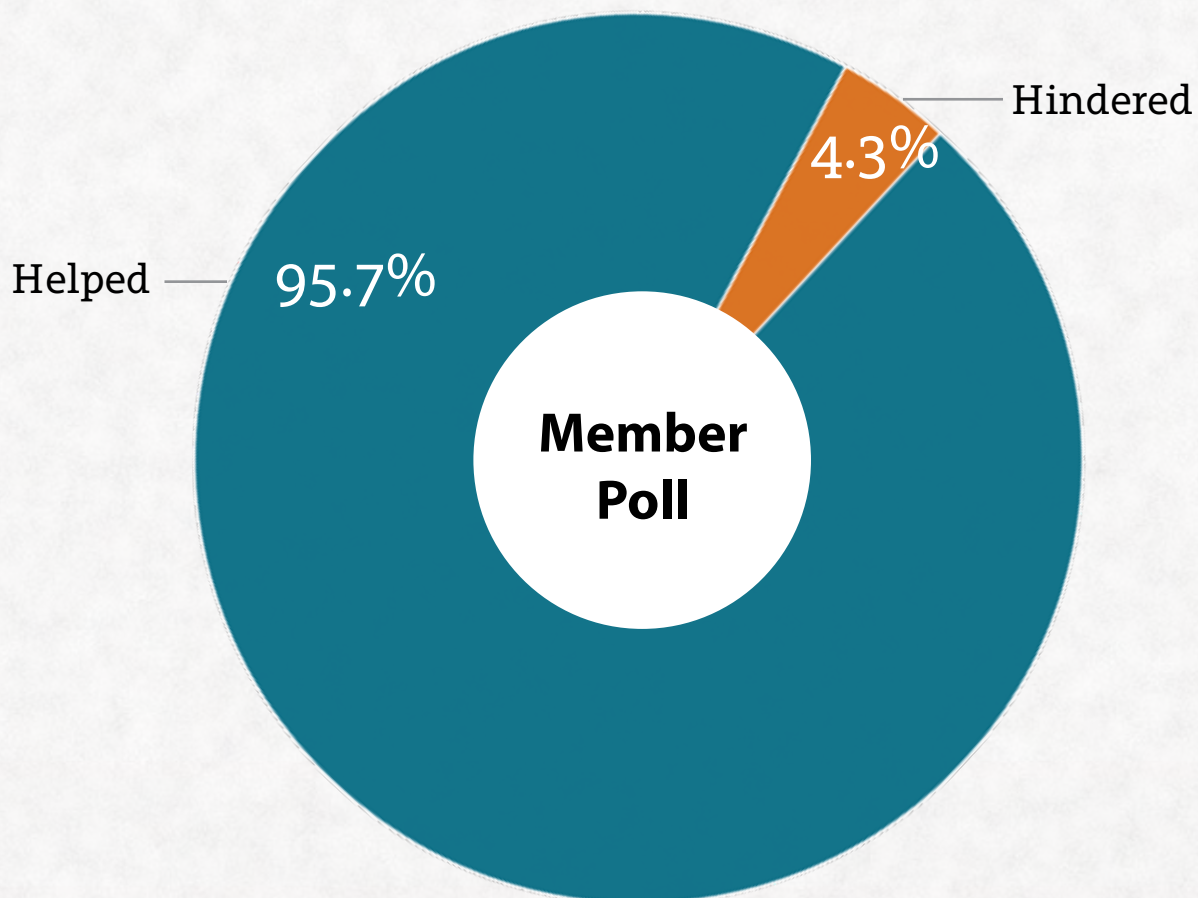
On the one hand I've sometimes let what would have been commute time get sucked into work time; but, overall, I can work pretty seamlessly from home, which means I've gotten to be at home, and be employed, this whole time.

—*Matthew Foley, Research Librarian, Williams & Connolly, mfoley@wc.com*

Member Spotlight, Continued

Technology has without a doubt been an essential tool for which I have been grateful during this time. It's helped fill the gap left behind by not seeing colleagues and friends in person. However, it's also meant the lines are substantially blurred between work and home. I know some people are good about changing into (and out of) their work clothes or stepping into (and out of) their home office to better delineate these boundaries. I'm still figuring out the balance and look forward to learning from others who are doing it better than I am!

—Anonymous

I'd like to say helped more than hindered, but it's definitely been a mix. It's allowed me to work from home, which gives me more free time (no metro, yay!). However, I find it harder to disconnect. I say this, writing this as I'm working a half hour past when I'm "supposed" to.

—Megan Moltrup, Librarian, Baker & McKenzie (Megan.Moltrup@bakermckenzie.com)

Telecomuting is improving my work-life balance. I spend more time on the road and more time with my family. Plus, it's helped me keep in touch with my staff, colleagues and patrons when I've been out of the office.

—John Moore, Circuit Librarian, U.S. Courts, moorej@cafc.uscourts.gov

The ability to work remotely with reliable access to databases, shared drives, etc. has enabled me to continue to provide patron service. Not having to commute approx. one hour each way daily has reduced my stress and enabled me to spend more time with my family.

—Heather Rories, Research Librarian, U.S. Department of Justice, heather.rories@usdoj.gov

It's made it possible for me to work from home during the Covid 19 pandemic. I work for a small federal court as a solo librarian. I'm so glad my boss made us all go paperless a few years ago. We were all able to start teleworking in March and have been doing so ever since. Our production is up and our chief judge has already decided we'll telework through August. This helps my stress level because I'm not commuting. Working from home is fine and with most of our research tools being online, we have most everything we need.

—Allison Fentress, Librarian, U.S. Court of Appeals for Veteran Claims, afentress@uscourts.cavc.gov

It has allowed me to keep working during the outbreak and, as a result, shortened my commute to the point where I feel like I have free time.

—Keith Gabel, Researcher, HBR Consulting, kvgabel@yahoo.com

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A Chapter of the American Association of Law Libraries

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