

NOCALL News

Northern California Association of Law Libraries
A chapter of the American Association of Law Libraries

PRESIDENT'S MESSAGE

Jeremy Sullivan, DLA Piper

I have been struggling to come up with a topical and timely President's column mainly because I've never felt less presidential. In the week leading up to the Thanksgiving holiday, my wife and I were in the hospital with our 1-year old, who was suffering from a respiratory infection. While we were able to get out before we had to endure the hospital cafeteria's version of a Thanksgiving Day feast, we were struck with an even greater blow shortly after. My mother, who had to be hospitalized just after we were admitted with Mina, succumbed to complications from a chronic lung condition that she'd been battling for more than a decade. As I write this, it has been a week since she passed, and I am still processing the enormity of it. So no, I don't feel especially presidential at this time. I just feel drained.

At the risk of turning these missives into therapy sessions, I want to build on last column's theme of kindness and talk about resiliency. Looking back, I realize that I have led a pretty charmed life. I was born a middle-class cis white dude, and I've not faced significant adversity in my personal life, my career or with my health. Yet as I hinted at in my last column, these days everything seems like low-level adversity and many of us may find ourselves asking 'What next?'. What catastrophe (major or minor) lies in wait around the next corner, because surely at least one does.

Here again, I would like to call out our profession's remarkable resiliency. We all chose to be in a profession that outsiders have been calling obsolete and/or irrelevant for decades. Each of us have spent too many hours explaining what it is that we do (and don't do). Too often our patrons think our role is to run simple Google searches for eight hours a day but can't understand when we haven't found the perfect answer to their obscure question. Too many of us work in environments where justifying our existence and quantifying our value is part of the job. Our budgets are just as likely to be cut when our organizations are thriving as when times are lean.

But we are resilient in the face of it all, and maybe the resiliency that comes with the job has made us uniquely well-suited for the adversity of these times. At least, that's what I'm choosing to believe during a particularly hard time in my own life.



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HEADNOTES FROM HOLLY

Holly Riccio

HAPPY HOLLY-DAYS... Despite what many often guess, given my name, I was not born in December. But, I have always loved the holidays. They are much different for me this year—and will be from now on—but I am still able to find pockets of joy and moments of peace. May you find these as well as the month marches on.

IT RUNS IN THE FAMILY... My grandmother and I realized a few years before she passed away that we both had a huge penchant for making lists. Another trait we shared was an ability to write funny (bordering on corny) poems. In celebration of the season, I put this skill to work and created a law librarian-esque (and slightly abridged) version of 'Twas the Night Before Christmas. Enjoy, and Happy Holidays to all!



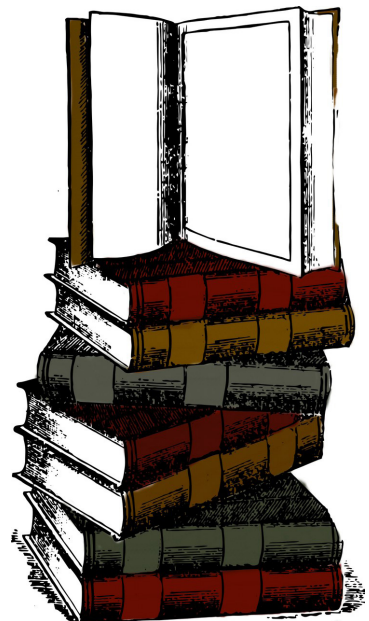
'Twas the night before Christmas,
And all through the shelves,
Not a creature was stirring,
Not even the elves;

The Daily Journal was hung on a newspaper rod,
In hopes that the lawyers would read it and nod;
The librarian sipped tea as she sat there and read,
While visions of research danc'd in her head,
And filer with a binder, and I with my books,
Had just settled down in an old reading nook—
When out in the stacks there arose such a clatter,
I sprang from my kickstool to see what was the matter.

Away to the compact shelving I flew,
Turning the crank to see what's anew.
The moon on the carpet (that's seen better days),
Gave the luster of mid-day to what's in my gaze;
When, what to my wondering eyes should appear,
But a treatise-filled sleigh, and eight tiny reindeer,
With a little old driver, so lively and quick,
I knew (from my research) it must be St. Nick.

More rapid than online legal research once was,
He called out the reindeer by name, all abuzz:
"Now! Witkin, now! Corbin, now! McCarthy and Stine,
On! Westlaw, on! Lexis, on! Bloomberg and Hein;
To the top of the rules! To the top of the regs!
Now dash away, dash away, on your small little legs!"

So up to the reserve stacks the reindeer they flew,
With the sleigh full of statutes—and St. Nicholas, too.
He spoke not a word, but went straight to work,
And filled all the book carts, then turned with a jerk,
He sprung to his sleigh, to his team gave a shout,
(While the library staff properly shushed him, no doubt),
But he checked out his books, and then drove out of sight—
Merry Christmas to all, and to all a good night.



PROFESSIONAL READING IN REVIEW

Elisabeth McKechnie and Kristin Brandt
U.C. Davis Law Library

“Law Library Continuity” by David Whelan, *explorations with information and technology* (Blog), September 1, 2022. Available at: <https://ofaolain.com/blog/2022/09/01/law-library-continuity-finance-operations>

Since the Covid pandemic, law libraries across the country are losing senior staff at a record rate. Whelan’s blog article is a timely guide for those picking up the reins as the human sources of organizational knowledge leave. Ideally, this type of planning should be ongoing before anyone retires or dies. Areas like finance, marketing, policy and fundraising can be susceptible to continuity issues. It can be challenging to cross-train a reference librarian in bookkeeping. In the author’s experience, his library CFO passed away unexpectedly, leaving a need for usernames and passwords. It took almost four months to gain access to his library’s bank accounts. He gives advice based on his experience in how to structure library functions so that the library can remain in business even with a sudden change. This includes password management, updating/writing procedure manuals and the creation of a transition plan. He concludes that “transition planning can’t be set and forget.”

Unintended Consequences, How Librarians Landed in the Hot Seat, and What to Do About It,” by Dave Shumaker, *Information Today*, (Oct. 2022). Available at: <https://www.infotoday.com/it/oct22/Shumaker--Unintended-Consequences-How-Librarians-Landed-in-the-Hot-Seat-and-What-to-Do-About-It.shtml>

Librarians have always been known for their defense of freedom to read and open information. But now it’s getting dangerous out there! The author describes the differences between classic censorship and the current trend for disinformation and how the nature of the internet has created the problem. Where, formerly, the battle was directed at the books, now the librarians have been added as targets. The author cites a manager at Jonesboro Public Library, Arkansas, who was forced from her job by personal threats. The author’s solution? He cites a 1950’s librarian who also experienced censorship. We should lean into our inherent professionalism in choosing materials by content, regardless of the author’s political stance.

Librarians need to communicate their values before censorship of materials is even mooted. As law librarians, we should be aware of the attack on our First Amendment values and support other librarians who are under fire.

“Survey Results from Academic Librarians and Professors on Teaching and Using Pirate Websites,” by Daniel G. Kipnis, *Internet Reference Services Quarterly* (August 5, 2022)

Pirate websites such as Sci-Hub give free access to published research without regard to copyright. To get a sense of the scale, during a 30-day period in 2022, five countries (the U.S., China, France, Brazil, and India) downloaded over 40 million papers. The author studied how academic librarians and professors felt about pirate websites and if they are teaching students and patrons to use them. Although some librarians and professors discuss pirate websites in reference consultations and office hours, they do not actively teach about pirate websites. Given the high usage of such websites, the author’s findings suggest that librarians and professors should not shy away from discussions about geographic access to information and information privilege as well as possible concerns about espionage, viruses, and malware in use of pirate portals.

“Invisible Labor, Invisible Value: Unpacking Traditional Assessment of Academic Library Value,” by Rachel Ivy Clarke, Katerina Lynn Stanton, Alexandra Grimm, and Bo Zhang, *College & Research Libraries* (November 2022), available at <https://crl.acrl.org/index.php/crl/article/view/25683/33580>.

Most of us are familiar with invisible labor in the home. But what about libraries? The authors argue that traditional library valuation methods--financial valuations, or return on investment, and impact valuations, such as correlation with student success--render labor performed by library workers invisible to stakeholders. The authors’ survey of academic library workers found that a large amount of library work is invisible. Although workers perform a wide range of tasks requiring specialized training, knowledge, and expertise, financial representations of this diverse labor are usually collapsed into one homogenous category. In addition, most library workers perform tasks outside of work hours and without pay. Showing stakeholders the variety of work librarians do and the services they provide can help change stereotypes that libraries are mere collections of resources.

LEGAL TECH RECAP

Kristie Chamorro, UC Berkeley Law Library

Below are the legal tech highlights from the last few months. As always, please let me know if there's a topic or new legal tool you would like to see covered. Happy Holidays!

Bloomberg Law

Bloomberg Law [added](#) new In Focus: Pay Transparency and Pay Equity pages that compile practical guidance and federal, state and local resources on pay equity and transparency laws.

Fastcase

[Fastcase announced](#) a partnership with [Visalaw. Ai](#) to develop AI software for immigration case management that will build on Fastcase's [NextChapter](#) platform. Bob Ambrogi covered the unique collaboration in a [recent LawSites post](#).

HeinOnline

[HeinOnline](#) has [announced](#) an integration with [Fastcase](#) that will provide HeinOnline subscribers with direct access to full-text case law. Cases viewed on HeinOnline will include links to citing articles through the Hein's [ScholarCheck](#) tool.

Law.com Radar

[Law.com Radar](#), ALM's legal tech news platform, [added](#) commercial litigation updates from the Delaware Court of Chancery to its platform. Cases filed in the Court of Chancery now will be available on Law.com Radar with a case summary and one-click access to the complaint. Jean O'Grady covered the announcement in a [November Dewey B Strategic post](#).

LegalOn Technologies

[LegalOn Technologies](#), a leading legal AI contract review company in Japan, recently [announced](#) an expansion into the US market. The U.S. platform includes clause-by-clause contract analysis and expert guidance. The launch will initially support only non-disclosure agreements, but other contract types will be added over time. LegalOn is offering a free early access period to select users/organizations (sign up is available on their [website](#)). [Dewey B Strategic](#), [Businesswire](#), and [LawSites](#) covered the details of the expansion.

LexisNexis/Lex Machina

On November 3, [Lex Machina](#) and LexisNexis [announced](#) the release of an Internet Law Module,

which includes federal litigation involving claims under the Computer Fraud and Abuse Act (CFAA), the Digital Millennium Copyright Act (DMCA), and the Electronic Communications Privacy Act (ECPA). [O'Grady](#) covered the launch and new coverage.

Lex Machina and LexisNexis also announced a Chapter 11 Bankruptcy Module that provides legal analytics for over 115,000 Chapter 11 proceedings. O'Grady [exclaimed](#) "Hooray!" for the launch, pointing out that since Lex Machina released bankruptcy appeals analytics in 2017, customers have been waiting for the Chapter 11 analytics release. Ambrogi also [covered](#) the details of the launch.

Thomson Reuters

There continues to be buzz around the release of [Westlaw Precision](#). The AALL Committee on Relations with Information Vendors (CRIV) blog includes an [interesting post](#) about Westlaw Precision and the challenges law schools face with rollouts of increasingly complex legal research tools.

Trellis

[Trellis](#) recently added [Arkansas](#), [New Mexico](#) and [Oregon](#) to their state court records platform.

Wolters Kluwer

[Wolters Kluwer Legal & Regulatory U.S.](#) launched the [Securities Enforcement Analyzer](#), a new research tool that provides data visualizations on SEC enforcement trends, actions, and outcomes.

Recent updates to Wolter Kluwer's [VitalLaw](#) platform were discussed during the November CRIV Vendor Liaison call. The [updates discussed](#) include the addition of the Abortion Restrictions Jurisdictional Compare Smart Chart and the expansion of search filters and alert features in the statutes and regulations databases.

Things You Should Check Out

So many podcasts, so little time. There are terrific legal tech podcasts out there ([LawNext](#), [The Geek in Review](#), [Legaltech Week](#) to name a few) and many podcast organizing/listening apps ([Pocket Casts](#), [Google Podcasts](#), [Apple Podcasts](#)). However, I've found that looking for podcasts on specific topics or for a certain guest can be challenging. I recently tried [Listen Notes](#), the self-proclaimed "best podcast search engine" – I was impressed with its robust search features. Another tool to check out is [Rephonic's 3D Audience Graph](#), which uses listener data to generate cool 3D search results showing related podcasts.

INTRODUCING A NEW EXHIBITION AT THE CALIFORNIA SUPREME COURT

Marie Silva
California Judicial Center Library

A new exhibition, organized by the California Judicial Center Library and the Supreme Court of California, is on display now in the Archives Room on the first floor of the Ronald M. George State Office Complex. Titled “Expanding Justice for All: The Supreme Court of California in Times of Change,” the exhibition features twelve landmark cases decided by the California Supreme Court and four decided by the Court of Appeal, First Appellate District, spanning the history of California, from statehood in 1850 to modern times. These cases illustrate the efforts of diverse people, including Native Americans, Latinos, Asian Americans, African Americans, women, and LGBTQ+ people, to expand justice in California by bringing suits that challenged slavery, segregation, unequal access to education, and discriminatory laws. An accompanying exhibition booklet is available online [here](#).

settlers accountable for widespread violence against Native Americans—a failure tragically attested by the state supreme court’s first ruling in the case, *People v. Smith* (1850) 1 Cal. 9. The exhibition contains materials related to this ruling, including testimonies in facsimile documenting the brutal facts of the case. Briefly, seven defendants, including one Captain Smith, petitioned the newly established California Supreme Court for release from the custody of the sheriff of Sonoma. According to witnesses, the men had attacked Native Americans (identified as Coast Miwok, Pomo, and Wappo people by historian Benjamin Madley) in the Napa Valley, killing unarmed people, burning their homes, and driving them from their villages. Although the court denied the defendants’ request, it permitted their release on bail. According to Madley, none of the men ever stood trial for the massacres.

The exhibition also features materials related to the California Supreme Court’s unwillingness to protect enslaved people in the “free” state during the antebellum period. One such case was *In re Archy* (1858) 9 Cal. 147. Archy Lee, an 18-year-old



A segment of the new exhibition, *Expanding Justice for All: The Supreme Court of California in Times of Change*

The early legacy of the California Supreme Court, like that of our state, is complex and troubled. In the first decade of its existence, the state Supreme Court upheld discriminatory laws singling out African Americans, Native Americans, and Chinese Americans. The legal system failed to hold white

African American man who came to California with his Southern enslaver, Charles Stovall. Lee fled from Stovall and was arrested in Sacramento in January 1858. The abolitionist community in Northern California—which included early African American civil rights luminaries Mary Ellen Pleasant and Mifflin

Wistar Gibbs—rushed to Lee’s defense. In a much-maligned ruling, the California Supreme Court ordered that Lee be returned to Stovall’s custody, stating that “we are not disposed to rigidly enforce the rule [against California residents owning slaves] for the first time.” Undaunted, Lee’s supporters continued to press his case until he was freed by a federal commissioner in April 1858. Shortly afterward, Lee joined a large group of African Americans on their exodus from California to British Columbia.

In addition to reckoning with the California Supreme Court’s early history, the exhibition highlights some of the court’s landmark twentieth-century rulings, in cases such as *James v. Marinship Corp.* (1944) 25 Cal.2d 721; *Perez v. Sharp* (1948) 32 Cal.2d 711; *Mulkey v. Reitman* (1966) 64 Cal.2d 529; and *In re Marriage Cases* (2008) 43 Cal.4th 757. Also on view are judicial realia related to the career of the court’s first African American justice, the late Justice Wiley W. Manuel.

The exhibition is open Monday through Friday from 7:30 a.m. to 5:00 p.m. on the first floor of the Ronald M. George State Office Complex. Please direct inquiries to Archivist and Special Collections Librarian Marie Silva at marie.silva@jud.ca.gov.

Kristin Brandt

UC Davis Mabie Law Library

How did you choose law librarianship as a career?

My path to librarianship wasn't direct. I started as an attorney at Morrison & Foerster's Los Angeles office and later became MoFo's firmwide head of Attorney Training & Development. Then kids happened. I took time off from being a lawyer, but knew I wanted to do something different. A blogpost on alternative careers for lawyers got me thinking about law librarianship. As part of a class assignment for my MLIS program, I shadowed the reference librarians at UC Davis's law library and was taken with the academic environment and the interesting research opportunities. Luckily, a reference position opened up in my final semester at library school. Although I enjoy research, what I love most about my job is research instruction and teaching.

Who or what had the greatest impact on your law librarian career?

I'm grateful that the wonderful librarians at San Francisco Law Library hired me as a part-time reference assistant while I was still in library school. At UC Davis, Peg Durkin & Elisabeth McKechnie mentored me and freely shared their knowledge and expertise. As law libraries continue to experience the impacts of retirements and the great resignation, I am ever more mindful of the importance of investing in and creating opportunities for new librarians to enter the profession.

What is your favorite meal?

Brunch. Really, any brunch food – omelets, scrambles, waffles, French toast, bacon. I'm getting hungry just writing this.

What is your favorite legal book and why?

CEB. It's a terrific resource and I feel I'm doing students a disservice if they leave law school without having been exposed to it.

What was the last book you read that you really enjoyed and why?

I'm a big fan of murder mysteries and sci-fi, but *Anxious People* by Fredrik Backman was one of those books I had to buy a hard copy of to keep forever. If you haven't read it, I highly recommend!

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