NOCALL News

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

PRESIDENT'S MESSAGE

Tony Pelczynski

Some men are born leaders. Napoleon Bonaparte galloped across Europe with over one million soldiers in tow. George Washington rallied thousands of American troops to victory during the Revolutionary War. Donald J. Trump inspired over two thousand rioters to storm the United States Capitol. My promise to you, as NOCALL President, is that I will not inspire anyone.

And that's OK! For every Washington or John F. Kennedy or Abraham Lincoln, there is a Rutherford B. Hayes or a Chester A. Arthur: one-term caretaker presidents whose faces most of us would be hard-pressed to pick out of a presidential lineup. They may not have etched themselves into our collective historical memory, but they did their jobs competently and got off the stage. They did not set the world on fire, nor were their presidencies mired in scandal - they simply kept the seat warm for the next guy. My goal is to be the Chester A. Arthur of NOCALL presidents.

In 1995, a largely unheralded Los Angeles-based band named Claw Hammer released an album titled "Thank the Holder Uppers." I remember reading a contemporaneous interview in which the band explained the album title's meaning: close to thirty years later the memory is a bit hazy, but if I recall correctly, the title was intended as a nod to the unnamed anonymous grunt workers who perform the everyday tasks required to keep society running smoothly. And that is what I intend to be: a NOCALL holder upper. I will do what is necessary to keep the ship sailing, but your mind will remain un-blown – my portrait will likely never hang in the NOCALL Hall of Fame.

When my time is up, and I hand off the NOCALL Presidency to current VP/President Elect Bianca Randall, the organization will be neither stronger, nor weaker, than when I took over: it will remain solidly as-is. As NOCALL President, I vow to keep my head down and to steer clear of controversy. Many of you have no idea what I look like, and if I have performed my duties according to plan, by the end of my NOCALL presidency, you still won't.

In This Issue

Professional Reading in Review

Refugio Acker-Ramirez and Kristin Brandt, U.C. Davis Law Library

"I was a Problem Employee: How to be a Subtly Bad Librarian," by Martha J. Spear, *Journal of Library Administration*, vol. 63, no. 5, pp. 714-721 (July 10, 2023).

This article is written by a self-admitted "bad employee." She did nothing illegal or destructive, but as a newer librarian in her first management job, she underperformed, dodged responsibility, neglected projects, and let her management duties slide. The author accepts a large part of the blame for her poor performance. She was passive and failed to ask questions or seek direction. The library system also contributed, placing the author in a management position without a role model or proper training. Her supervisor didn't appear to want her in her role to begin with. He also failed to communicate and give clear direction and feedback. The author ultimately succeeded when offered a second chance at a new location, with an opportunity to start over. The article is instructive that the problem of underperforming employees is complex, with multiple causes, and also hopeful, in that the author was able to turn things around and lead a lengthy career as a productive employee.

"Technology Competence Instruction and Assessment under the Principles and Standards of Legal Research Competency," by Theresa K. Tarves, *Legal Reference Services Quarterly*, vol. 42, no. 2, pp. 56-70 (June 3, 2023)

Forty states now impose duties of technology competence on attorneys. Yet technology competence is not a required part of the curriculum at many law schools. This article suggests ways to teach technology competence in legal research and other skills-based instruction based on revisions to AALL's Principles and Standards for Legal Research Competency. Examples include instruction in algorithms, algorithmic bias, and bias in digital information, analytical tools, and confidentiality.

"Publishing Functioning JD Institutional Learning Outcomes on Legal Research: Why and How?" by Dajiang Nie, *Legal Reference Services Quarterly*, vol. 42, no. 2, pp. 89-119 (June 27, 2023)

The author examined the legal-research institutional learning outcomes (ILOs) of 196 law schools accredited by the ABA and their use in effectively assessing competency. The author found that many law schools' legal-research ILOs were inadequate in supporting schools to successfully measure student outcomes, because they lack specific performance criteria and are intermingled with other ILOs. To help remedy these deficiencies, law schools should add more detailed evaluation criteria to legal-research ILOs, separate legal-research ILOs from other ILOs, and update them regularly. The author also suggests that law schools should leverage external benchmarks like the AALL Principles and Standards for Legal Research Competency and expertise of their legal research faculty when drafting ILOs. Implementing these best practices for legal-research ILOs will benefit law schools and students.

"Pursuing Academic Librarianship: Factors Affecting Job Attainment," by Aubrey Iglesias, Louisa Mahama, Charlotte Gard, Tiffany Schirmer, *The Journal of Academic Librarianship*, vol. 49, no. 4, (July 2023)

This article highlights a study that surveyed library and information science (LIS) students and recent graduates considering academic librarianship, to identify factors affecting successful job attainment. The study found that applying early for jobs, gaining pre-professional experience in academic libraries, participating in internships/practicums, and applying for out-of-state jobs led to greater successful job outcomes. The study also showed that applicants with pre-professional employment in public libraries experienced less successful job outcomes. The analyses showed differences between respondents of color and the overall, predominantly white, cisgender female survey population, yet the authors note that additional research is needed since the sample size of respondents of color was small. Overall, the study helps provide insight so that students and recent graduates considering a career in academic librarianship have a better understanding of the job search landscape.

Legal Tech Recap

Kristie Chamorro, UC Berkeley Law Library

News in the fast-paced world of legal tech hasn't slowed a bit, and generative AI news continues to take center stage. Here's a rundown of what has caught my eye over the past few months.

As always, please let me know if there is a specific topic or tool that you would like to see covered here.

Bloomberg Law

Bloomberg's recent product updates include a new AI Legal Issues Toolkit, which covers several practice areas and includes numerous practical tools, and a new Workplace Privacy Toolkit that consolidates a wide range of privacy-related materials onto one page.

In September, Bloomberg introduced Docket Path, a new AI-powered beta feature that provides insights into potential outcomes of federal civil cases by analyzing historical trends in closed cases. When Docket Path is available for a case, an icon will appear on the right side of the docket page.

Clarra

In a recent LawSites post, Bob Ambrogi discussed the launch of Clarra, a new cloud-based case management platform developed by the litigation firm Schneider Wallace that aims to simplify matter and deadline tracking. Ambrogi explained that Clarra was designed specifically for civil litigation practice and includes consolidated deadline tracking, document mail logs, case milestones, and CalendarRules integration.

Clio

Clio recently unveiled several significant product announcements at its annual Clio Cloud Conference, including a personal injury add-on, a pioneering e-filing feature called Clio File, plans to integrate generative AI technology, starting with Clio Duo in 2024, and Clio for Legal Aid, aimed at legal aid organizations, offering discounted subscription plans and grant management tools. LegalTech News and Ambrogi both covered the announcements.

Docket Navigator

In late August, Docket Navigator announced the addition of the Trademark Trial & Appeal Board (TTAB) filings to their Trademark Library. This expansion provides access to daily summaries of TTAB decisions, alerts on new TTAB cases and activity, and a user-friendly database.

eDiscovery Assistant

eDiscovery Assistant, a curated e-discovery legal research platform, unveiled AI-generated case law summaries using ChatGPT. Ambrogi reported that founder Kelly Twigger described the new summaries as focused on the core e-discovery issues rather than the full ruling, calling them a "game-changer" for enabling users to quickly review potentially relevant cases.

HeinOnline

HeinOnline recently launched a fully revamped Judges and the Judiciary database (formerly known as Congress and the Courts), which offers comprehensive resources on judicial structures, composition, oversight, and procedures in America's court system. The database includes nearly 700 new titles, a legislative history subcollection, and links to Hein's History of Supreme Court Nominations. Check out the Judges and the Judiciary guide, which includes a video overview.

LexisNexis

In August, LexisNexis announced integrations between its new AI capabilities and Microsoft 365 tools, including Word, Outlook, and Teams, to provide more efficient workflow processes. Jean O'Grady noted in a Dewey B Strategic post that LexisNexis plans to incorporate generative AI abilities into solutions like Lexis Connect and Lexis Create in the coming months as part of its collaboration with Microsoft.

Later in August, O'Grady summarized findings from LexisNexis Legal & Regulatory's International Generative AI Report showing high awareness but limited use of generative AI among lawyers. She noted key data points including 89% of lawyers expressing ethical concerns, primary potential uses in research and drafting, and 67% of U.S. corporate counsel expecting their firms to use generative AI tools.

Lupl

Lupl, a legal project management platform, recently unveiled a major platform update featuring an AI Assistant called "Create with AI." Both Legaltech News and LegalIT Insider reported on the key features of the update, including a no-code form builder called Lupl Forms and a project management tool called Workstreams to streamline legal tasks.

Paxton

Paxton Legal AI describes its beta platform as "your assistant for legal research with the power of generative AI." In a September 12 The Geek in Review podcast, the Paxton.AI founders discussed how their AI assistant trained on legal data can rapidly automate repetitive tasks to make lawyers more efficient and allow them to focus on high-value work. The Geek in Review's YouTube edition includes a bonus demo.

Relativity

In late September, Relativity hosted its Relativity Fest user conference. Ambrogi covered the event, highlighting Relativity's new AI products for e-discovery, including AI solutions for compliance, case strategy, and privilege review. One of the notable launches was aiR for Review, a generative AI tool powered by ChatGPT-4 that helps users quickly locate key documents and issues. LegalTech News also covered Relativity Fest 2023 and the new releases.

SkillBurst Interactive

Eleven prominent law firms have partnered with SkillBurst Interactive to develop Generative AI for Law Firms, a series of on-demand training courses on generative AI fundamentals and best practices. In an October 3 post, Ambrogi explained how the series aims to address topics like ethics, security, and mitigating bias; non-member firms can now purchase subscriptions to access the training modules as they are released over the coming months.

Thomson Reuters

In August, Thomson Reuters published its Futures of Professionals report, which surveyed over 1,200 legal, tax, and accounting professionals on their views of AI's impact. O'Grady summarized the report's findings, including that 45% of respondents expect AI to improve productivity, 81% of legal professionals foresee new revenue sources, and that top concerns are around accuracy, security, and ethics.

Trellis

Trellis had expanded its platform to include Maryland state trial courts (all counties plus Baltimore City), and multiple counties in Tennessee and Virginia state trial courts.

Trellis also recently introduced Law Firm Intelligence, a new feature that provides metrics related to major US firms, including client lists, case details, opposing counsel information, and outcome percentages.

Wordrake

On October 3, WordRake released a major update that includes enhancements such as support for gender-neutral pronouns and tools specifically designed to aid legal writing by converting colloquial phrases, changing passive constructions to active voice, and refining language. Ambrogi covered the "massive update" and posted a hands-on review, comparing the new version against a U.S. Supreme Court opinion.

Wolters Kluwer

Wolters Kluwer Legal & Regulatory U.S. introduced a Unified Patent Court (UPC) Case Law Tracker to its Kluwer IP Law resource which allows customers to monitor patent decisions from the newly operational UPC. This addition provides expert summaries and annotations in English, along with the option to review decisions in their original language.

Things You Should Check Out

A recent AI Law Librarians blog post compiles recommendations from multiple law librarians on the best resources to keep up with generative AI developments in law and education. I'm also maintaining a regularly updated resource collection for Berkeley Law Faculty and Staff, available here.

Speaking of generative AI, this helpful LLRX post explains that thinking of ChatGPT as a glider you can pilot, rather than a search engine, will enable you to generate better results. The author advises steering ChatGPT by crafting prompts that activate domains of interest and provide context. There is a lot out there on prompt engineering - perhaps the topic of a future column!

ANDREW GURTHET

Head of Research Services, Mabie Law Library, Santa Clara University School of Law

How did you choose law librarianship as a career?

After graduating from law school in 1993, I worked for several years as an attorney and really disliked the deadlines, the intensity, the clients, the culture, etc. I ended up picking up an evening job working for Ray MacGregor at the Santa Barbara County Law Library. I loved it! I really enjoyed assisting attorneys and pro pers with their legal research. It was the best of all worlds; I could use my legal knowledge without being a lawyer. Ray took me out to lunch one day and gave me the best career advice I've ever had. He recommended that I return to school and get an M.L.I.S. and work as "real" law librarian. At the time, going back to school seemed rather daunting and overwhelming (and expensive), so I struggled along for another year or two in my day job, but ultimately realized he was right; I'm a better "behind-the-scenes" researcher than criminal law attorney. I graduated with my M.L.I.S. in 1999 and have worked as a law librarian in one capacity or another in many law libraries here in the Bay Area.

What's the best advice you've ever received working as a librarian?

I worked for several years under Paul Lomio at Stanford Law Library when he was Head of Public Services. He taught me what he called the "20-minute rule." In short, if I couldn't find what I was looking for, or at least felt I was on "the trail" to finding what I was looking for, within 20 minutes, then I should stop, get up, walk around, and re-evaluate the question itself. Is there another area of law that I'm not seeing in which "the answer" may be found? Are there other keywords I've overlooked? Did I actually get all the information I need from the requesting patron, the professor, the attorney? Are there other sources that may be better at tackling this research? Or… Or… is there truly nothing there? I've found this rule to be very helpful for me. I tend to jump into research with a grim "let's get this done as quick as possible" determination without much thought to the overarching issues and legal concepts that are often hidden. This rule helps me step back and just logically "think" for a minute about what I'm doing.

If money was not an issue, what new library service would you offer your patrons (lawyers, students, the public etc.)?

Most of my career has been at the San Mateo County Law Library. I always dreamed of hiring several attorneys who specialize in criminal law, family law, business, etc. I would "trick out" new conference rooms for them, and they would work all day assisting the pro per patrons filling out court forms (correctly!). I know that this idea is fraught with problems and challenges, but if money was no issue…

Is there anything that most people don't know about you that you would like to share?

I worked as a law librarian for several years at Apple, Inc. when Steve Jobs was there. In hindsight, I now realize I was very lucky to work there then and see it. The iPhone was just coming out, and as an employee I got one for free. But, I gave it away to a friend; I already had a cell phone. Why would I need another? Little did I know! Though, I often now miss my old Nokia flip phone.

Is there anything obscure that you know more than the average bear about?

I'm "obsessed" with cyanotype printing. It is an alternative method of developing photographs that was developed in the 1800s. The developed cyanotype photograph comes out a very beautiful blue (cyan) when exposed to the sun. I've learned to change (or tone) the color to other colors by using natural botanicals. My current favorite is to soak the final blue cyanotype print in ground oak gall (collected from oak trees on a recent visit to Agoura Hills in the LA area). Then, I soak it a second time in ground bay leaves from my very favorite bay tree on my commute. It turns the blue print to a beautiful, warm, yellowish grey. I live for it!

What is your favorite legal book and why?

'The New Earth,' by Eckhart Tolle. For me, both the reason and the solution to every legal dispute is answered in this one book. After 25+ years in the profession, this book has helped me start to glimpse the very top level of how everything connects in this career. Why we do what we do.

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