

# NOCALL NEWS

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

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## PRESIDENT'S MESSAGE SPRING FORWARD

As I write, we have just “sprung forward” with daylight saving time. But “Spring Forward!” may well qualify as NOCALL’s motto. You need not look far for the latest example. Just check out our redesigned website, the brilliant inspiration of our Technology Committee Chair, David Holt. David and Julie Horst have also seamlessly migrated our website to a new, less expensive platform, with options for enhancements of the kind that David has so skillfully made.

I hope that you will join us for our Spring Institute, “[California Regulatory Research, No Fool’s Game.](#)” (If you haven’t registered yet, don’t wait any longer!) Ramona Martinez and her Spring Institute Committee have planned an all-day series of programs with subject experts, including our colleague Richard Schulke. The Institute will feature a networking event at the UC Davis Mabie Law Library with [Malcom Kushner](#), an acclaimed speaker on communication and humor.

Our Business Meeting will take place in San Francisco on May 18th between 11 a.m. and 1:30 p.m., so please mark this date on your calendar. An announcement will follow soon about the venue and registration. At the Business Meeting, we will act on three measures now under review for compliance with AALL requirements. Two of the proposals involve amending our Constitution’s provisions on anti-discrimination and presidential succession; the third, a resolution, concerns disapproval of President Trump’s Executive Order 13769 on immigration. Of course, before the Meeting, I will post the final versions.

The Business Meeting affords us a chance to complete a singular initiative that NOCALLers pursued at our NOCALL Connections luncheon in February. Thanks to Leslie Hesdorfer, Hanson Bridgett generously hosted the luncheon, allowing participants to fearlessly face a special challenge: now that we have an official song - “[the Age of Librarians](#)” - who (or what) should serve as our official mascot? They offered several creative suggestions. Don’t miss your chance to make NOCALL history by selecting our mascot! Please contact Leslie or me if you have suggestions for us to consider at the Business Meeting.



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“Wait a minute,” you may be asking, “if we already have a cool song as our anthem, why do we need a mascot?” For an answer, I credit Corie Dugas, the Secretary of the Mid-America Law Libraries Association (MAALL). I met Corie at AALL’s 2016 Annual Meeting. I was smitten with the adorable stuffed mascots displayed in the MAALL poster board - the prairie dogs Marbury and Madison. Corie is not one to miss an opportunity: she had me pose in front of the poster board with Marbury and Madison, took my picture, posted it [here](#), and then tweeted, “Hey [#nocallpopup](#), you need a mascot too!” ([#nocallpopup](#) was our hashtag for announcements about where to find our amazing giveaway, a pop-up kite, at the Meeting.) Corie’s tweet was a revelation. I asked myself, “Why shouldn’t NOCALL have as much fun as MAALL with our own mascot?” Members could even play a version of “Where is Waldo,” as MAALL members do, with pictures of themselves and the mascot at NOCALL events.

I encourage you to attend the AALL Annual Meeting in Austin, “[Forgo the Status Quo](#).” This year it’s NOCALL’s turn to plan the Pacific Chapters’ Joint Reception. Three cheers to Past President Ellen Platt for undertaking NOCALL’s preparations. We still need help to organize a NOCALL social at a local restaurant or bar,

so if you can help us, please contact our Networking Committee Chair, April Eudy.

In closing, I want to remind you that we need ... **YOU** to spring forward and join at least one Committee, especially our Awards, Archives, Public Relations, Community Service and Public Access Committees. Our Community Service Committee has been supporting the Prisoners Literature Project in Berkeley, so please consider joining us to match books with requests from prisoners throughout the U.S.. The Project also welcomes book and cash donations. The Committee’s next shifts are on March 19th and April 23rd. I would be delighted if you could help revive the Public Access Committee. It has many unexplored possibilities for action, such as a pro bono collaboration with a local Bar association or legal advocacy organization.

See you soon at our wonderful Spring Institute!

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### NOCALL News

The NOCALL News is published five times a year by the Northern California Association of Law Libraries, a chapter of the American Association of Law Libraries, and is a benefit of membership.

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## MUSINGS FROM MARK

Mark Mackler

You might remember that my last day of work for the California Department of Justice was December 30. You might also remember that for better or for worse, I had agreed to continue “Musings.” And so, here is the first “Musings” which I now write in my new status. Today, I want to share with you four things I have learned about myself in the past few months.

First: On workdays, I would get up by 5, and usually arrive at work by 6:30 am. The getting up part really hasn’t changed too much. I have learned that morning people are morning people, and the concept of staying in bed until 8 or 9 is far too weird for me to contemplate.

Second: I was accustomed to receiving a never-ending tide of e-mail. Now, I still get plenty of legal and library news-related e-mail, along with personal e-mail. But the reference requests have stopped, thank God. What really disturbs me is that I still feel compelled to check my e-mail much more than I should. Old habits die hard, I guess.

Third: Need to clean the garage! Need to wash the car! Need to pull the weeds! Need to buy kitty litter for Elsie, Walter and Jesse! These are all self-imposed deadlines, and I absolutely needed to check them off the “to do” list before Monday morning came. Now, I am working on my new mantra: “Well, I didn’t get to it today but tomorrow is another day.” I’m reminded of the Downton Abbey episode where the dowager countess (Maggie Smith) says, “What is a weekend?”

Fourth: Some of you know that in early January I came down with a cold which led to a cough which led to a bout with pneumonia. I’m doing a lot better now, but the experience has led me to recall something my grandparents once told me: When you have your health, you have everything. (Good grief, I can’t believe I’m citing my grandparents!) I have put all my immediate plans for 2017 such as part-time work and volunteer activity on hold until I feel 100% better. For

someone who is used to excellent health, and always doing something all the time, the experience has been incredibly frustrating. But on the positive side, this has made me slow down and realize that I will have plenty of time down the road to accomplish what I want to do.

I welcome your thoughts and comments.

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## PROFESSIONAL READING IN REVIEW

Elisabeth McKechnie, U.C. Davis Law Library

**“The Home Stretch to the Next Deanship: Part V of the Education of a Law Librarian,”** by Robert C. Berring, *Legal Reference Services Quarterly*, vol. 35 issue 4, pp. 215-230 (a Taylor & Francis publication).

I’ve come late to this party, only now discovering that Bob Berring, that noted law librarian’s “law librarian” from UC Berkeley, is publishing his autobiography in serial form! The book itself, *Education of a Twentieth-Century Law Librarian*, begins in 32 *Legal Reference Services Quarterly* 1 (2013) and the final chapter will be published in volume 36, issue #1. Why read this? You’ll get a well-rounded history of law librarianship from paper to the information revolution. More important, Bob is funny and it’s an entertaining read (something that library literature mostly fails at). His description of Luddite faculty as a herd of steers being jockeyed across a river by cowboy-librarians still has me giggling.

**“How Large is the ‘Public Domain’? A Comparative Analysis of Ringer’s 1961 Copyright Renewal Study and HathiTrust CRMS Data,”** by John P. Wilkinson, *College and Research Libraries*, February 2017, Available via EBSCO.

Currently, organizations like Project Gutenberg draw the line at books in the public domain at 1925 due to the complexity of U.S. copyright law. But the two studies discussed in this article show it ain’t necessarily

so. The 1961 Copyright Office study on renewals showed that many authors had failed to renew their copyrights 28 years after publication, rendering an estimated 93 percent of books published from 1923-1963 no longer protected by copyright. Recent work by the HathiTrust finds a smaller percentage, about 50% of these books now in the public domain. The size of the corpus is estimated at between 1.8 and 2.2 million volumes that could be digitized and preserved in electronic format. The discrepancies between the studies will need to be harmonized before any large digitization project can begin.

**“Can Student Assistants Effectively Provide Chat Reference Services? Student Transcripts vs. Librarian Transcripts,”** by Vera J. Lux and Linda Rich, *Internet Reference Services Quarterly* vol. 21, issue 3-4, pp 115-139, 2016.

The title pretty much sums up a college administrator’s dream: replace librarians with student workers who come much more cheaply. The article opens decrying the fact that librarians often need to justify reference time spent and the cuts in reference services. Bowling Green’s librarians, working from a history of using student workers to answer directional and easy reference questions, instead put them on the library’s chat reference service, then compared their transcripts with those of librarians. In its literature study, the article summarizes other experiments using student workers to staff reference with a variety of results. Their findings? When identifying known items and providing referrals, the librarians beat the students, but in many measures the performance was judged equal. In 88% of their transactions the students successfully helped the users and got more expressions of appreciation. While the article suggested that librarians offered better results in complex questions and should take the lead when both are on staff, it doesn’t look good for the librarians.

**“When Librarians Are Silenced,”** by Francine Prose, *New York Review of Books*, October 14, 2016, available at: <http://www.nybooks.com/daily/2016/10/14/kansas-city-librarian-arrest-for-defending-free-speech/>  
Also see: <http://www.kansascity.com/news/local/crime/article114971713.html>

This particular news item didn’t make it to the national news because the library itself suppressed it, hoping that the local DA would drop charges against one of its librarians and a local activist who asked a question during a library-sponsored talk. On May 9, 2016, the library in Kansas City sponsored a lecture by a former diplomat. Although the library normally doesn’t have onsite security guards, two off-duty law enforcement were hired because of the diplomat’s presence. The rest is sad history. The activist asked a tough question, the cops grabbed him, the librarian intervened to defend the activist’s right to free speech and the cops arrested them both for trespassing. In a public library. In which the librarian was employed. Later the librarian was offered a plea bargain for community service if he signed a form undertaking not to file his own civil suit against local police and the private cops acting as security. They refused the offer. A newspaper search turns up nothing further, it may still be pending. If you attended the ALA Midwinter meeting, you might have seen Mr. Woolfolk, since he was an invited speaker on the topic of public gatherings. Needless to say, there has been much discussion about the incident. The commonest conclusion? Don’t hire cops for security at your Free Speech gathering!

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## WHAT ARE YOU READING?

Nora Levine

**Predictably Irrational: The Hidden Forces That Shape Our Decisions** by Dan Ariely

Well written, engaging, informative and entertaining book by a behavioral economist at MIT. It explores why we make less than optimal decisions, such as purchasing two of something to get one free when what we originally intended to purchase just one, and

of a different brand. Ariely includes descriptions of many experiments to illustrate his theories.

I recently finished binge reading two diverting mystery series by Mississippi Delta raised author Charlaine Harris. The first was her “Midnight, Texas” series which is comprised of three novels: [Midnight Crossroad](#), [Day Shift](#), and [Night Shift](#). The second, the five-part “Lily Bard Mysteries” set in the imaginary town of Shakespeare, Arkansas includes: [Shakespeare’s Landlord](#), [Shakespeare’s Champion](#), [Shakespeare’s Christmas](#), [Shakespeare’s Trollop](#), and [Shakespeare’s Counselor](#).

*Mark E. Estes*

*Bernard E. Witkin Alameda County Law Library*

### [Hillbilly Elegy: A Memoir of a Family and Culture in Crisis](#) by J.D. Vance

This past fall Mr. Vance’s book enjoyed soaring popularity and promotion as a result of the numerous interviews he gave. Mr. Vance, currently a resident of Silicon Valley, grew up in Middletown, OH, and spent his summers in Jackson, KY with his grandparents. The story he tells is of the migration of large numbers of people in the 1960s and 1970s from Appalachia (in particular Kentucky, but also West Virginia and Tennessee) to Ohio (as well as Michigan, Indiana and Pennsylvania) in order to get better paying jobs. His grandparents did this for a couple of different reasons (an unexpected pregnancy before marriage and the desire for a better paying job), and found that while they could get better paying jobs, a number of the supportive aspects of close knit families were missing in their new location.

Mr. Vance attempts to apply his experience (which was similar to many others’) to explain the phenomenon of rural white people switching their support from the Democratic Party to the Republican Party. The author presents himself as the exception in that he “escaped” the poverty, drug addiction, and educational shortcomings of the environment. He was eventually able to attend Yale Law School and has had a very successful career. His main premise is that he had a loving and supportive home life (his grandparents

basically raised him) which allowed him to believe in himself and develop healthy habits.

My parents made a journey similar to Mr. Vance’s grandparents at about the same time (he is 33 years old and I am 57). Mine moved from the hollers of West Virginia (none of my West Virginia relatives had indoor plumbing) to southern Ohio in 1959. I was born about 30 miles from where J.D. Vance and his mother were born and I experienced many of the same things that his mother did. It is amusing to me that he and I came from the same background and both ended up in San Francisco (unfortunately, I missed the Yale opportunity). I found his story compelling and, yes, a little didactic. But it resonated with me and I am glad that he wrote it.

The book has been praised by the left (and some on the right) as an explanation for the election of Donald Trump, but it has also been criticized by the right as a simplistic view of Donald Trump’s ascendancy. Read this *New Republic* article, [“J.D. Vance, the false prophet of Blue America,”](#) after you have read the book.

**Ed. Note:** An update. From the 3/16/17 *New York Times*: [Mr. Vance is returning to Ohio.](#)

*Edward Hosey*

*9th Circuit Library*

### [Hillbilly Elegy: A Memoir of a Family and Culture in Crisis](#) by J.D. Vance

Mr. Vance’s book reminds me, in a certain way, of the book by Barbara Bradley Haggerty entitled [Life Reimagined: The Science, Art, and Opportunity of Midlife](#). They are not the same topic, but they both share a mix of memoir and statistics that I find in equal parts interesting and boring.

This is a must read for anyone who wants to change the outcome of the next election. This book has given me a better understanding of some of the problems facing depressed parts of the country. The memoir provided by Vance is supported by statistics and references as well as a good understanding of the social structure of ‘hillbilly’ families in relationship

to government and court programs. There is also an interesting discussion of blame throughout the book. The underlying description of the culture and its development leads me to understand why some of these people (I am guessing they voted for the 45th president) would be hard pressed to change their minds about the president. I also think, from this story that if the president doesn't do what he promised they will find others to blame.

The problems are not just that there are no jobs, as the author explains. The problems go far beyond that, including teen pregnancy, high rates of divorce, domestic violence, and a culture that people outside of the area do not understand. Well worth a read.

**Jane Steele** by Lyndsay Faye

"The reimagining of Jane Eyre as a gutsy, heroic serial killer." The lingering thought about this book is an ethical dilemma. I ended up liking the story a lot. It was very dark and I found it hard to read the first several chapters. I had to intersperse light podcasts with some of the darker chapters, especially at the beginning. The story gets only marginally lighter at the end. It wasn't a book I would have chosen for myself, but I respect the person who recommended it and found that it was worth a read. This would be a great book for an ethics class. Murders are committed. On one hand they can be justified as protecting weaker people, though murder is wrong.

In preparation for this book I read [Jane Eyre](#) by Charlotte Bronte. Perhaps I used Jane Steele as an excuse to read Jane Eyre since I seemed to have missed reading it in high school and college. Jane Steele (the character) refers often to sections of Jane Eyre, as it is her favorite book. That said, I don't think a reader has to read Jane Eyre to understand this book. The plot loosely follows Jane Eyre, but stands on its own. Reading Jane Eyre first did add a layer to the reading of Jane Steele and there were some "not-quite" jokes that I understood because I had just read Jane Eyre.

*Jaye Lapachet  
J8 Consulting*

**A Gentleman from Moscow** by Amor Towles

A Russian aristocrat, a "non-person" after the Russian revolution, is placed under house arrest at the Hotel Metropol right in the heart of Moscow. His little world is a microcosm of what's happening outside the hotel, and you'll fall in love with this man's spirit. I loved his first book [Rules of Civility: A Novel](#), but this one won over my heart!

**Ed. Note #2:** I will vouch for *Rules of Civility*. A compelling story told with insight and wit and beautiful prose.

*Michael Saint-Onge*

*LexisNexis Librarian Relations Group*

**Ed. Note #3:** Shameless plug for my recent review of Ruth Ware's entertaining new thriller entitled [The Woman in Cabin 10](#). If you enjoyed her first novel, [In a Dark, Dark Wood](#), you'll find this an engaging and diverting whodunit, or rather, was anything actually "dun".

I believe both have been optioned for the screen, as has *Rules of Civility*.

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## A MODEST PROPOSAL ON PROPOSITIONS

Michael Stoler

Hey, does anyone remember the last election? I imagine many of us have tried to blot it out of our recollection. But I'm not talking about the Presidential section, but about the ballot propositions. Seventeen! Some of them mutually exclusive! But the quantity I could deal with. There was another issue. This past November's ballot (and remember, starting in 2011, because of SB202 of that year, Ch. 558, propositions only appear on the **November** ballot, not the primary one in June or any other) featured a Proposition 65. It was a nasty piece of work, a sneaky attempt by the petrochemical industry to stop a statewide ban on plastic bags by [calling for a recycling program that couldn't succeed](#). (Full disclosure: this is my wife's website. But her writing is much less dense and more readable than mine, so I don't feel bad about directing

you to it.) But every time I heard or made reference to “Proposition 65”, I thought, “Wait. We already have a Proposition 65. It’s posted on virtually every building. Are we voting on the same thing again?”

The same issue had arisen a few years before. In 2010, we had a Proposition 13. Not **the** Proposition 13, the one from 1978 that limited property taxes and which some see as a great victory for the people against overreaching government, and others as unfair and hobbling California’s progress. I remember being confused in that election, too, though it could have been about whether the Edmund Brown running for governor that year, with the same name as the one who had run in 1978, could really be the same guy. (Or was he the one who ran in 1958?)

The problem is that California’s commitment to recycling has been extended to the numbers for ballot propositions. When the state instituted initiatives and referenda in 1911, the numbers started at 1 each year. In 1914, there were 48 ... I guess people got a little too excited about new tool of democracy. ([The state’s page about them](#) is not too impressive, but our own local UC Hastings has a [repository of ballot propositions](#) which is wonderfully comprehensive [and contradicts the SOS’s page’s assertion that ballot measures were not numbered until 1914 by providing the numbers. Hmm.] And [Ballotpedia](#), a tremendous resource on public officials and elections -- I’m sure many of us have used part of it, Judgepedia, for compiling judicial profiles -- has a staggering amount of information on [ballot measures in EVERY state!](#) Neither Lexis nor Westlaw has a separate ballot measures database.) But in 1983, the legislature passed AB 174 (Stats. Ch. 122,) which created Elections Code 10219.5, which specified that after the November 1982 election, the numbers would not return to 1 for 20 years, but rather run continuously, like the pagination in the volumes of scholarly journals (as opposed to magazines, which start at 1 for each issue.) For those of you playing along at home, 10219.5 no longer exists; in 1994, the Elections Code was completely reorganized [SB 1547, Stats. Ch. 920], and this section became 13117.

Unfortunately, the legislative history, the floor analyses and committee reports for the 1983 law, aren’t on the Leginfo bill tracking site; the [current version](#) only goes back to 1999, and the [old version](#) -- just leave out the “legislature” part from the URL -- only to 1993. The only downside is that while the new site allows you to search by Statutes chapter number, the old one requires the bill number, though generally the Deering’s or West annotated codes will have both. Otherwise, you have to go to the [Assembly Clerk’s page](#) and look in the archive for the conversion table. Thanks to Jennifer, my colleague at the SF Law Library, for pointing this out to me. If anyone has the analyses and reports, in hardcopy, I guess, I’d be interested in seeing them. Meanwhile, Lexis and Westlaw have some California legislative history material of various kinds, but most of it goes back to the early 90s, no further than Leginfo.)

The only other legal or government document I can think of whose numbers rise with no reference to date is the series of Presidential Executive Orders. Presidents had always issued executive orders, but it wasn’t until 1907 that anyone -- it happened to be the State Department -- began compiling and numbering them, starting with the earliest one they had on file, issued by Abraham Lincoln in 1862. They reached the 800s, but they only had in their files a fraction of those that had been issued; as they found many times more stuffed in drawers and office cabinets and Cabinet offices, they gave them intermediate government documents numbers, though they are still considered “unnumbered”. (My source for this is a great book called “Presidential Executive Orders Numbered 1-8030, 1862-1938,” edited by Clifford L. Lord, available in hardcopy in the UC Berkeley Doe Library Reference Room, but also [online!](#) I couldn’t find a really good government source for EOs: the [National Archives page on EOs](#) theoretically covers 1945 to 1989, but not in a user friendly manner; [GPO’s site](#) has them going back to 1992, but mixed in with other sorts of Presidential documents; they are on the [Code of Federal Regulations page](#) as part of Title 3: The Presidency, under Proclamations, going back to 1996; and that of

the [Federal Register](#) only goes back to 1994. But there is a great private source: the [American Presidency Project at UC Santa Barbara](#) starts in 1826. Lexis, Westlaw, and HeinOnline also have collections of them.) As I write this, we've experienced EO 13781, but new ones are coming thick and fast, so I'm sure the number will have gone higher by the time this gets online. Meanwhile, in California, the numbers of the Governor's executive orders restart with each holder of the office, preceded by the first letter of their surname and followed by the last two digits of the year (so that Jerry Brown's order of last May, "Making Water Conservation a California Way of Life," is B-37-16. Click [here](#) for an archive.)

Back to California propositions: by 1996, we were up to 217, and some counties were having trouble with the punches on the ballots. I'm not sure exactly what this means, but it's in the [legislative analyst's/Senate floor report](#), which is recent enough that it IS on the OLD Leginfo site.) So the solons decided to go back to 1 again, only now, the renumbering would happen every **10** years, not 20 (AB 3092, became Stats. Ch. 58.) The law says that it goes into effect on January 1, 1997, but also specifies that the renumbering will begin with the November 3, 1998 election. By that time, we were voting on Proposition 227.

So that's why we have these cases of mistaken identity. Now, when I was telling my mother (in [New Jersey](#), where they just have a few ballot measures per vote) about this, she asked if the identically numbered propositions were on the same topics, at least. Well, yes: the 2010 Proposition 13 aimed to "Provide that construction to seismically retrofit existing buildings will not trigger reassessment of property tax value, regardless of the type of building." The 2016 Proposition 65, it could be argued, also dealt with cancer-causing chemicals (plastic is full of them,) though that's probably not what the bag advocates were trying for. But the 2016 Proposition 61 covered "State Prescription Drug Purchases - Pricing Standards" while back in 1986 it concerned "Compensation Of Public Officials, Employees, Individual Public Contractors." This past year's

Prop. 63 was about restricting ammunition sales, as opposed to the one thirty years earlier, which made English the official state language. So a measure with the same number as a previous one is in no way intended as a follow-up to it.

Renumbering happens in other circumstances. The Air Force (well, originally the Army Air Corps, then the Army Air Forces, then the US Air Force) had been numbering its fighter planes since the P-1 in 1923 ("P" stood for "pursuit"; they switched to the prefix F in 1948,) while the Navy had its own system (using F, but numbering the products of each company separately, indicating it by a letter suffix, so that the fourth plane built by Grumman was the F4F, while Vought's fourth effort was the F4U.) The USAF got up to the F-111, but in 1962, the two services unified their systems, so that there has been and will be only one F-14, F-15, F-18, etc. (There is an F-117, the stealth fighter, but that number has a different source.) The bombers got up to the B-70 (which sounds as if it could be one of Jerry Brown's executive orders) before they went back to the B-1. Army tanks, meanwhile, reached number M60, but then reverted to the M1 in the late 70's.

So what do other states do? Ballotpedia has a summary of the propositions across the country for each year (it also breaks them down by state.) Twenty-six of the states have some kind of direct legislation. In several, they distinguish between laws and constitutional amendments and other things (e.g, measures placed on the ballot through initiative versus those placed by the legislature,) numbering them in different series. It appears that in almost all states, they renumber each year (or if they use letters, like California local propositions -- of which Ballotpedia also has a [database](#) -- start over with A,) as California used to do, or have just been letting the numbers run since they started. Oklahoma voted on Measure 1 in 1910 and is up to 792. Oregon stopped renumbering each year in 1996, but in 2006 went from 99 to 1; I thought perhaps their ballots only have room for three digits, but they had a Measure 100 last year, so we'll have to keep an eye on them across our northern border. South Dakota, the first state to allow



for initiatives in 1898, renumbered or relettered each year until 2006. Washington started in 1910 just titling propositions by what they amended, but now has a complicated multi-category system so that in the 2016 election they had several initiatives numbered in the 700s and others in the 1400s. (Apparently, they assign a number as soon as supporters register the measure and begin collecting signatures, whereas California waits until the measure has qualified, though we do assign numbers to each possible initiative when signature gathering begins. Look at the last few pages of [this table](#).) Colorado started letting its numbers increase over the years in 2000. Arizona starts each year with Props 100, 101, 102, and also 200, 201, 202, and 300, 301, 302, for different types of measures. In Montana, the numbers for referenda and initiatives have been allowed to rise towards the Big Sky since 1918, while amendments get renumbered each year. So California is pretty unique.

Well...actually, Illinois, starting in 2008, just uses titles! This seems like a good idea, but who decides on the names so that they don't become tendentious? According to [Illinois Compiled Statutes, Chapter 5, Section 20/2](#), it's the Attorney General who writes the "title," which there and in California as well refers not just to the name, but to the description as well. Still, in 2014, there was a "Millionaire Tax for Education Question." In California, remember how in 1994 supporters of Prop. 187, officially called "Illegal Aliens. Ineligibility for Public Services. Verification and Reporting," promoted it as the "Save Our State" initiative? I mean, everyone -- legislators and private citizens -- would want to call their proposition "Better California" or something. We've already had [lawsuits about ballot descriptions](#) and a [move in 2009](#) to take the power for writing them away from the AG and give it to the Legislative Analyst. Using names rather than numbers would be like the scene in the movie "Reservoir Dogs" in which the mastermind of a jewel heist assigns color-based aliases to the members of the team he's assembled for the job, and when "Mr. Pink" objects, asking why they can't choose their own names, shoots back, "Because then **everyone** wants to be Mr. Black!" Also, names can be cumbersome;

think of how many syllables we save by saying "Prop. Sixty-Five" rather than "the Safe Drinking Water and Toxic Enforcement Act of 1986"! (I count 15.)

Also, I've heard it said that California has far more ballot propositions than other states, but my researches indicate that this isn't necessarily true, at least, not by huge margins or orders of magnitude. I don't think it's a reason for California to use a completely different system.

So why does this matter? Because in the course of our researches, we're often called upon to find items -- cases, laws, regulations, what have you -- by number. We've all had the experience of getting bad citations that don't exist, and trying to figure out what the correct one is. Or vague citations, ones that are not fully specified. But I'm sure most of us have also faced the challenge of **ambiguous** citations. When the US Supreme Court denies a writ of certiorari, or the California one denies review, it's usually just a single sentence, so a lot of these opinions can fit onto one page of the reporter, and thus all have the same citation. If we have no other data (such as a subject, or involved names,) how can we be sure we have the right item, the right proposition?

There are other situations in which, to avoid confusion, differentiation of designations is mandatory, one of which affects an important part of the California economy. It's not just a good idea for actors to have names that will set them apart from all others of their profession; it's the rule of the guilds [SAG-AFTRA](#) and [Equity](#). This is one reason why so many actors change their monikers, if they have common names, or use middle initials (e.g., John C. Reilly and William H. Macy) or middle names (e.g., Philip Seymour Hoffman. You can look on the [Internet Movie Database](#) to see whom they would otherwise be confused with -- they're pretty obscure, but still, they were there first.) But why "Taraji P. Henson?" It's not as if there is another Taraji Henson out there. Or all these kids with three pretty unique names -- is there another Haley Osment, so that the star of "The Sixth Sense" needs to distinguish himself with "Joel"

in the center? As scientists of information, we know that fundamentally it's based on, made up of, binary distinctions, for instance, 0's and 1's, that must be represented in some medium. We need enough bits to avoid ambiguity and tell different things apart, but too many become redundant, and waste space in the storage units (such as our brains.)

And I'm sure that those of us who run people searches, for example, to find addresses to which to serve subpoenas, wish that EVERYONE had to have a unique name, so that of all the John Smiths and Maria Vasquezes in Bakersfield we could be sure we had the right one. Or even when we try to find all the cases in which a certain attorney has been involved. Hey, California Bar Association, would you consider taking a page from Actors Equity's book, and making lawyer members take unique stage – or courtroom - names? (“We already assign unique bar **numbers**,” they might respond.)

So here is my modest proposal: sports teams honor outstanding players by retiring their numbers. Northern California's preeminent baseball team, the Oakland Athletics, will no longer assign anyone Rollie Fingers's 34 nor Catfish Hunter's 27 nor Reggie Jackson's 9 (nor any of their mustaches,) while that other Bay Area team has put out to pasture Willie Mays's 24, Juan Marichal's 27, Orland Cepeda's 30, and Willie McCovey's 44, among others. And in recognition of his groundbreaking courage, all teams have retired the 42 Jackie Robinson wore for the Brooklyn Dodgers. So why not do the same with ballot measure numbers, so that if the proposition passes, its number would never be used again?

This might be simplistic, though. I was wondering if there were any propositions that were famous for failing (or although they failed;) esteemed columnist emeritus Mark Mackler suggested Proposition 6 from 1978, which would have banned LGBTQ people from becoming teachers. And not all the propositions that pass each year are terribly important (in my humble opinion;) not every one is a 187 or 215 - do they all really merit permanent retirement of their numbers?

Perhaps it should be left up to the Legislature to decide. Or the Baseball Writers of America.

One more point: in my research on the laws that specified the schedule of renumbering, I made a probably common error, mistaking the year of a bill, AB174, looking for the one from 1982 rather than 1983 -- nothing to do with one another. Assembly and Senate bill numbers go up into the thousands each session. And yet, they are sometimes used in popular media to refer to specific bills, with no specification of year. [This radio story on the California Report](#) centers on “AB109”, which “realigned” California jails and prisons. Well, the AB109 from **2011** did; the one from 2015 concerned developmental services, while that from 2013 affected the budget. But this issue goes beyond California; at this point, most of us have heard of “SB 1070,” the 2010 Arizona law that required law enforcement officers to check the immigration status of anyone they stopped for any reason. Usually when it is discussed, the name of the state is included, which is good, because almost every state has a Senate and thus an SB 1070, for each legislative year. That's a lot of SB 1070s. Similarly, North Carolina's anti-transgender (and anti-local-control) “bathroom bill” has become known simply as “HB2,” and since it was passed in a special session, [wasn't even the only “North Carolina HB2” for that year](#). I know that its official name, An Act to Provide for Single-sex Multiple Occupancy Bathroom and Changing Facilities in Schools and Public Agencies and to Create Statewide Consistency in Regulation of Employment and Public Accommodations, is quite a mouthful, but two letters and one digit aren't even a sip of water. Perhaps there is a solution somewhere in the middle, but perhaps instead of looking for one we should concede, even embrace, that diverse approaches will work for the diverse members of the community that we as law librarians serve, and that we should take the lead in supporting all of them.

## EREADER LIBRARIAN'S DIGITAL BOOK REVIEW

*Reviewing free and low cost digital books for Kindle, iPad, Nook and other tablets.*

**Elisabeth McKechnie,  
UC Davis School of Law, Mabie Law Library**

\*Book prices will be listed where available; All prices are accurate as of writing date and may have changed by the time this column goes to press.

### **The Scavenger's Daughters**, by Kay Bratt

Published: Lake Union Publishing

Price: \$1.00 at Amazon

Formats: kindle

This is the first of five books, but after the first, you'll want to finish the set. Benfu, a former prisoner in Mao's China, now works as a scavenger. While scavenging for bits and pieces to sell, he finds and adopts a variety of infant baby girls who have been abandoned by their parents because of the "one child" policy. Because of his large family, he is condemned to a life of material poverty but much love as each daughter grows and matures. This is their story and it's heartwarming and absorbing while giving a real flavor of modern China. The author has spent many years living in China and knows what life is like for the poorer citizens there.

### **The Search After Happiness**, by Charlotte Bronte

Published: Project Gutenberg

Available at <http://www.gutenberg.org/ebooks/54254>

Price: Free

Formats: html, epub, pdf

This is probably more a curiosity than a great read, but this book is an example of Charlotte Bronte's juvenilia, the cover hand-penned by her. The book itself lacks paragraphs but has been faithfully transcribed by Gutenberg. If you want to see what Bronte was writing before her classic Jane Eyre, here you are. As far as I know, it is not published elsewhere.

### **Medieval Underpants and Other Blunders: A Writer's (& Editor's) Guide to Keeping Historical Fiction Free of Common Anachronisms, Errors, & Myths**, by

Susanne Alleyn

Published: CreateSpace Independent Publishing Platform, 3rd ed. 2015

Available: amazon.com

Price: \$3.99

Formats: kindle

This one isn't just for frustrated writers of historical fiction. It's good for frustrated readers of historical fiction as well, pointing out the errors in many current (and not so current) works of fiction. I found it very entertaining for just that reason and strangely comforting as well, that my particular nit-picks were shared by someone else.

## Spring Business Meeting

May 18, 2017

Marine's Memorial Club  
San Francisco

Please join us for the NOCALL Spring Business Meeting. At this meeting, we will swear in our new officers and honor recipients of our Professional Achievement and Advocacy Awards.

[Register online](#) before May 9th.

*Spotlight on...*

## Jessica Brasch

### ***How did you choose law librarianship as a career?***

I'm a former lawyer turned law librarian. After graduating from Boston College Law School, I landed what I thought was my dream job: working for a boutique plaintiff's side employment firm in Boston. While I enjoyed many aspects of the practice (like the research, wink wink) I knew early on that I was not cut out to be a career litigator. When my husband and I moved to California to be closer to our families, I took the opportunity to look into ways I could use my law degree other than practicing law, and quickly landed on law librarianship. In 2009, I started the MLIS program at San Jose State and took a part-time position at the California Judicial Center Library, where I have been ever since.

### ***What have you enjoyed the most from being involved with NOCALL?***

The warmth and enthusiasm of the members. I've been involved in professional organizations before, and it felt like people were there out of a mix of obligation and self-promotion. NOCALL events are fun, low-pressure, yet always interesting and rewarding. The positive energy NOCALL members bring to the organization is what makes it enjoyable.

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

To stop, take a deep breath, and even sing to yourself: "slow down, you move too fast ..." Especially working for the courts, our job as law librarians is not to produce the quickest answer, but to provide answers that have been fully researched with accurate, authoritative citations. Slowing things down, or even walking away and coming back later, often leads to higher quality work.

### ***What would people be the most surprised to learn about you?***

I'm more adventurous than my demeanor might suggest. I'm a certified scuba diver; I've been skydiving several times (once over the Swiss Alps); and I was lucky enough to do the Zero G experience (parabolic flight to experience weightlessness) a few years ago.

### ***What is your favorite legal book and why.***

*Henke's California Law Guide*. Having attended law school and practiced in Massachusetts, I knew very little about California law when I started working as a law librarian. (I didn't even know what Witkin was – gasp!). *Henke's California Law Guide* has been an invaluable resource. I still refer to it often, especially when grappling with obscure legislative or regulatory history resources.

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

*When Everything Changed: The Amazing Journey of American Women from 1960 to the Present*, by Gail Collins. My husband gave me this book for Christmas in anticipation of the Women's March on Washington, which I attended with my mom and sister. Not only did I appreciate the thoughtfulness of this gift, it has given me an opportunity to read something other than *Look & Find: Elmo* with my 2yo or *Lego Ninjago: Secret World of the Ninja* with my 4yo.

**NOCALL BUSINESS MEETING**

January 19, 2017

12:45 p.m.

Gunderson Dettmer, Redwood City

**PROPOSED MINUTES**

President Michael Ginsborg called the meeting to order at 12:52 pm.

**Welcome**

Michael Ginsborg welcomed attendees, and thanked Cara Johnson and Gunderson Dettmer for hosting this event.

**Old Business****1. Approval of proposed minutes**

Proposed minutes were presented for the September 22, 2016 Business Meeting. Michael Ginsborg made a motion to approve the minutes as written; motion was seconded. Minutes were approved by a vote of all present.

**New Business****1. Announcement of Candidate Slate for 2017 election**

Michael Ginsborg announced the slate of candidates for the upcoming election:

- VP/President Elect: David Holt
- Secretary: Jodi L. Collova
- Board Member at Large: Sarah E. M. Lin
- Board Member at Large: Cindy Beck Weller

Michael expressed his thanks to the Nominations Committee, Diane Rodriguez, Jocelyn Stillwell, Mark Estes, Amy Wright, and Michele Finerty, for their work in selecting this slate.

Secretary Mary Johnson will send a follow-up email to the listserv, with details about the election process.

**2. 4-Corners and Community Service**

The holiday 4-Corners events were fabulous and well-attended. We were able to collect many toys for Sleep Train Foster Kids. Michael thanked the Networking

Committee members April Eudy, Rose Turner and Jocelyn Stillwell for their efforts in continuing this tradition.

The NOCALL Connect Luncheon will be held February 16 at Hanson Bridgett in San Francisco. This event will allow new members to explore options for contributing to NOCALL, and offer them an opportunity to meet and network with NOCALL officers, chairs, and mentors. The event will include a team-building activity with an outcome that will be presented at the May Business Meeting.

Michael Ginsborg invites all to join him and other NOCALL volunteers at the Prisoner Literature Project in Berkeley, a service that delivers books to inmates at state and federal institutions. Volunteers help match books to inmates based on their interests. Michael hopes more NOCALL members can volunteer, contact him for upcoming dates if you are interested.

Michael Ginsborg has reached out to Bay Area Legal Assistance, to explore implementing a project for firm librarians to provide pro bono legal research.

**3. Call to restore Archives, Community Service, and Public Access Committees**

The Archives, Community Service, and Public Access committees are currently without chairs; if you are interested, please contact Michael Ginsborg.

Stanford is currently housing our physical archives, and using their Archive-It program to download content from the NOCALL website. This is only an interim approach to archiving NOCALL materials; we need to find a permanent solution. Michael hopes that someone with an interest and know-how can step in to take over the Archives Committee.

**4. Spring Institute Committee Report**

Ramona Martinez reports that the Spring Institute will be held April 1st at the UC Davis Alumni Center. Registration will be \$75. Breakfast and a lunch buffet will be offered. A networking event the previous evening is being planned. The website for the Institute

is up, and linked from nocall.org. A hotel block has been reserved at the hotel on campus. Attendee and vendor registration will begin soon.

The Keynote Speaker will be Administrative Law Judge Jodie Berger. Sessions will include How California Regulations are Promulgated, How to Find Current Regulations, and How to Research California Regulatory History. Richard Schulke will be one of our program presenters.

Ramona is working with several NOCALL members to plan this event. Coral Henning is coordinating catering; Michele Finerty is providing on-site logistics; Claudia Cohen is working with vendors; Jessica Brasch will coordinate registration; and Maribel Nash will be assisting with publicity.

NOCALL received an AALL Continuing Education Grant of up to \$2500 to offset costs. As a condition of the grant, the Institute's programs will be videotaped. AALL VIP Emily Florio, AALL Board Member at Large, will attend the event.

Ramona asked for input about providing complimentary registration for sponsors. Sponsors may receive one free registration.

### **5. Budget Report**

Jean Willis reports that we are doing well financially. We have income from the Fall Workshop and membership dues. Membership dues are trickling in; Jean asks that member please be timely in the future. As of December, we have approximately \$37,000 in our accounts. We have not yet incurred many Spring Institute expenses, but those will be coming in soon. The budget spreadsheet will be made available on the website after the meeting.

### **6. Technology/Membership Committee Report**

#### *Technology:*

David Holt and Julie Horst are beginning to plan for a revamping of the NOCALL website, to modernize the design.

David Holt reports that he would like to move the NOCALL website from Network Solutions and Wordpress to Amazon EC2, which would provide a significant cost savings, and allow more modernization and functionality on the website. This transition would be seamless for both website visitors and those who maintain the website. It would require no additional training to use.

David asks that, if you take photos at NOCALL events, you share them with both David and Julie, so that they may be uploaded to our website.

David also recommends that we transition from PBWiki to Google Drive to store and share documents and information.

#### *Membership:*

At the moment, we have 242 active members, and 52 overdue/lapsed members. David recommends performing more outreach to promote NOCALL in order to boost our membership. Prorating membership dues for late payment was discussed, but NOCALL's current policy is only to prorate dues for new members when they join mid-year. David has sent emails to non-renewing members, encouraging them to re-join the group. This did result in a few renewals.

### **7. Website Administrator Report**

Julie Horst has been contacting Committee Chairs, asking them to update their committee charges on the website. This information is used by potential volunteers, so accurate information is important. Chairs are encouraged to include information about how much time they spend on Committee work.

### **8. Nominations Committee Report**

The Nominations Committee has completed its work for this year. Diane has been on this committee for several years, and will only be serving one more year. The committee is moving to a chair/vice-chair arrangement, in which the current chair trains the incoming chair. If you are interested in joining the committee, please contact Diane.

**9. Networking Committee Report**

April Eudy is planning an upcoming social event to see Pride and Joy, a band playing Motown, 70s, 80s and 90s hits, at the 365 Club in San Francisco.

**10. Education Committee Report**

Holly Riccio reported that the Fall Workshop was a success, with 55 members and guests in attendance. The event was sponsored by CEB. Jean Willis and Coral Henning are still working on the numbers, but NOCALL came out ahead financial on the event. Holly expressed her thanks to all who helped in planning and staffing the event. Anyone interested in joining the Education Committee is encouraged to contact Holly.

**11. Awards Committee Report**

Ellen Platt will be sending out a call for nominations shortly for the NOCALL Advocacy and Professional Achievement Awards.

**12. Memorials Committee Report**

Luckily, there has been no work for this committee. Chair Mark Mackler has stepped down, and Jane Metz and Leslie Hesdorfer will be serving as co-chairs. They are looking for 1-2 new members. If interested, please contact them.

**13. Public Relations Committee Report**

If you write an article, please let Emily Bergfeld know, so that she can have it linked from the NOCALL website.

**14. Motion to Approve Age of Librarians as NOCALL's theme song**

Michael Ginsborg proposed adopting "Age of Librarians" as the NOCALL theme song. This song was performed by NOCALL members at the 2010 AALL Annual Meeting, to great acclaim. Michael jokingly warned that, if approved as the theme song, members might find themselves performing this at NOCALL and AALL karaoke events.

Michael moved to approve "Age of Librarians" as the NOCALL theme song; the motion was seconded. The motion was approved by all in attendance.

**15. May Business Meeting**

The May Business Meeting will take place in San Francisco. Michael Ginsborg is looking for a venue; if you can host the event, please contact him.

**16. Tribute to Mark Mackler**

Michael Ginsborg provided a glowing tribute to long-time NOCALL member Mark Mackler, who has recently retired.

Although many members may know him best from his "Musings from Mark" column that appears in each issue of the NOCALL News, Mark has served NOCALL and the profession in many capacities during his career. He has served on the NOCALL Board, as a member and/or chair of several committees, and was the recipient of the 2002 NOCALL Professional Achievement Award. Mark has also been a model of our cherished ideals, and has made himself available to other members, both personally and professionally.

**Other Business****1. Joint Chapters Reception at AALL Annual Meeting**

It is NOCALL's turn to plan the Joint Chapters Reception at the AALL Annual Meeting in Austin, TX. Ellen Platt is planning the event, and looking for a venue near the convention center that can provide dinner at a reasonable cost. If you are familiar with Austin and have any recommendations, please let Ellen know.

President Michael Ginsborg adjourned the meeting at 1:42 p.m.

Respectfully submitted,  
Mary Johnson  
NOCALL Secretary

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## UPCOMING EVENTS

For more details, see <http://www.nocall.org/>