



NOCALL *News*

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

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President's Message

I cannot believe this is my last "President's Message" for the NOCALL News. Time passes so quickly when you're having fun! Or, when you don't know what you're doing. Either way, I had a great time and I hope you did, too.

I'd like to thank everyone who worked so hard this past year to keep NOCALL the thriving, vibrant organization that it is today. In no particular order, I am grateful to: **Coral Henning**, NOCALL's Immediate Past President, Sacramento County Public Law Library's Fearless Leader, and my boss, who was always available to offer advice; **Ellen Platt**, Networking Committee Chair, who organized the January Business Meeting at Santa Clara University (among other events) with boundless energy and enthusiasm, and who also made me a Pyramid hat, which I'm not going to give to the Archives until I die; **Mary Pinard**, NOCALL News Editor and Public Services Librarian here at the Sacramento County Public Law Library, who designed the logo for the 2008 and 2009 Spring Institutes and despite her protests to the contrary, is one of the most creative people I know; **Robyn Moltzen**, also a Public Services Librarian here at the Sacramento County Public Law Library, who helped me with Spring Institute details too numerous to list, and also kept the exhibitors at the 2008 Spring Institute happy; **Diane Rodriguez**, Vice-President-soon-to-be-President, who put on (IMHO) the best Spring Institute NOCALL has had in several years last month in San Francisco; **Prano Amjadi**, who gave me a tour of Santa Clara University when I was in San Jose for CLA in November, and offered to host the January Business Meeting on the spot when I told her previous plans had just fallen through; **Tibisay Boggio-Turner**, for organizing a spectacular Fall Workshop at Oakland's Preservation Park, and for finding Preservation Park, a delightful, accessible venue; **Mary Sexton**, the world's (and NOCALL's) greatest Secretary, who always kept me on (or from dropping) the ball when it came to bureaucratic necessities; **Holly Lakatos**, who stepped in as Treasurer and saved us when **Julie Horst**, who is still sorely missed, moved to Seattle; **Donna Williams**, who designed the 2008

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Spring Institute Brochure and was hostess with the mostest to the AALL VIPs at the 2008 and 2009 Spring Institutes; **Janet Fischer**, who kept our website up-to-date with very little lead time; **Michele Finerty**, GRC Chair Extraordinaire, who hosted a fabulous Sunshine Week event co-sponsored by the SLA Sierra-Nevada Region at the University of the Pacific/ McGeorge School of Law/Gordon D. Schaber Library in March; and **Teresa Dippery**, Grants Committee Chair, whose Committee managed to award several well-deserved grants to AALL despite an ever-changing deadline. Thank you. All of you.

As I write this we are busy planning for the May Business Meeting next week. Seventy-five people have already rsvp'd! The meeting and luncheon, sponsored by a generous contribution from Thomson/West, will be at the Sir Francis Drake Hotel on Powell Street in San Francisco. A no-host bar begins at 11:30 a.m., lunch is from noon to 1 p.m., and a short program featuring the swearing-in of officers and presentation of awards, including the Professional Achievement Award to Todd Bennett, begins at 12:30 p.m. I look forward to seeing you all there!

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

By Mark Mackler
California Department of Justice
San Francisco

LOOSE LIPS SINK SHIPS... Once upon a time, a law firm partner accused me of breaching confidentiality regarding one of his pet litigation matters. He could not have been more off-base. Quite frankly, his accusation was totally stupid but this incident remains one of the most traumatic events of my career. I still remember telling him, "Look, you can call me incompetent but don't ever accuse me of breaking confidentiality. Lawyers do that; law librarians don't."

I was reminded of this sorry episode by a recent news story from England. It seems that Britain's most powerful counterterrorism police official, Bob Quick, was photographed carrying a document titled "Briefing Note: Operation PATHWAY." The document sketched out a plan to arrest 11 suspected Al Qaeda members in three cities. But because of the security breach, security officers had to carry out the raids many hours earlier than planned. Mr. Quick resigned the next day, adding to the mounting troubles of Prime Minister Gordon Brown. (This episode is right up there with the Pillsbury partner who loudly discussed layoffs while he was riding on a crowded Amtrak train.)

P-L-E-A-S-E RETURN YOUR BOOKS... You might have seen the recent Washington Post story about the lawyer who returned her library book 31 years late. In 1978, attorney Sarah McKee walked into the Central Library in Arlington, Virginia. She borrowed "*The Patriot Chiefs*" about great Indian leaders. Three decades, one career, five Presidents, three relocations, seven grandchildren and thousands of books later, Ms. McKee found the book in her home in Massachusetts and realized that the book was not hers. "Drat," she thought. "I'll have to send it back." And so she did, mailing it first class.

A spokesperson for the Library quipped "It's always great to get the books back, as opposed to income from fines or replacement fees."

PROFESSIONAL READING IN REVIEW

By Elisabeth McKechnie and Susan Llano
U.C. Davis Law Library

Wikipedia and its accuracy (or lack thereof) is much in the news lately. Here are two recent incidents regarding mistaken reliance on Wikipedia by courts and newsgatherers.

"Evidence of Things Unseen: Lawyer Tripped Up by His, Wiki, Wiki Ways" by Mary Pat Gallagher, *New York Lawyer*, April 28, 2009.

A New Jersey judge who took judicial notice of information found on a Wikipedia page was reversed on appeal (and the case not remanded for retrial) on the grounds that Wikipedia, an online encyclopedia which can be edited by "anyone" does not meet the standard required in New Jersey Evidence Rule 201(b)(3).

"Punk'D by Wikipedia" by John L. Jackson Jr., *Chronicle of Higher Education: The Chronicle Review*, May 12, 2009. Electronic copy available at

<http://chronicle.com/review/brainstorm/index.php?id=1367>

Along the same line as the previous article, a college student in Dublin, Ireland, after the death of French composer Maurice Jarre on March 28th, posted a false quote which he attributed to Jarre on Wikipedia. The false quotation was picked up by *The Guardian* as well as other news organizations and bloggers worldwide until the student finally confessed his prank. The student had wanted to know how fast the fake would travel in the news world. *The Guardian* was one of the papers who issued a public apology for failing to vet the quote before using it.

It looks like even journals must be looked at with a skeptical eye. **"The danger of drugs...and data"** by Ben Goldacre, *The Guardian*, May 9, 2009. Electronic copy available at

<http://www.guardian.co.uk/commentisfree/2009/may/09/bad-science-medical-journals-companies>

Elsevier Australia, a major publisher of academic journals, has been shown to have created bogus "journals" containing only articles favoring major drugs put out by the drug industry. One of six such "journals": "*The Australasian Journal of Bone and Joint Medicine*" contained only reprinted summaries and articles favoring the use and safety of recently criticized drugs such as Vioxx and Fosamax.

"Understanding and Using the New Census Data" by Elana Broch, *Information Outlook*, v.13, no.3, April/May 2009, p.17, available online if you are a member of SLA <http://www.sla.org/io/2009/04/688.cfm>

If you have ever used Census data to answer a reference question, you know how confusing it can be. This short article gives an overview on using census data and

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gives explanations of key terms. The author stresses the importance of knowing where the numbers are coming from and how they are calculated. Most census data comes from “sampling,” so are either estimates or projections. She explains the differences between the numbers presented in Census 2000 and the numbers in the American Community Survey and how either data set can be used to calculate population estimates when using American FactFinder. The article ends with references to resources for further reading.

JUSTICE SCALIA TO ATTORNEYS: PERSUADE ME...

By Claudia Cook
Alameda County Law Library

Making your case: The art of persuading judges, Justice Antonin Scalia and Bryan E. Garner

“Don’t underestimate the importance of facts.”

This volume discusses two very important aspects of legal writing, substance and style. The judicial perspective is from Justice Antonin Scalia. Justice Scalia is known for his keen wit and trenchant legal reasoning. The co-author is Bryan E. Garner, Editor of *Black’s Law Dictionary*, who certainly knows his legal vocabulary. The book covers general principles of argumentation, legal reasoning, briefing and oral argument. It is written in a plain, unpretentious yet entertaining style. The authors argue that this style would benefit legal writing and advocacy in general, especially briefs and oral arguments.

From a stylistic perspective, some suggestions are avoid jargon, clichés and unnecessary Latin terms. Doesn’t “in the instant case” simply mean “in this case”? Use “this or that action” instead of “such action,” replace “hearinbefore” with “earlier” and “pursuant to” with “under.” You can make persuasive arguments without archaic phrases.

“Make it interesting” by considering more colorful words, mixing up sentence length and structure. Short sentences can pack a punch. All of this is to make your stellar legal arguments stand out and be memorable, but not at the expense of your case.

Pronunciation counts. The comedian Lenny Bruce said that if Einstein had pronounced it “nuclear” fission, no one would have taken him seriously. (Although Jimmy Carter is a “Nuclear” engineer.)

They point out the fallacy that oral argument is not nearly as important as briefs and other pleadings.

And finally, never, ever ask for extra pages!

WHAT ARE YOU READING?

By Nora Levine

ENGINE SUMMER. John Crowley.

I recently reread the short 1970’s novel *Engine Summer*, by John Crowley. The book is set long after our civilization has collapsed, though traces of it remain. The main character, called “Rush that Speaks,” lives in “Little Belaire,” a warren of semi-underground rooms inhabited by “truthful speakers,” who have some interesting ways of organizing and relating themselves and their information. They encounter and trade with a group called “Dr. Boots List,” whose members have a mysterious connection with one another. Rush that Speaks leaves Little Belaire to go in search of larger truths about the world, and ends up discovering some of them. It’s really a wondrous work, lyrical in tone, full of surprises, without the darkness of some other books with similar settings, such as Russell Hoban’s now-classic *Riddley Walker*. You can read it in a transcontinental plane trip, as I did; it really beats the airline magazine!

Michael Stoler
Sheppard Mullin

COMFORT FOOD. Kate Jacobs.

I bought this book in the Denver airport and it helped me pass the time on two recent flights and some time on the Stairmaster. I was encouraged to find time to read because I enjoyed the story so much. Augusta (“Gus”) Simpson is the diva of a TV cooking show, “Cooking with Gusto,” and enjoys her life. She’s not quite ready, though, to celebrate a milestone birthday, the big 5-0. The television network throws her a curve by teaming her up with a new, young and beautiful cook, Carman Vega. The story revolves around the way Gus handles this new challenge and her relationships with family and friends. The characters are all very interesting and Jacobs gives good descriptions of their backgrounds and how they relate to each other. The author refers to the book as a mother-daughter story, and it is that, but it also has some other wonderful characters that add to the family drama. This is a funny and charming story with some surprises near the end.

RISE AND SHINE. Anna Quindlen.

I was used to seeing Anna Quindlen’s name on her column in *Newsweek* and had no idea she was a fiction author as well. I listened to this book on my commute for a week and enjoyed the story immensely. It is the tale of two sisters and how their lives evolve after one makes a career altering mistake. Bridget Fitzmaurice is a social worker who is used to living in the shadow of her older sister Meghan, a top TV celebrity on the morning news program “Rise and Shine.” Meghan’s perfect life with her wonderful husband and good

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son is delivered a jolt when she is caught on camera saying her true thoughts about a guest she has just interviewed. The perfect façade starts to peel away as the public and network react to her mistake and she rethinks her life. The book, told from sister Bridget's perspective, offers a satirical description of the rich and famous in Manhattan in contrast with the view of life seen by a social worker. Although some critics have panned this book, I enjoyed listening to it. Never having lived in New York I found Quindlen's description of life there fascinating and entertaining. Beyond the story, the book brings up class distinctions, the cost of fame and the importance of family support in difficult times.

Laurie Flynn

Gunderson Dettmer

ONE FIFTH AVENUE. Candace Bushnell.

I usually have 3 to 5 books going at once and mostly enjoy "brain candy" mysteries and other lighter fare. Most recently I completed Candace Bushnell's newest novel, *One Fifth Avenue*, which led me to read her earlier tome, *Lipstick Jungle*. Yes, I loved the TV show "Sex in the City" and look forward to the second film. These are light books which chronicle the lives of the wealthy in NYC, but for the most part, the main characters are all hard working women who confront the usual traumas and dramas that most career women face (would that we all had the same kind of income and life style!) An easy but never dull read, I like her writing style, which highlights themes similar to Edith Wharton's.

THE WHITE TIGER. Aravind Adiga.

On a more serious side, I just completed last year's Man Booker Prize, *The White Tiger*, by Aravind Adiga, who writes engagingly and offers a controversial picture of present day India. I'm a little skeptical, though, about how accurately Adiga depicts his protagonist, Balram Halwai. Never dull, it is a provocative read.

THE KILLS. Linda Fairstein; THE BORDERLINE. Nevada Barr.

On the mystery side of my bed, I am in the middle of Linda Fairstein's (former Chief of NYC Sex Crimes unit) *The Kills* featuring the intrepid Alex Cooper, and I'm nearly done with Nevada Barr's latest Anna Pigeon fracas set in Isle Royale National Park in deepest January. *The Borderline* is as compelling and descriptive of our fabulous National Park system as Barr's previous efforts. Both authors are compelling and highly recommended.

Jean L. Willis

Sacramento County Public Law Library

A NOTE FROM THE NOCALL WEBMASTER

By Janet Fischer

Golden Gate University Law Library

This June, the responsibility for maintaining NOCALL's web site will pass to Jessica Cochoran. It has been my pleasure to serve as webmaster for several years, and it is time for a new person to step into that role.

During my tenure as webmaster, I have done my best to arrange the large amount of information we have available on our web site into a structure that makes it all easily accessible and easy to maintain. Past issues of NOCALL News have been digitized and archived on our site. Events have been memorialized and handouts uploaded. Last year we purchased Dreamweaver CS3 to aid in the easy management of the site. Our site currently has 151 html pages, 79 Word document pages, 304 PDF files, and two PowerPoint presentations. That's a lot!

It is time for a fresh, updated look for our web presence, and that requires a new set of eyes. I have no doubt that Jessica will be able to provide both the artistic and organizational skills to update our web site and keep it fresh for the coming years.

Janet Fischer

Golden Gate University Law Library

NOCALL BOARD MEETING MINUTES

January 27, 2009

Heafey Law Library, DiNapoli Room

Santa Clara University

Santa Clara, California

Present: Kelly Browne, Coral Henning, Holly Lakatos, Diane Rodriguez, Lee Ryan, and Mary Sexton

1. Approve Minutes of Last Meeting

We approved minutes of the September 24th Board Meeting.

2. Treasurer's Report

Holly will e-mail a report in February because receipts arrived late.

3. NOCALL Certificate of Deposit

Interest rates have fallen so low that the Board recommends another 6 month rollover and reassessing the situation in August.

4. Strategic Planning Task Force

Coral and Kelly plan to work on this soon.

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5. Spring Institute Plans

Diane reported on planning for the Spring Institute on "Clearing the Economic Fog." Hotel accommodations (Whitcomb), speakers, a logo, and a vendor game are set. She is working on food, trying to keep costs low. The NOCALL Spring Institute has received an AALL CPE grant, the precise amount depends on expenses. Carolina Rose will handle registration forms.

The Spring Institute will include a cocktail reception on Friday evening. A list of local restaurants will be distributed. Ellen Platt is planning a bowling party at Yerba Buena Gardens.

There will be a "Bridge the Gap" meeting at the Whitcomb the morning of April 24. The theme of that meeting will be "Don't let your summer associates be deadwood." People can attend either or both Bridge the Gap and the Spring Institute.

6. May Business Meeting

Diane mentioned the Sir Francis Drake as an alternative location for the May Business Meeting. May 20th was mentioned as a tentative date.

7. Cluster Reports

Coral: AALL Liaison, Archives, Constitution and By-laws, Nominations

AALL Liaison: David Mao will be the AALL representative at the Spring Institute.

Nominations: The slate for 2009:

- Shannon Burchard, Vice-President, President-Elect
- Mark Estes, Treasurer
- Tibisay Boggio-Turner, Secretary
- Member-at-Large (2)
 - Tara Crabtree
 - Cynthia Matano
 - Kathy Skinner
 - Jean Willis

Holly: Networking, Education, Spring Institute

Networking: Ellen Platt made arrangements for today's Business Meeting and is working on the Spring Institute

Education: Tibisay Boggio-Turner asked for ideas for the Fall Workshop. She suggested an education page on the NOCALL website. A new chair will be needed for Education because Tibisay is running for Secretary.

Spring Institute: Diane will discuss this at the Business meeting.

Lee: Government Relations, Public Access, Public Relations

Government Relations: Michele Finerty has been working with the Sierra Nevada Special Libraries Association chapter on Sunshine Week to be held at McGeorge during their Spring Break

Public Access: A new chair is needed because Nicki Lodico is relocating

Public Relations: Shannon Burchard is talking to the Daily Journal about reinstating the NOCALL column, which was recently dropped. A new chair will be needed because Shannon is running for Vice President / President-Elect.

Mary: Awards, Grants, Memorials

Awards: Coral is responsible for selecting a recipient for the Professional Achievement Award

Grants: Teresa Dippery will advertise and award grants for the Spring Institute and AALL. She has been sent information about the AALL grant to NOCALL for a newer law librarian to attend the annual AALL meeting.

NOCALL BUSINESS MEETING

PROPOSED MINUTES

January 27, 2009

Benson Center, Parlors B and C

Santa Clara University

Santa Clara, California

Before the meeting, Dr. Kenneth Haycock, Director of the School of Library and Information Science at San Jose State University, spoke on "Law Librarianship: Surviving in Challenging Times." Kelly Browne thanked CEB for its sponsorship of the luncheon and introduced Doris Black from CEB. CEB also contributed a \$50 Macy's gift certificate awarded at the end of the meeting.

Kelly called the meeting to order at 12:30. There were about 60 people in attendance. Kelly welcomed several San Jose State University students and introduced Matt Downs, Assistant Dean for Library & Research Services at McGeorge School of Law.

1) Approval of minutes from the last business meeting

We approved the minutes from the September 30, 2008, Business Meeting.

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2) Treasurer's report

NOCALL's new treasurer, Holly Lakatos, introduced herself. Because she had just received NOCALL's financial records, she had not yet had time to prepare a report. She will e-mail a report to the membership in February.

3) Public Access Committee Chair

Nicki Lodico, the chair of the Public Access Committee, is relocating. Shannon Burchard, chair of the Public Relations Committee, and Tibisay Boggio-Turner, chair of the Education Committee, are nominees for NOCALL Vice-President and Secretary. Kelly asked anyone interested in chairing these committees to contact Diane Rodriguez, the NOCALL President-Elect.

4) Spring Institute Plans

Diane summarized plans for the Spring Institute on "Clearing the Economic Fog," April 24-25 at the Whitcomb Hotel in San Francisco. Sessions are planned on the legal economy, competitive intelligence, the mortgage meltdown, and bankruptcy. David Mao, from the Library of Congress, will be the AALL guest. Additional information about the Institute will be posted to the listserv.

5) May Business Meeting

Because of cost concerns, NOCALL is considering a new location for the May business meeting. Kelly asked for membership feedback about that possibility and for suggestions of alternative locations.

6) Cluster Reports

Coral Henning reported on the AALL Liaison and Nominations Committees.

Donna Williams will welcome David Mao when he comes for the Spring Institute in April.

Holly Riccio presented a slate to the Board earlier in January:
 Shannon Burchard for Vice-President/President-Elect
 Tibisay Boggio-Turner for Secretary
 Mark Estes for Treasurer
 and four nominees for two Member-at-Large positions:

Tara Crabtree
 Cynthia Matano
 Kathy Skinner, and
 Jean Willis.

Holly Lakatos reported on the Networking and Education Committees.

Ellen Platt organized today's meeting and is planning an event in conjunction with the Spring Institute.

Tibisay Boggio-Turner would like suggestions for the Fall Workshop.

Lee Ryan reported on the Government Relations and Public Relations Committees.

Michele Finerty has been working with the Sierra Nevada Chapter of SLA to plan Sunshine Week in March, which will include a Webinar as well as face-to-face meetings. Shannon Burchard of the Public Relations committee is working with the Daily Journal to reinstate a NOCALL column.

7) NOCALL Calendar

Ellen Platt showed us a calendar from the Law Librarians Association of Wisconsin and asked if NOCALL were interested in producing a similar calendar with NOCALL information and photos. She and Kelly proposed a contest to select photos. It was suggested that a contest photo be used for the cover of the Membership Directory as well. The project was tentatively assigned to the Public Relations Committee.

8) Other Business

Prano Amjadi asked if West would still sponsor the May business meeting if it were moved from the Marines Memorial. (West selected that location several years ago.) Craig Griffith responded that West would still like to provide financial support, but would not be in a position to cover price increases.

Prano also asked whether the terms of the NOCALL Treasurer and Secretary would be staggered, as in the past. Kelly explained that the 2009 nominee for Treasurer would serve for one year, rather than two, so that the terms would remain staggered.

Donna Williams reminded us that the AALL meeting will be later than usual this year. Housing information is already available at the AALL website.

Ellen announced that photographers would be taking pictures for the AALL Spectrum "Day in the Life" feature. She also announced tours of Santa Clara's Heafey Law Library and Learning Commons after the meeting.

The meeting adjourned at 12:45.

MEMBERSHIP NEWS

The names of members who have joined NOCALL since publication of the 2008-2009/2009-2010 NOCALL Directory and since the last newsletter are listed below as well as changes and corrections for continuing members. Any corrections changes or additions to the Directory should be sent to:

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Look for your renewal forms in the mail very soon.
 The NOCALL year ends on May 31, 2009, so renew as soon as you receive the form!

NEW MEMBERS

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UPCOMING EVENTS

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