

# NOCALL NEWS

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

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## EDITOR'S NOTE

It always amazes me how quickly summer turns into the holiday season, which is often such a busy time for all of us, both personally and professionally. I hope you all get to relax and spend some quality time with your friends and family this year!

The newsletter committee is please to bring you this issue of the *NOCALL News*. This issue includes many of your favorite columns, as well as some details about the upcoming NOCALL Spring Institute, which looks like it will be a great event!

Please remember, the *NOCALL News* needs your news! If you or your staff members have attended a seminar, published an article, received an award, been elected to an office, or done anything else interesting, please let us know! We'd love for you to share information about special projects you're working on, new or exciting services your library is offering, or anything else you think would be of interest to NOCALL members. Deadlines for the upcoming issues are January 9, March 12, and May 7.

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## SPRING INSTITUTE - SAVE THE DATE!

NOCALL's Spring Institute will be a one-day event held **Friday, March 18, 2016** at Santa Clara University in Santa Clara, CA.

The theme is **Legal Information Services: New Challenges, New Opportunities**. Guest Speaker is Dave Perla, President of Bloomberg BNA. There will be six concurrent programs plus one mindfulness session. A "sneak peak" into a few of these events include Marguerite Beveridge's program called "It's All About You, Me & Us" concerning county law libraries & legislative proposals. Susan Nevelow Mart will address the automation of case law research. Deb Hunt, co-author of The Librarian's Skillbook: 51 Essential Career Skills will offer tips on preparing an effective cover letter. We will participate in a short meditation exercise conducted by Tim Iglesias, USF law professor who teaches a class on mindfulness to law school students. A panel of speakers will uncover the "hidden jewels" to resources available at Bay Area Public Libraries. There will also be a technical services component.

For out-of-towners needing accommodations for the event: we have secured a courtesy block of rooms at a rate of \$209.00/night at the Marriott SpringHill Suites at San Jose Airport. Early reservations (by January) are highly recommended due to the Silicon Valley Comic Con event from March 18-20 which could jeopardize our block if Comic Con demand warrants. See link to make reservations now: <http://tinyurl.com/pbml0hy>

Those using public transportation: Caltrain's Santa Clara station is conveniently located across the street from Santa Clara University.

Information & updates available on NOCALL's webpage: [www.nocall.org](http://www.nocall.org)

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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.

The Northern California Association of Law Libraries assumes no responsibility for the statements and opinions advanced by the contributors to the association's publications.

Editorial views do not necessarily represent the official position of the Northern California Association of Law Libraries.

**MUSINGS FROM MARK**

Mark Mackler  
California Department of Justice  
San Francisco

**WHAT WAS HAPPENING 30 YEARS AGO?...**Our NOCALL Chapter was into its fourth year. Our membership was up to 195, Bernard Witkin spoke at our luncheon at the Marines Memorial, and we published the first edition of the *Union List of Municipal and County Charters, Codes and Directories*.

**AND WHAT ABOUT AALL?...**Membership was 3600. And at the Annual Business Meeting in New York, we held a lengthy and spirited debate concerning a resolution brought by the Social Responsibilities SIS. The resolution, which finally passed, called on AALL to support a nuclear freeze between the USSR and the United States.

**COURTESY OF OUR FRIENDS AT THE NLRB...**What had been a squabble about the alter ego status of companies with the respective names of Fullerton Transfer and Sllim Real Estate degenerated into a discovery dispute. Fullerton Transfer moved its place of business into what the record suggests was a combination dog house and home office. One difficulty in resolving the issues in this case stemmed from the fact that the respondents were unable to produce many of Fullerton's records. According to sworn testimony, the records were damaged by strike activity and were removed for safekeeping. Apparently, they were no safer at the new location because the family's pet German shepherd, Zip, ate some of the records and urinated on the rest. *Fullerton Transfer & Storage* 291 N.L.R.B. 426 (1988)

**CHANGES IN THE AIR...**Have you been following all the changes in the air relating to our profession? How about a possible new name for AALL? How about a preliminary merger discussion between SLA and SIIA, and what about a proposed transition of SLA's management to an association management company? Whether you agree or disagree with the changes, it's important to keep informed.

**PROFESSIONAL READING IN REVIEW**

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

**The Complete Guide to Using Google in Libraries, Instruction, Administration and Staff Productivity**, vol. 1, edited by Carol Smallwood, New York: Rowman & Littlefield.

This is the first of a two volume set on the professional use of Google inside libraries. This volume is divided into five sections, respectively: Library Instruction for Users, Collaborations, Library Administration, Collection Management and Library Productivity. The various chapters feature articles from a variety of librarians describing how they use Google to inform their jobs as librarians, beyond just using Google to look for things. For example, chapters discuss the everyday use of Google Tasks, Voice, Hangouts and Chat, while others talk about using Google to organize staff, using Google Drive for library assessment or Google Forms and Drive for user surveys. This volume offers no new or hidden tips on searching Google but does introduce the reader to a variety of other Google uses this reader hadn't considered. Best of all, Volume 2 is out, although not in the UC system as of this writing and the table of contents can be accessed from Amazon.com.

**"The Case of the Disappearing E-Book: Academic Libraries and Subscription Packages,"** by Helen Georgas, *College & Research Libraries*, Vol. 76, Issue 7, p. 883-898, November 1, 2015, accessed via EBSCO Host. A standard model for e-book licensing in academic libraries is the subscription package. This article contains the results of a 1 year study of titles that 'disappeared' from Academic Complete collection from 2013-2014 at Brooklyn College of the City University of New York. During that period, over three thousand titles were deleted, primarily recent titles in the social sciences, language & literature and history, although other disciplines were represented as well. Of course, the publisher also adds material in the process, having largely taken over the librarian's historic role in collection development. Worst of all, of course, is that these deletions seem to be happening without librarian

input, at a time that academic libraries are investing more heavily in e-book subscriptions. The best that the study can do is to recommend that that valuable e-books be tracked somehow by librarians who will protest their deletion with the vendor or acquire permanent copies of the disputed work.

**“The Internet of Things: Frequently Asked Questions”** by Eric Fischer, *CRS Report*, October 13, 2015, available at <https://www.fas.org/sgp/crs/misc/R44227.pdf>

The “Internet of Things” (IoT) refers to the network of physical objects or “things” embedded with electronics, software, sensors and network connectivity, which enables these objects to collect and exchange data. The summary states, “the IoT potentially includes huge numbers and kinds of interconnected objects. It is often considered the next major stage in the evolution of cyberspace. Some observers believe it might even lead to a world where cyberspace and human space would seem to effectively merge, with unpredictable but potentially momentous societal and cultural impacts.” The report covers the impact that the IoT may have, economically and socially and addresses other issues like cybersecurity and privacy. The report ends with a discussion of actions Congress has taken so far to address IoT.

**“Unpacking and Overcoming “Edutainment” in Library Instruction”** by Sarah Polkinghorne, *LLRX*, October 30, 2015, available at <http://www.llrx.com/features/unpacking-and-overcoming-edutainment-in-library-instruction.htm>

The author examines “edutainment discourse,” the intersection of effective teaching and effective entertaining. She explains that the term comes from the field of education, where it originally applied to new technologies, such as educational software that promised to increase student attention through entertaining animation. While she does describe how certain concepts from the performing arts could help librarians teach in ways that are engaging, she also acknowledges and gives the reasons why librarians need to reach beyond edutainment.

## TECH TALK: UNRAVELING THE STORY ABOUT HARVARD LAW’S DIGITIZATION PROJECT

Ramona Martinez  
Berkeley Law Library

On October 29 a colleague sent me a link to a NY Times article about a digitization project at Harvard Law School (HLS).<sup>1</sup> I glanced at it and thought it looked interesting -- something to keep an eye on. That same day, another colleague forwarded an email from Ravel Law -- a promotional piece that linked to the NY Times article and also included a video explaining the project. (Ravel is funding the digitization.)<sup>2</sup> A few days later on November 3, Aaron Greenspan of PlainSite<sup>3</sup> posted a list of complaints/concerns about the HLS/Ravel project to the NOCALL list. I forwarded that email to another colleague with a comment because I know he’s not a fan of Jonathan Zittrain, HLS’ library director. After a bit of back and forth I was inspired to read more carefully to see what was really going on. Following are Greenspan’s (much abbreviated) concerns and some of my thoughts in parentheses:

1. HLS is a non-profit and Ravel is not. (If universities were never able to collaborate with for-profit companies many projects would never get off the ground.)
2. “[T]he deal involves profit from the withholding of public access to legal data” (Not really. Universities and non-profits will have access sooner and for-profits will get access after 8 years.)
3. Zittrain wrote a book about monopolies but HLS is creating one. (Not really. Sources for online cases abound.)
4. “[T]he contract with Ravel is not available for public examination” (I think Greenspan’s real complaint here is that PlainSite is considered commercial and won’t get bulk access to the data right away.)

1 <http://tinyurl.com/p4kg8uu>

2 <http://tinyurl.com/no4so2s>

3 <http://www.plainsite.org>

5. Cooley LLP, a Ravel investor, “has early access to Ravel’s software” (Not unusual. Investors get perks and beta-testing has to happen somehow.)
6. HLS should have raised the money for the project privately. (Even HLS’ formidable fundraising abilities are not magical somehow.)
7. Why not work with “a consortium of non-profits” instead of Ravel? (In my opinion, Greenspan’s real concern here comes from a feeling that Ravel is a competitor to PlainSite.)
8. HLS/Ravel’s “Free the Law” name is confusingly similar to Berkeley’s “Free Law Project.” (This concern has a bit of traction. See my Tech Talk column about the Free Law Project in the September-October 2015 NOCALL News.)
9. The Harvard Gazette claims, “The ‘Free the Law’ initiative will provide open, wide-ranging access to American case law for the first time in U.S. history.” (OK. That is a bit of Harvard hyperbole.)
10. “Ravel is ... an unprofitable startup” and private donations would have “ensure[d] maximum sustainability.” (Both startups and private fundraising are notoriously unpredictable.)

Adam Ziegler of the HLS Library Innovation Lab addressed Greenspan’s concerns in the following email:

From: Adam Ziegler <[aziegler@law.harvard.edu](mailto:aziegler@law.harvard.edu)>  
 Subject: Free the Law project follow-up  
 Date: November 3, 2015 at 1:51:10 PM PST  
 To: “[aaron.greenspan@plainsite.org](mailto:aaron.greenspan@plainsite.org)” <[aaron.greenspan@plainsite.org](mailto:aaron.greenspan@plainsite.org)>

Dear Aaron:

Thank you for discussing Free the Law with me last Friday. At Dean Minow’s request, I write now to reply to the email you sent to Harvard’s leadership about the project.

Our project’s goal is to transform more than 42,000 print volumes owned by Harvard, which are currently accessible to very few, into digital files that are freely accessible online. Because of this project, anyone with Internet access will be able to search and read U.S. state and federal court decisions for free, which we see as mitigating the limits of the current legal information model of paid search and retrieval offered by a handful of proprietary firms.

By the terms of the project, eight years from now all of those digital files will be available in bulk, without restriction, to everyone. The eight year period will end sooner for any jurisdiction that makes its cases going forward freely accessible online, and all of the digital files from that jurisdiction in the database will then become freely available in bulk.

Prior to the bulk release, Ravel Law, which is paying for the scanning, has agreed to offer an application programming interface so that others may build on the database and offer services through it. As I explained on our call, Ravel has further agreed to provide non-commercial developers, which expressly includes not-for-profit developers, with free API access. I don’t know the details of your corporate structure or status, and I cannot say whether or not you will qualify for free API access. I trust this will be addressed if you should choose to apply for API access when it becomes available.

More generally, we are satisfied that this agreement with Ravel conforms with Harvard’s policies and the law, and indeed that it has been developed with special sensitivity for creating and maintaining open access to these materials which otherwise would remain available to very few in our depository.

We welcome your energies in making the most of the opportunities this effort will unlock, towards a shared goal of public access to the law.

Sincerely,  
 - Adam

All the above sets the stage for some deeper thinking about digitization, access to the law and how that all affects access to justice. Brian Sheppard, Associate Professor at Seton Hall University School of Law, posted on his blog about that.<sup>4</sup>

<sup>4</sup> <https://bol.bna.com/why-digitizing-harvards-law-library-may-not-improve-access-to-justice/>

Now that we are armed with all this background information, we librarians need to apply our information literacy skills to judge the value of the effort. The HLS/Ravel project is so far just another entrant in the increasingly crowded online legal information space. Time will tell what impact it will have on legal research and on access to justice.

## CALL FOR NOMINATIONS

The NOCALL Awards Committee, Michele Finerty, Chair, Donna Williams and Jodi Collova, are seeking nominations for the 2016 Professional Achievement Award and for the 2016 NOCALL Advocacy Award.

**The Award for Professional Achievement** is to recognize a member for notable and enduring contributions to the Chapter and the profession. The Award represents a cumulative evaluation of an individual's career and emphasizes local activity and leadership of an exemplary nature.

**The NOCALL Advocacy Award** is to recognize a member of the greater NOCALL community for notable and enduring contributions affecting law librarians, law libraries, and legal information patrons everywhere. The Award represents NOCALL's appreciation and encouragement to continue the valuable advocacy contributions of our colleagues.

Further information can be found at: [Awards Committee Criteria](#); and the links to nomination forms for each award are available at: [NOCALL 2016 Nominations: Professional Achievement and Advocacy Award](#).

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## UPCOMING EVENTS

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