

NOCALL NEWS

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

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PRESIDENT'S MESSAGE

Look Who Is Rocking the NOCALL World ...

This is the season to give thanks. I can start with our amazing Networking Committee members - Chairperson April Eudy, Rose Turner, Jocelyn Stilwell-Tong, and Daniella Lee-Garcia. In November, April arranged for a NOCALL Day at the Zoo. Several of us enjoyed each other's company at the Oakland Zoo. April collaborated with Rose, Jocelyn and Daniella to organize our Four Corners parties, restoring a cherished NOCALL tradition. I attended the party at the Pink Elephant in San Francisco, and everyone had a blast! Of course, the only NOCALLers who had as much fun were at venues in the other three Corners. Many participants brought toys for donation. So to Rose, Jocelyn and Daniella, I say, "Thank you! You rock!"

Coral Henning is another of our NOCALL rockers. She has agreed to extend her term as Treasurer through 2017-18, following the resignation of co-Treasurer Rachael Samberg. Coral deserves our gratitude for her dedication and continuing contributions to NOCALL. We are a stronger organization because of her.

I am excited about our upcoming events. These include our Business Meeting on January 19th; our "Connect With NOCALL" luncheon on February 16th; and our Spring Institute on April 1st - "California Regulatory Research, No Fool's Game." Hats off to every NOCALL rocker with a role in the preparations! Cara Henley Johnson has engaged her firm, Gunderson Dettmer, to host our Business Meeting in Redwood City; and Board Member Leslie Hesdorfer has engaged her firm, Hanson Bridgett, to host the luncheon



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meeting in San Francisco. Ramona Martinez and her Spring Institute Committee members have been busy planning the program. They are still looking for speakers who have experience in creating or revising regulations or working on cases where regulations were at issue. If you would be interested in speaking or if you know of someone you'd like to hear speak on any of these topics, please email Ramona at rmartinez@law.berkeley.edu.

At our Business Meeting, our speaker will be Dr. Roland Vogl, Executive Director of Stanford Law School's CodeX project. Dr. Vogl will address the potential impacts and applications of computational law - defined at [CodeX's website](#) as "the branch of legal informatics concerned with the automation and mechanization of legal analysis." If you have ideas for our Meeting's agenda, please feel welcome to share them with me or any Board Member. At our February luncheon, NOCALL officers will forge connections with newer members to NOCALL - those who have joined within the last 3 years - and any other members who want to become active.

Your participation in NOCALL not only brings its own rewards, but also benefits all of us. We do not lack opportunities to participate in community service or public relations. We also need help with our Archives and Public Access Committees. In short, you, too, can become a NOCALL rocker, if you are not one yet!

In closing, I want to re-emphasize the importance of NOCALL's ongoing effort to support open government and access to public information. As our advocacy voice, our Government Relations Committee will continue to address current and new barriers to public access. So please continue to share related concerns with the GRC committee.

I wish you and your loved ones a happy holiday!

Michael

P.S. Is a NOCALL rock song within our future?

NOCALL News

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MUSINGS FROM MARK**Mark Mackler****California Department of Justice
San Francisco**

IN CASE YOU MISSED IT #1...In November, the *Recorder* featured “Three Reasons Why Associates Are Leaving Law Firms in Doves.” Julie Brush opened her story by alerting me to something I did not know. (I have to admit that I am no longer as up-to-date on law firm machinations as I used to be.) Today, the average “parting of the ways” between associates and firms has plummeted to an astounding two to four years post-JD. The old days of associates leaving their firms after eight years because they did not make partner are gone. What are the reasons now?

(1) Millennials Have Different Values. Newer attorneys want more personal time, are less money-driven, and no longer yearn for the prestige of big firm partnership. (2) Lack of Law Firm Job Security, Flexibility and Opportunity. We know all about this, don’t we? (3) More Career Options. This includes the growth of in-house legal departments, entrepreneurship, legal recruiting, marketing, nonprofit administration, and “alternative” law firms.

IN CASE YOU MISSED THIS #2...Also in the *Recorder* was “The High Cost of Incivility in the Legal Profession.” The story focused on California Rule of Court 9.4, the Attorney Oath, by which California attorneys pledge to conduct themselves with “dignity, courtesy, and integrity.” What can be more uplifting than Texas attorney Joe Jamail telling opposing counsel: “You can ask some questions but get off that. I’m tired of you. You could gag a maggot off a meat wagon.” Or, in our own Golden State, a Santa Barbara criminal defense lawyer telling the assistant DA, “Try to act a little more professional this afternoon.” And then referring to her as a “little girl.” This article brought me back to my first year in California. I had been asked to sit in on a deposition at my law firm. The attorney from my office had a history of bad experiences with this particular opposing counsel. In the middle of the deposition, our guy called opposing

counsel “Horseface.” Opposing counsel quickly reacted. “Counsel, for the record, *what* did you just call me?” “Horseface,” our guy replied, “and I will spell it for the court reporter. H-O-R-S-E-F-A-C-E.” It was at that moment that I realized how lucky I was to be a law librarian instead of a lawyer.

**TECH TALK: JOURNALISM
AND THE INTERNET**
**Ramona Martinez
Berkeley Law Library**

This will be a somewhat unusual Tech Talk column but these are unusual times in my opinion. I have been thinking about the campaign, the election, and its aftermath and I’m shaken. I think we are witnessing some undesirable consequences of the rise of the internet, the response of the news media to the changing information ecosystem, and how those things operate in a capitalist system.

First, some definitions. From the *American Heritage Dictionary of the English Language* (4th ed., 2006):

- Journalism ... *n.* 1. The collecting, writing, editing, and presenting of news or news articles in newspapers and magazines and in radio and television broadcasts. ... 6. Written material of current interest or wide popular appeal.
- News ... *pl.n.* 1a. Information about recent events or happenings, especially as reported by newspapers, periodicals, radio, or television. b. A presentation of such information, as in newspaper or on a newscast.
- Capitalism ... *n.* An economic system in which the means of production and distribution are privately or corporately owned and development is proportionate to the accumulation and reinvestment of profits gained in a free market.

Second, a reiteration of some basic facts. Long gone are the days when newspapers were only printed on paper and were only distributed to paying customers.

Newspapers' business models are completely transformed as they desperately seek ways to generate revenue while losing paid subscribers who would apparently rather not pay for online content. As for television, the astounding proliferation of news channels gives consumers a dizzying array of choices. There seems to be a channel for every viewpoint, and videos shared online among friends of similar opinions reinforce consumers' confirmation bias. Some online services have begun to change various policies to address the problem. Have a look at this video from the *Washington Post*: "Twitter, Google, Facebook are changing their policies to prevent bullying and improve accuracy." <http://wapo.st/2flXxqH>. But we need not depend on the content providers to do our critical thinking for us. CNN has published a list of strategies to spot fake news online. <http://www.cnn.com/2016/11/18/tech/how-to-spot-fake-misleading-news-trnd/index.html>. Particularly worth noting is number 9 on CNN's list.

9. Has it been debunked by a reputable fact-checking organization?

Did you know there is actually an [International Fact-Checking Network](#) (which (Alexios) Mantzarlis leads)? And that it has a code of principles? The code includes the ideals of nonpartisanship and transparency, among others. Sites like FactCheck.org, Snopes and Politifact abide by this code, so if you see a debunking there, you know you're getting the real deal. [View the whole list here](#).

I'll be working on my own news consumption habits. First, I need to remember that headlines are designed to grab your attention, *i.e.*, encourage you to click on the story. They are NOT the whole story. Even the whole story is not the whole story. I'll be slowing down and doing more of my own fact-checking and viewing of multiple sources.

PROFESSIONAL READING IN REVIEW

Elisabeth McKechnie, U.C. Davis Law Library

"Rethinking the National Library," by Bernard F. Reilly Jr., *American Libraries*, Nov/Dec 2016, pp 30-32.

The Library of Congress faces a new era in information for which it is largely unprepared, says Reilly in this opinion piece. Many of the LC's early projects: mass digitizing the LC's collection, archiving Twitter, have largely failed due to lack of infrastructure and copyright issues. Unlike private companies which archive terabytes in the cloud, the Library of Congress must find a way to carry out its historic functions as repository of last resort and to "preserve a comprehensive record of American life, achievement and history."

"Everything That's Wrong With Legal Education-According to Law School Deans" by David Lat, *Above the Law*, May 2016. Available at: <http://abovethelaw.com/2016/05/everything-thats-wrong-with-legal-education-according-to-law-school-deans/>

Everyone knows that there is 'something' wrong with legal education, but now the law school deans weigh in. Taken from a panel at the Fifth Circuit Judicial Conference, the deans present had a variety of things to say. As would be expected, they discussed the high cost of a legal education and lack of enough need-based scholarships, where those scholarships that require a given GPA for renewal can offer a bait and switch because the recipient may not be likely to reach the GPA required because of the curve. Other subjects discussed included whether law school faculty research is relevant to the practice of law (mostly not), the effect of the *U.S. News & World Report* rankings (bad!), and the Bar Exam (poorly structured and too expensive).

“Comparison of Research Speed and Accuracy Using WestlawNext and Lexis Advance” by Melanie Knapp and Rob Willey, 35 *Legal Reference Services Quarterly* (2), April-June 2016, pp 124-134.

Like the Coke and Pepsi wars, Westlaw and Lexis have been duking it out for years. This study analyzes the research abilities of the latest iterations from each: Westlaw Next and Lexis Advance. Here, the authors used the same methodology as an earlier study comparing Westlaw.com to Westlaw Next, requiring a test group made up largely of 1Ls and law librarians to run searches using both systems. The statistically significant results are interesting: Librarians were slightly faster in Westlaw than Lexis, but just as accurate. Student users (novices) were more accurate in Westlaw, while there was no difference among experienced users of both. The article also discusses differences between the two services, for example, Westlaw routinely ignores Boolean search terms and converts any search into a natural language search unless the searcher uses the advanced search template. Lexis reads and applies the terms as entered. This can be problematic if the searcher misspells a term or links a term with ‘AND’ to a second term not found in the correct result (for example ‘bystander and injury’). By ignoring the Boolean terms, West’s algorithm corrects for this problem. They conclude that natural language users will do better with West while experienced Boolean users will prefer Lexis.

CLA 2016: A WORTHWHILE WEEKEND IN SACRAMENTO

Sarah E. M. Lin
Reed Smith LLP, San Francisco

In early November I spent two days at the California Library Association’s Annual Conference in Sacramento. While it may seem a strange fit for a law librarian, as a technical services librarian there were a few programs that caught my eye and I decided to go. I was pleasantly surprised to find more tips

applicable to law libraries than I ever expected, and felt compelled to share them with NOCALL.

The opening keynote was given by Jonathan Perelman, the Head of Digital Ventures at ICM Partners (formerly of BuzzFeed and Google), and was titled “Content as a Form of Communication.” As law librarians, we know a thing or two about content and its value, but Perelman’s opening line resonated strongly: “Content is king, distribution is queen, and she wears the pants.” I spend a lot of time working on the acquisition of content in my firm, but have I placed an equal importance on the distribution of that content? Truly, information is useless unless it gets to where it is needed. I recently designed an online routing form for users to select what content they would like to receive (<https://www.softlinkint.com/blog/article/solving-the-challenge-of-connecting-attorneys-with-content>) and hearing Perelman focus on distribution made me realize anew how pivotal our new form is, precisely because it gets the content where it needs to be. Distribution will certainly figure prominently in my goals for 2017.

In focusing on content, Perelman highlighted that it is the currency of our sharing economy and is indeed the most powerful force in culture. When he took that a step further and said that “if it doesn’t spread, it’s dead,” I initially thought that was not really relevant. Upon further reflection, I realized it was spot on: has word about our value to our organizations *spread*? Has our content *spread* out to all users? Perelman recommended the book *Spreadable Media* by Jenkins, et al. (https://www.amazon.com/Spreadable-Media-Creating-Networked-Postmillennial/dp/0814743501/ref=sr_1_1?ie=UTF8&qid=1480453906&sr=8-1&keywords=spreadable+media), and it is on my reading list for 2017.

Following from content distribution and spreading your message, Perelman advised the audience to create content on a calendar. Again, my first inclination was to pass over this suggestion. Our library recently made a few contributions to the

internal Knowledge Management blog, which is a great way to ‘get out there’ but now I cannot help but think we would do better to spend some time at the end of this year brainstorming and planning regular contributions for 2017.

Later in the conference I attended an update from the California State Library, given by Greg Lucas, our State Librarian. Like me, many of you probably followed the controversy surrounding his appointment and I was curious to hear from him and learn more about the State Library. When Lucas began talking about how parent organizations fund their libraries based on what *they* think a library is, I was convinced that we are all in a similar boat and that he understands our plight. He had two suggestions that I brought home: the first was that libraries have ten years, tops, to transform to consumer expectations, which are driven by Amazon. Now clearly, this applies to public libraries, but I feel it still fits with law libraries because our users, be they attorneys or students or professors, are still part of the Amazon culture. Just because our content is more serious or complicated does not obviate the user’s desire to have it immediately (and for free, of course). All of us have probably been working towards this ideal anyway, but I found the timeframe added a sense of urgency that I did not have before.

Lucas’ best suggestion, however, was to ‘date your community.’ He elaborated by encouraging us to ‘get out there’ and ‘flirt’—*i.e.* get people interested in what you have to offer. Some law libraries do this by embedding research librarians, others by assigning practice group/subject liaisons. But the idea that you do that to get them hooked on what’s unique about you as a knowledge organization so that they will then stay with you—was both novel and compelling.

Several other programs garnered nuggets of wisdom I wanted to pass along:

- From *The Art & Science of Being a ‘Bad’ Guy*: don’t forget that your coworkers are your customers, too
- From *Career Transitions*: if you like to ‘choose your seat’ on the bus, invest in your own career—you own it, not your organization
- From *Work/Life Balance*: decide what your time is worth

CLA alternates venues in northern and southern California; I would recommend checking out the next one in our area in 2018!

SAVE THE DATE!

The 2017 Spring Institute will be Saturday, April 1 on the UC Davis campus. In addition, there will be a fun networking event in the evening on Friday, March 31.

The program will include four sessions on the following topics:

1. How CA regulations are promulgated (Eric Partington, Office of Administrative Law)
2. How to find current regulations either by citation or by topic (Richard Schulke, SF Law Library)
3. How to research CA regulatory history (Richard Schulke, SF Law Library)
4. What issues stand in the way of a simpler, more streamlined research process, e.g. content format/accessibility and copyright issues (Kris Kasianovitz, Stanford Library and Free State Government Information)

We’re still looking for speakers who have experience in creating or revising regulations or working on cases where regulations were at issue. If you would be interested in speaking or if you know of someone you’d like to hear speak on any of these topics, please [contact Ramona Martinez!](#)

Spotlight on...

Daniella Lee-Garcia

How did you choose law librarianship as a career?

I used to be a hardcore activist and worked for non-profits and organized marches in D.C., but noticed that even though there were a few million people outside Congress, inside no change was happening. I also enjoy watching CSPAN and noticed that they spewed a lot of unchecked 'facts' on the floor and that pissed me off. So, I decided I wanted to help do research for those who had the voice and power to make the wheels of justice move in the right direction by making sure that I did my part in finding correct information that they need and might use when writing their opinions. So then I went to grad and law school.

If you were not working as a law librarian, what would you most likely be doing?

I always wanted to be a butcher. Or have a diner, but be a cook in the back.

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

"Keep doing what you're doing, because you know what you're doing."

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

I know a lot about the Post-Crisis era of comic books. That and the history of Michigan sports.

What is your favorite legal book and why?

Bouvier Legal Dictionary. I was one of those kids who enjoyed reading the encyclopedia. I remember when the traveling encyclopedia sales person knocked on my door when I was in elementary school, and convinced my mother to buy a couple volumes of the *Encyclopedia Britannica* for her daughters. For a while there, I could tell you about most things that begin with 'M' or 'X.'

The *Bouvier Law Dictionary* is one of my favorite legal texts. Maybe for its history, or maybe for how the information within is organized. This dictionary is a legal information scientist's dream.

How (or which) books influenced your childhood?

I read all of Dickens by the 7th grade, and then my mama gave me *War and Peace* in the 8th grade. Those opened up a lot of my mind in wanting me to read even more.

EREADER LIBRARIAN'S DIGITAL BOOK REVIEW

Elisabeth McKechnie

UC Davis School of Law, Mabie Law Library

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

*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 Girl With Seven Names, by Hyeonso Lee
Published: William Collins
Available at Amazon.com
Price: \$1.99

This New York Times bestseller was formerly about twelve bucks, so get it now while you can! This is the true story of a woman who successfully defected from North Korea after multiple tries. Born in North Korea, she always wanted more education, more choices in life. She gives vivid descriptions of her childhood and the vital importance of your family's status with the Party. She willingly has herself trafficked to China as a 'wife' so that she can leave the DPRK, but is ultimately caught. After multiple tries, imprisonment and other adventures, she is at last successful. Sounds harrowing, but it's an easy read.

Book of Tasty and Healthy Food, by Anastas Mikoyan (trans. from Russian)
Published: SkyPeak Publishing (September 1, 2012)
Price: \$2.99
Formats: html, epub, kindle, plain text

This cookbook was originally published in Soviet Russia in 1952 and was THE cookbook for most Russians. The translation into English retains the original photographs and measurements. Want to know what the average Soviet ate during the Cold War? This isn't it. I was tipped off to this book while reading an autobiography from a woman who left

Russia as a teen in the 1970's. She remembered loving it because of the dreamy pictures of what daily cuisine could be like, if only the ingredients had been available. I haven't made any of the recipes yet, but the borscht looks authentic enough (I'm German-Russian) and the pictures have an incredible dreamy quality, rather like the old Christmas toy catalogs of my childhood. The photos are a mix of sepia and color reminiscent of 19th century chromos.

The Book of Household Management. by Mrs. Isabella Beeton
Published: 1859-1861 (orig. published serially)
Available at Project Gutenberg: <http://www.gutenberg.org/ebooks/10136>
Price: Free

Yes, this is the original Mrs. Beeton's handbook, known and loved for over a hundred years. Although primarily a cookery book, Mrs. B will also tell you how to hire a servant, treat scarlatina and make your own furniture polish. This is a good book for anyone with an interest in Victorian household management and life.

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UPCOMING EVENTS

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