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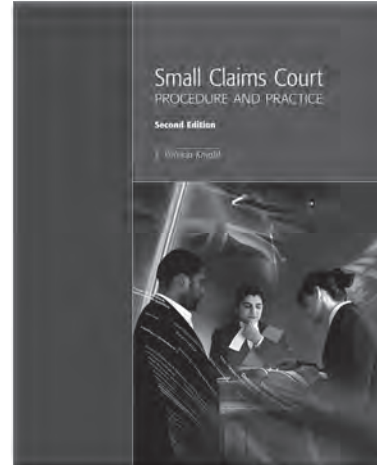
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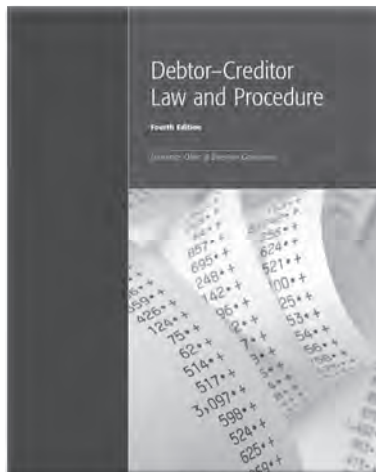
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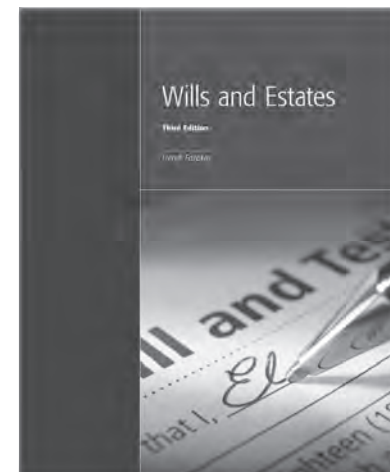
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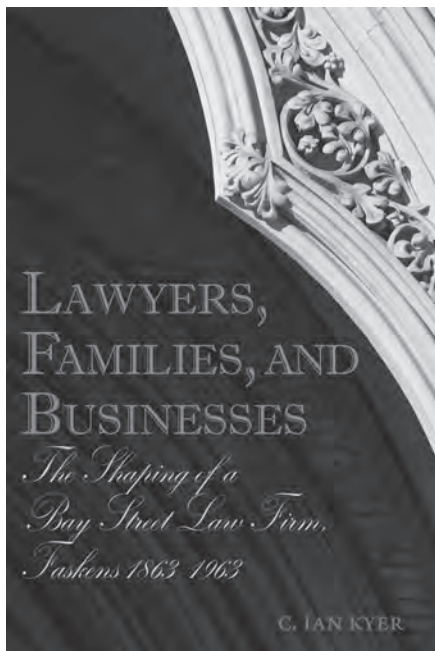
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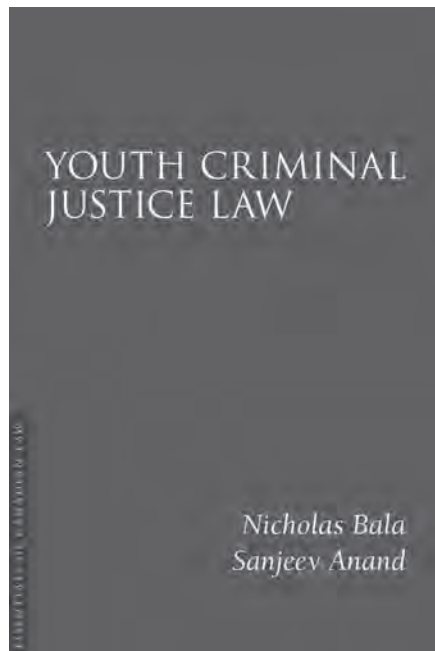
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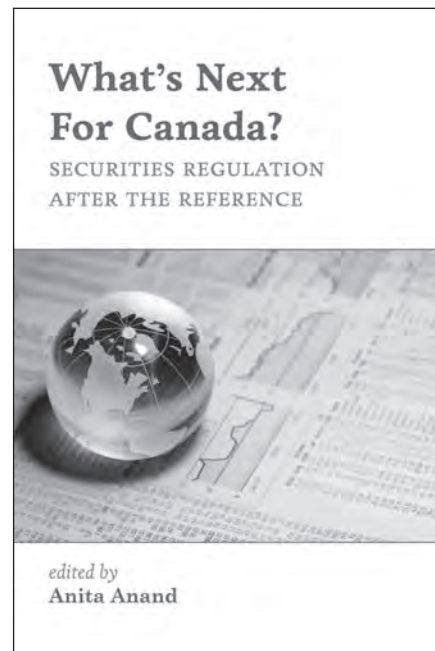
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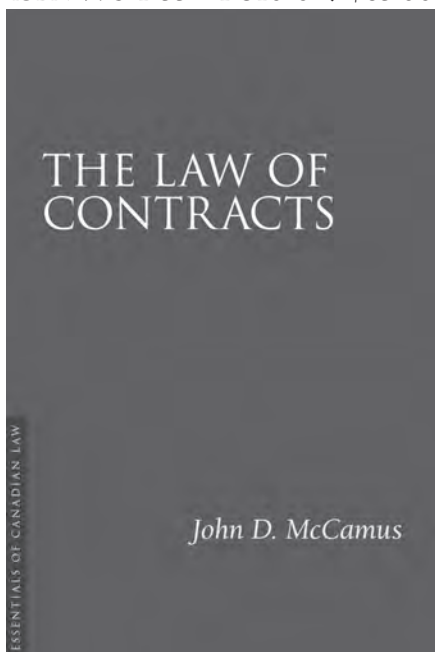
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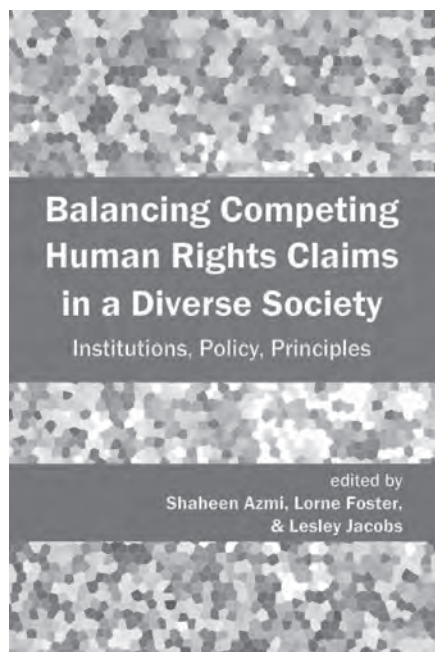
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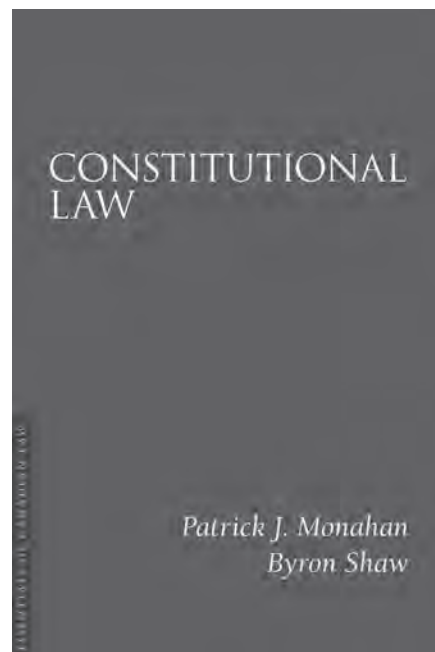
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FROM THE EDITOR

DE LA RÉDACTRICE

As librarians, we work daily in our libraries providing services to our patrons, but we ourselves are rarely in the role of patron. As a result, we might not be aware of just how different the library experience, from a patron's standpoint, has become—particularly where the other patrons are students.

So, here's the question: have you gone to do some work in a library lately and sat among a group of students? Believe me, for those of us over a certain age, the experience will be something of an eye-opener. Many of these students will have an iPod and will be listening to music. They will also have a laptop with Facebook or instant messaging running. In all likelihood, there will also be a cell phone next to the laptop which will alert students to new text messages or phone calls. It's a virtual symphony of distractions. Somewhere in the midst of all these devices, the work they are actually trying to do is situated—whether reading, studying, writing papers or going over class notes.

In the last few years, commentators have from time to time talked about the younger generation becoming better at multitasking and “re-wiring” the brain to concentrate on many things at once. We know, now, that this is not the case. Research has revealed that in order to learn, information must first exist in our working memory; only later, if all goes according to plan, is it transferred to long term memory. Dividing one's attention among a number of devices strains working memory and interferes with this transfer (<http://www.psychologytoday.com/blog/memory-medic/201006/will-multi-tasking-make-you-scatterbrain>).

Additionally, researchers using brain-imaging have observed that different parts of the brain are active when subjects are asked to single-task and multi-task. During single-tasking, the parts of the brain that light up have to do with focus, learning and performance. During multi-tasking, it's the parts of the brain in which habits are formed “*without consciousness of what is being learned.*” (Joanne



Nancy McCormack

Cantor, “Mining Your Inner Moron: Why Multitasking Is Such a Waste” (29 May 2010) [author's emphasis], online: *Psychology Today* (<http://www.psychologytoday.com/blog/conquering-cyber-overload/201005/mining-your-inner-moron-why-multitasking-is-such-a-waste>)). Multi-tasking, it seems, dims the light bulbs and de-powers the brain.

As if all of the effects on the brain weren't bad enough, checking email constantly has also been shown also to have a deleterious effect on heart rate and levels of stress. Researchers at UC Irvine found, when they hooked computer-users to heart rate monitors that people who moved back and forth between computer screens to do work and check their email “were in a steady ‘high alert’ state, with more constant elevated heart rates. Those removed from email for five days experienced more natural, variable heart rates.” They were also, not surprisingly, less stressed (http://today.uci.edu/news/2012/05/nr_email_120503.php).

On a personal note: I teach legal research to upper year students and make a point of spending part of a class each term explaining how important it is to focus and pay attention when doing research. I

also explain why it is stressful and harder to focus on what they are reading when they are task-switching and dividing their attention between multiple devices.

Now, here's the sad thing. At first I thought my lecture would be unwelcome, but I've discovered the message was actually hitting home. Students do indeed understand that they are distracted and stressed, and find it hard to focus when they're using multiple devices. But they can't stop. The expression on their faces is, as I recall, much the same as that of confirmed smokers, in days of yore, listening to lectures on the dangers of nicotine. These students know it's a good idea, but how can you break the habit when everyone around you is a technology addict?

It is difficult to predict what will be the combined effect all of these gadgets. We already know the dangers of drivers who text and drive at the same time. Will law students come to understand that clients in the future may not wish to entrust themselves to lawyers who have e-mailed, texted, phoned, Facebooked, Tweeted, listened to music and checked the sports scores while supposedly working on their cases?

Nancy McCormack
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Tous les jours, en tant que bibliothécaires, nous travaillons dans nos bibliothèques. En effet, nous fournissons des services à nos usagers, mais nous sommes rarement nous-mêmes dans le rôle de l'usager. Par conséquent, il est possible que nous ne sachions pas dans quelle proportion le travail de bibliothécaire a changé, du point de vue d'un usager — particulièrement quand les autres usagers sont des étudiants.

Alors, voici la question : vous êtes-vous, dernièrement, rendu à une bibliothèque pour y travailler et vous êtes-vous assis avec un groupe d'étudiants? Croyez-moi, pour ceux d'entre nous qui ont un certain âge, l'expérience sera révélatrice. Bon nombre de ces étudiants auront un iPod et écouteront de la musique. Ils auront également un portable avec Facebook ou une messagerie instantanée en opération. Selon toute vraisemblance, il y aura également près du portable, un cellulaire lequel avertira les étudiants de l'arrivée de nouveaux messages

texte ou d'appels téléphoniques. Il s'agit là d'une symphonie virtuelle de distractions et quelque part dans tout ce fouillis se trouve le travail qu'ils tentent de faire actuellement — que ce soit de la lecture, de l'étude, des documents à écrire ou des notes de cours à parcourir.

Au cours des dernières années, les commentateurs ont, de temps en temps, parlé de la génération montante, une génération davantage multitâche et « recablant » le cerveau pour se concentrer sur de nombreuses choses à la fois. Nous savons maintenant que ce n'est pas le cas. La recherche a démontré que, pour être en mesure d'apprendre, l'information doit d'abord exister dans notre mémoire de travail; ce n'est seulement qu'ultérieurement, si tout va comme prévu, qu'elle sera transférée dans notre mémoire à long terme. En divisant l'attention de quelqu'un entre certains secteurs de la mémoire de travail, on nuit à ce transfert (<http://www.psychologytoday.com/blog/memory-medic/201006/will-multi-tasking-make-you-scatterbrain>).

De plus, les chercheurs utilisant l'imagerie cérébrale ont constaté que différentes parties du cerveau sont actives lorsque les sujets sont interpellés pour une tâche individuelle et pour plusieurs tâches. Pour une tâche individuelle, les parties du cerveau qui sont sollicitées ont rapport à la concentration, à l'apprentissage et à la qualité. Quand on parle de plusieurs tâches, on parle des parties du cerveau dans lesquelles les comportements sont formés « without consciousness of what is being learned » (« sans que l'on ait conscience de ce que l'on apprend »). [Traduction libre] (Joanne Cantor, « Mining Your Inner Moron: Why Multitasking Is Such a Waste » (29 mai 2010) [accent mis par l'auteur], en ligne : *Psychology Today* (<http://www.psychologytoday.com/blog/conquering-cyber-overload/201005/mining-your-inner-moron-why-multitasking-is-such-waste>)). Le mode multitâche mettrait apparemment en veilleuse les ampoules électriques et réduirait la puissance du cerveau.

Comme si tous les effets sur le cerveau n'étaient pas suffisants, il a également été démontré que le fait de vérifier constamment les courriels avait un effet nocif sur la fréquence cardiaque et les niveaux de stress. Les chercheurs d'UC Irvine ont constaté, lorsqu'ils ont branché les utilisateurs d'ordinateurs aux moniteurs

de fréquence cardiaque, que les gens qui se déplacent de l'avant vers l'arrière entre les écrans d'ordinateur pour faire leur travail et vérifier leurs courriels « étaient régulièrement sur le qui-vive, avec des fréquences cardiaques constamment plus élevées. Les utilisateurs à qui on a enlevé l'accès aux courriels pour une période de cinq jours montraient des fréquences cardiaques variables et plus naturelles ». Ce qui n'est pas surprenant, ils étaient également moins stressés (http://today.uci.edu/news/2012/05/nr_email_120503.php).

Si je peux me permettre un commentaire : J'enseigne la recherche en droit à des étudiants de niveaux plus élevés et je me fais un point d'honneur de passer une partie d'un cours à chaque session pour expliquer l'importance de se concentrer et de prêter attention lorsque l'on effectue de la recherche. Je leur explique également pourquoi il est stressant et plus difficile de se concentrer sur ce qu'ils lisent lorsqu'ils font une commutation de tâches et divisent leur attention entre plusieurs appareils.

Maintenant, voici le côté sombre des choses. Tout d'abord, je pensais que mon exposé ne serait pas le bienvenu, mais j'ai vite constaté que le message était plus que pertinent. Les étudiants, à n'en pas douter, comprennent qu'ils sont distraits et stressés, et trouvent qu'il est difficile de se concentrer lorsqu'ils utilisent plusieurs appareils. Par contre, ils ne peuvent s'arrêter. L'expression sur leur visage est, si je me souviens bien, la même que celle des fumeurs invétérés, au temps jadis, écoutant les conférences sur les dangers de la nicotine. Ces étudiants savent que c'est une bonne idée, mais comment pouvez-vous briser cette habitude lorsque tout un chacun autour de vous est accro à la technologie?

Il est difficile de prédire quels seront les effets globaux de tous ces gadgets. Nous sommes déjà au courant des dangers encourus par ceux qui conduisent un véhicule et qui envoient un message texte en même temps. Est-ce que les étudiants en droit en viendront à comprendre que les clients, à l'avenir, ne souhaiteront peut-être pas se confier à des avocats qui auront envoyé des courriels, des messages texte, téléphoné, partagé de l'information sur Facebook, gazouillé, écouté de la musique et vérifié les résultats sportifs en même temps qu'ils travaillaient, en principe, sur leur cas?

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Contributions are invited from all CALL members and others in the library and legal communities. Bibliographic information on relevant publications, especially government documents and material not widely publicized, is requested. Items may be in English or French. Full length articles should be submitted to the Features Editor and book reviews to the Book Review Editor. All other items should be sent directly to the Editor. Prior to publication, all submissions are subject to review and editing by members of the Editorial Board or independent subject specialists; the final decision to publish rests with the Editorial Board. If requested, articles will undergo independent peer review. Items will be chosen on their relevance to the field of law librarianship. For copies of the Style Guide please consult the CALL website at <<http://www.callacbd.ca>>.

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Canadian Law Library Review/Revue canadienne des bibliothèques de droit, l'organe officiel de l'Association canadienne des bibliothèques de droit, publie des informations, des nouveautés, des articles, des rapports et des recensions susceptibles d'intéresser ses membres. Des enquêtes et des relevés statistiques préparés par les divers comités de l'Association et par les groupes d'intérêt spécial, des nouvelles d'intérêt régional et les procès-verbaux du congrès annuel de l'Association sont également publiés.

Tous les membres de l'ACBD ainsi que toute autre personne intéressée à la bibliothéconomie et faisant partie du monde juridique sont invités à soumettre des articles. La revue sollicite également des commentaires bibliographiques d'ouvrages de nature juridique et plus particulièrement de publications officielles et de documents peu diffusés. Les contributions peuvent être soumises en français ou en anglais. Les articles de fond doivent être envoyés à la personne responsable des recensions. Avant d'être publiés, tous les textes seront revus par des membres du Comité de rédaction ou par des spécialistes de l'extérieur. La décision finale de publier relève toutefois du Comité de rédaction. Les articles pourront, sur demande, faire l'objet d'un examen indépendant par des pairs. La priorité sera accordée aux textes se rapportant à la bibliothéconomie juridique. Pour obtenir des exemplaires du Protocole de rédaction, visitez le site web de l'ACBD au <<http://www.callacbd.ca>>.

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PRESIDENT'S LETTER

LE MOT DE LA PRÉSIDENTE

As I write this column, I am preparing for the two-day November meeting of the executive board in Toronto. As you read this column, I hope that you have already registered for CALL/ACBD's May conference and annual general meeting in Montreal. As you can see from the following update, the two events are inextricably connected.

At the November board meeting, a major item on the agenda, and a recurring theme in all of our decision-making, will be the finances of the association. Our current deficit is large because we spent much more money on the conference in Toronto than we made, despite the best efforts of the CPC to control costs and raise revenue, and despite high registration numbers. Toronto is an expensive city in which to hold a conference; food and room rental costs are high. Because of the high room rental rate at the Royal York, many delegates found less expensive accommodations in the downtown area, with the result that we incurred additional costs because we did not get the room bookings for which we had contracted. As well, our sponsorship dollars, used to offset the costs of the conference, were fewer than the previous year. In response, the executive has decided the following:

- Future contracts for conference venues, including the one just signed with the Fort Garry hotel for the 2014 conference in Winnipeg, will have a lower food commitment and a lower delegate booking commitment.
- Unless there is a sponsor for the opening reception or closing banquet, all social events will be held onsite. This will eliminate the costs of bussing delegates to another venue and will count towards the guaranteed food minimums with the hotel.
- The sponsorship model has been tweaked following feedback from members and from sponsors. For the major social events, there will be two



Cyndi Murphy

components to the sponsorship—a guaranteed whole conference sponsorship amount and a variable cost-of-the event amount. Some sponsorship entitlements have been removed as cost-saving measures, but the ability for a sponsor to have its name affiliated with a specific event has been added. In addition, there have been entitlements added at the lower range of sponsorship dollars to encourage contributions from additional sources.

- Vendor demos will be held at various times throughout the conference, instead of all on Sunday afternoon. Some demos will be held on Monday and Tuesday mornings and vendors will have the option of providing breakfasts to attendees. Breakfast will not be included in the registration fees.

At the Montreal conference, a new special interest group will be meeting for the first time. At our executive board meeting, we will be considering a petition to form a Student Members SIG. Initiated by Hilary Stamper, a student in the MLIS program at Dalhousie University's School of Information Management, and signed by twelve CALL/ACBD members, three of whom are library school students, the SIG will not be limited to student members of CALL/ACBD, but will be open to all members who have an interest in the

student members of the association and want to facilitate the interaction between current legal information professionals and those who aspire to a career in law librarianship. We hope that social media and electronic communications will enable students in educational institutions throughout Canada to share ideas on facilitating sessions, tours and other events involving CALL/ACBD professionals.

The new *Canada Not-for-Profit Corporations Act*, S.C. 2009, c. 23, which came into force October 27, 2011, requires non-profit corporations incorporated under the old *Corporations Act*, Part 2, such as CALL/ACBD, to transition to a governance model in line with the provisions of the new Act by October 17, 2014. Failure to do so would result in CALL/ACBD being dissolved. An *ad hoc* committee consisting of Ted Tjaden and John Papadopoulos, assisted by the association's bylaws expert, Catherine Cotter, and national officer, Donna Dennison, has examined the old letters patent and by-laws and prepared the necessary documents, including articles of continuance and new by-laws. The executive board will review the work of the committee at the November meeting before bringing the recommendations to the membership. We will be asking the membership to approve these documents at the 2013 annual general meeting and to authorize the executive board to file the necessary paperwork with Corporations Canada to transition our organization under the new Act. Prior to the vote at the AGM, there will be an area on the association website for members to ask questions and post comments.

Also at the November board meeting, we will be receiving a report from the nominations committee on the slate of candidates for executive elections being held in 2013. I hope that all members of CALL/ACBD will exercise their mandate and vote for the candidates they feel will best represent their interests in the association over the next two years. Imagine the certainty of the results if we had 100% voting! The members of the newly elected executive board will assume office at the final

AGM in Montreal.

Cyndi Murphy
President, CALL/ACBD

Au moment où j'écris cette chronique, je me prépare pour la réunion de deux jours avec les membres du Conseil d'administration, qui se tiendra en novembre à Toronto. J'espère que vous êtes déjà inscrit au congrès et à l'assemblée générale annuelle de l'ACBD qui auront lieu à Montréal en mai 2013. Comme vous pourrez le constater en prenant connaissance de la mise à jour qui suit, les deux événements sont inextricablement liés.

Lors de la réunion du Conseil d'administration tenue en novembre, un point important à l'ordre du jour, et un thème récurrent dans toutes nos prises de décisions : les finances de l'Association. Notre déficit actuel est énorme parce que nous avons dépensé beaucoup plus d'argent pour le congrès tenu à Toronto que nous n'en avons fait, malgré tous les efforts déployés par le CPC pour freiner les coûts et augmenter les recettes, et en dépit du nombre important d'inscriptions. Toronto est une ville où les coûts associés à la tenue d'un congrès sont élevés. En effet, le coût de la nourriture et de la location de chambres est considérable. En raison du tarif élevé pour la location de chambres au Royal York, de nombreux délégués se sont organisés pour trouver un hébergement dans le secteur du centre-ville, ce qui a donné comme résultat que nous avons encouru des frais additionnels parce que nous n'avons pas réussi à réserver le même nombre de chambres que celui pour lequel nous avons pris un engagement auprès de l'hôtel. De plus, les montants des commandites, qui ont été utilisés pour défrayer les coûts du congrès, étaient d'un montant inférieur à celui de l'année précédente. C'est pourquoi le Conseil d'administration a pris les décisions suivantes :

- Dorénavant, les contrats pour le lieu où se tiendra le congrès, y compris celui que nous venons tout juste de signer

avec l'hôtel Fort Garry pour le congrès de 2014 qui se tiendra à Winnipeg, comporteront un engagement moins important en ce qui concerne la nourriture et il en sera de même pour la réservation des chambres pour les délégués.

- À moins que nous n'ayons un commanditaire pour la réception d'ouverture ou le banquet de clôture, tous les événements sociaux se tiendront sur place. Cela permettra d'éliminer les coûts engendrés par le transport en autobus des délégués à un autre endroit et les coûts seront compris dans le prix minimum pour la nourriture garanti par l'hôtel.

- Le modèle de commandite a été mis au point par suite des commentaires reçus des membres et des commanditaires. Pour les grands événements sociaux, deux éléments seront associés à la commandite : un montant de commandite garanti pour l'ensemble du congrès et un montant variable en fonction de l'événement proposé. Certains droits associés à la commandite, telles les mesures permettant des économies, ont été retirés mais la possibilité pour que le nom d'un commanditaire soit affilié à un événement particulier a été ajouté. De plus, certains droits ont été ajoutés à la fourchette monétaire minimale de commandite afin d'encourager les contributions provenant de sources additionnelles.

- Les démonstrations des éditeurs seront présentées à divers moments tout au long du congrès, plutôt que d'être présentées en totalité le dimanche après-midi. Certaines démonstrations seront présentées dans la matinée du lundi et du mardi et les éditeurs auront le choix de fournir le petit déjeuner aux participants. Le petit déjeuner ne sera pas inclus dans les frais d'inscription.

Lors du congrès qui se tiendra à Montréal, les membres d'un nouveau groupe d'intérêt spécial se rencontreront pour la première fois. Lors de la réunion de notre Conseil d'administration, nous examinerons une pétition présentée dans le but de former un groupe d'intérêt spécial de stagiaires. Lancée par Hilary Stamper, une étudiante au programme

de MBSI à la School of Information Management (Université de Dalhousie), et signée par 12 membres de la CALL/l'ACBD, dont trois d'entre eux étudient à l'école de bibliothéconomie, le GIS ne sera pas limité aux stagiaires de la CALL/l'ACBD, mais il sera ouvert à tous les membres qui montrent un intérêt envers les stagiaires de l'Association et qui veulent faciliter l'interaction entre les professionnels actuels de l'information juridique et ceux qui aspirent à une carrière en bibliothéconomie de droit. Nous espérons que les médias sociaux et les communications électroniques permettront aux étudiants des établissements d'enseignement dans l'ensemble du Canada de partager des idées sur l'animation des séances, les visites et d'autres événements auxquels participent des professionnels de la CALL/l'ACBD.

La nouvelle *Loi canadienne sur les organisations à but non lucratif*, L.C. 2009, ch. 23, laquelle est entrée en vigueur le 27 octobre 2011, exige des sociétés sans but lucratif constituées en

personne morale en vertu de l'ancienne *Loi sur les corporations*, Partie II, comme la CALL/l'ACBD, qu'elles effectuent la transition à un modèle de gouvernance conforme aux dispositions de la nouvelle loi d'ici le 17 octobre 2014. En cas de non-conformité à cette exigence, la CALL/l'ACBD serait dissoute. Un comité *ad hoc* composé de Ted Tjaden et de John Papadopoulos, assisté de l'experte en règlements administratifs de l'Association, Catherine Cotter, et de la responsable du Bureau national, Donna Dennison, a examiné les anciennes lettres patentes et règlements administratifs et a préparé les documents nécessaires, y compris les clauses de prorogation et les nouveaux règlements administratifs. Le Conseil d'administration examinera le travail du comité lors de la réunion d'affaires de novembre avant de présenter les recommandations aux membres. Nous demanderons aux membres d'approuver ces documents lors de l'Assemblée générale annuelle de 2013 et d'autoriser le Conseil d'administration à produire les documents nécessaires

après de Corporations Canada pour transférer notre organisation en vertu de la nouvelle loi. Avant le vote de l'AGA, il y aura une section sur le site Web de l'Association qui permettra aux membres de poser des questions et d'afficher des commentaires.

De plus, lors de la réunion du Conseil d'administration de novembre, nous recevons un rapport du comité des nominations sur la liste des candidats pour les élections de l'exécutif qui se tiendront en 2013. J'espère que tous les membres de la CALL/l'ACBD exerceront leur droit de vote et qu'ils voteront pour les candidats qu'ils croient être le plus en mesure de représenter leurs intérêts au sein de l'Association et ce, pour les deux prochaines années. Imaginez le résultat si tous les membres exerçaient leur droit de vote! Les membres du Conseil d'administration nouvellement élus assumeront leurs fonctions lors de la dernière AGA qui se tiendra à Montréal.

Cyndi Murphy
Présidente

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CALL/ACBD 50TH ANNIVERSARY: REFLECTIONS

A Parade of Past Presidents*

By Hilary Stamper**

The Canadian Association of Law Libraries began a year-long celebration of its fiftieth anniversary with a parade of past presidents at the closing banquet of the conference held in Toronto in May 2012. In preparation for the presentation of the past presidents, CALL/ACBD members Janet Moss and Rosalie Fox researched some of their accomplishments. Following are the highlights, arranged by decade.

1960s

Marianne Scott

1961 – 1963 *pro tem*; 1963 – 1969

Dr. Marianne Scott was the Association's first President. She served as President *pro tem* from 1961 to 1963 and then as President from 1963 to 1969. Marianne was involved in the creation of CALL/ACBD and saw the Association go from its first stage as a chapter of the American Association of Law Libraries to its final stage as a separate association in 1971.

At the time of her involvement with CALL/ACBD, she was the head of the McGill University law library. She later became the National Librarian of Canada, a position in which she served for fifteen years; she was also a co-chair for The National Library Advisory Committee Survey of Law Library Resources.

Marianne Scott was the creator and long-time publisher of the *Index to Canadian Legal Periodical Literature* and was an editor of *CALL News*, the association's earliest newsletter, in circulation from 1963 to 1966.

As the first President of CALL/ACBD, Marianne organized early meetings for the chapter at McGill and, in 1968, she planned the special meeting in Winnipeg to discuss the KF modified initiative.

In 1977, she was awarded the Queen's Silver Jubilee Medal and, in 1995, Dr. Scott received the Order of Canada.

In 1984, Dr. Marianne Scott became the first honoured member of the Canadian Association of Law Libraries. Because of her influence, we are the Canadian Association of Law *Libraries* and not the Canadian Association of Law *Librarians*.

1970s

Diana M. Priestly

1969 – 1971

In 1953, after graduating with her Masters of Law Librarianship degree from the University of Washington, Diana Priestly became Canada's first professionally-educated law librarian. Disregarding offers from law libraries in the United States, Diana remained in Canada and worked as law librarian and lecturer at the University of British Columbia. In 1964, Diana was the first Canadian-born woman to obtain a professional rank in a Canadian law faculty.

Diana Priestly moved to the University of Western Ontario in 1970 to become director of research and an associate professor. In 1972, she joined the legal research and planning section of the Department of Justice in Ottawa as a legal officer. In 1973, she accepted an offer from the University of Victoria's founding law dean to become the law librarian at the University of Victoria.

Diana was a founding member of the Canadian Association of Law Libraries and the editor of CALL/ACBD's newsletter from 1970 to 1973.

During her presidency, CALL/ACBD's status changed in 1971 from being a chapter of the American Association of Law Libraries to being an independent association.

In 1987, upon her retirement, the University of Victoria renamed their law library the Diana M. Priestly Law Library in honour of her years of hard work and dedication to the growth of the university law library. Also in 1987, Diana was named an honoured member of CALL/ACBD. The Association established the Diana M. Priestly Scholarship, which is awarded annually to a student studying law and/or library science at a Canadian university.

According to Marianne Scott, in a tribute written by Ken Barnett, Diana's greatest achievements were the expansion of the University of Toronto law library, the building of the York University Commonwealth collection, and the establishment of the law library at the University of Victoria.

Roger F. Jacobs

1971 – 1973

Roger F. Jacobs was a founding law librarian and professor with the Faculty of Law at the University of Windsor from

* © Hilary Stamper 2012

** Hilary Stamper, a member of CALL/ACBD, is a 2013 MLIS candidate, Dalhousie University School of Information Management.

1967 to 1973. Between the years 1978 and 1985, Roger served as a law librarian with the United States Supreme Court. In 1985, he joined the Notre Dame Law School as Director of the Kresge Law Library and Professor of Law.

During his presidency of CALL/ACBD, Roger put forth the motion to amend the Association's constitution by deleting all references to the American Association of Law Libraries.

In 1981, ten years after his first year as President of CALL/ACBD, Roger became President of the American Association of Law Libraries. To date, he is the only person to have served both as President of CALL/ACBD and President of AALL.

Guy Tanguay 1973 – 1975

Guy was the founding director of the law library at the Université de Sherbrooke.

He was CALL/ACBD's first francophone President. During his presidency, the Association greatly expanded its membership, particularly among law firm librarians.

Guy was a member of the *Index to Canadian Legal Literature* editorial board as well as a member of the first *Canadian Abridgement* editorial advisory board.

In 1973, Guy represented CALL/ACBD at an American Association of Law Libraries meeting in Seattle as well as the International Association of Law Libraries meeting in Grenoble.

In 1998 Guy became an honoured member of CALL/ACBD.

Pamela Hardisty 1975 – 1977

Assistant Librarian at the Library of Parliament in Ottawa, Pamela Hardisty was the first President of CALL/ACBD who was not an academic law librarian.

She established the first "Notes from the President" section in the *CALL Newsletter* and produced multiple scholarly works on Canadian official and parliamentary publications. During her presidency, she put forth a resolution for the incorporation of CALL/ACBD and published Viola Bird's *Law Library Resources in Canada*.

She was also responsible for lobbying the Library of Congress to publish KE (Law of Canada) classification.

Tom Shorthouse 1977 – 1979

Tom Shorthouse was the Chief Librarian at the University of British Columbia Law Library from 1966 until his retirement in 1998. Tom received the University of British Columbia President's Service Award for Excellence in 1994, in part for his dedication to the success of the university's law library and also for his active involvement in the law school.

During Tom's presidency, the CALL/ACBD executive board determined that the CALL/ACBD headquarters would

be moved to the Law Society of Upper Canada from McGill University. Also, Tom's presidency oversaw the creation of a CALL/ACBD Continuing Education Questionnaire, as well as the conduct of a survey on head librarian salaries, published in the 1977/1978 *CALL Newsletter*.

Tom was very interested in making sure everyone had a voice in the Association and ensured that groups of like-minded people had the chance to meet and discuss their common interests. This led to the creation of formal special interest groups.

Many long-time CALL/ACBD members know Tom as the man behind "the Ballad of CALL" and many other original compositions, including the famous Vancouver Association of Law Libraries song.

In 1998, Tom Shorthouse was named an Honoured Member of the Canadian Association of Law Libraries.

1980s

Lillian MacPherson 1979 – 1981

In 1968, Lillian MacPherson moved to Edmonton where she began her 26-year career at the University of Alberta, first as assistant law librarian and then as head law librarian. Lillian acted as Associate Dean of Law for the University of Alberta and served on the executives of many other library and professional organizations. In recognition of her contributions, she was named a builder of the University of Alberta's Faculty of Law in 1999.

Lillian was a respected scholar and authority on copyright issues and she also worked hard to introduce new technological advances to the University of Alberta's Faculty of Law. This included setting up the first microcomputer lab.

As a member of CALL/ACBD, Lillian was involved in the Association by chairing the constitutional review committee from 1989 to 1991, chairing the planning committee for the Information Summit, and working with the conference planning committee for the 1988 Jasper conference.

Lillian also authored an article on indexing Canadian legal literature in the *Law Library Journal*.

During her presidency of CALL/ACBD, she oversaw parts of the process to incorporate the association as a non-profit corporation—a project which took several years.

In 1996, Lillian MacPherson was named an Honoured Member of the Canadian Association of Law Libraries.

Paul Murphy 1981 – 1983

Paul Murphy joined the law library at Windsor in 1971 and earned his Master of Science in Library Science in 1974. In 1975, Paul was appointed as head law librarian of the Paul Martin Law Library and assistant professor in the University of Windsor's Faculty of Law.

As vice-president of CALL/ACBD, Paul assisted President



CALL/ACBD Presidents (from left to right): Roger F. Jacobs (1971-1973), Patricia Young (1989-1991), Denis LeMay (1991-1993), C. Anne Crocker (1995-1997), Suzan A Hebditch (1997-1999), Thomas J. Shorthouse (1977-1979), Marianne F. Scott (1961-1963 pro tem and 1963-1969) and Guy Tanguay (1973-1975). This photograph was taken in 1998 at the Hamilton conference. Credit: Images by Trent Richer.

Lillian MacPherson oversee the final stages of the federal incorporation of CALL/ACBD as a non-profit organization.

Diana Hunt
1983 – 1985

After graduating from library school, Diana Hunt worked at the University of Toronto’s main library and at their Centre of Criminology.

Diana went on to work with McCarthy & McCarthy law firm in Toronto and then with Russell & DuMoulin law firm in Vancouver.

During her presidency of CALL/ACBD, Diana was the Manager of Library Services at Russell & DuMoulin. She was the first law firm librarian to be elected as President of CALL/ACBD.

From 1990-1994, Diana freelanced at 5 small law firms and worked as an on-call librarian at the Okanagan public

library, with a primary focus on business and economics.

Denis Marshall
1985 – 1987

Denis Marshall’s professional career took him from the University of Western Ontario to the University of British Columbia to the University of Manitoba and ultimately to Queen’s University where he was a professor and the head law librarian.

A long-standing member of CALL/ACBD, Denis was highly regarded for his work as on the Association’s executive board, as well as for his various scholarly writings, many of which were published in *Canadian Law Libraries/Bibliothèques de droit canadiennes*.

He actively participated in the academic law libraries special interest group, chaired the conference planning committee for the Kingston conference in 1996, and worked

quietly behind the scenes for many years on the CALL/ACBD copyright committee, providing sage advice and legal opinions.

Denis was always supportive and encouraging of new law librarians. He mentored many and showed a keen interest in their professional development.

In recognition of his academic scholarship, Denis was honoured by his peers with the 1999 prestigious Ontario Confederation of University Faculty Associations Academic Librarianship Award.

After his passing in 2000, the Denis Marshall Memorial Award for Excellence in Law Librarianship was created and funded by Quicklaw, in honour of his many achievements.

Joan Fraser 1987 – 1989

Joan Fraser, who was hired by Diana Priestly in 1975, was the public services librarian at the University of Victoria Law Library.

As President of CALL/ACBD, Joan was motivated to re-establish the Association's links to other Canadian library groups such as the Canadian Library Association. She wanted to support CLA initiatives in fields of common interest.

Joan was interim chair for the Subcommittee on Legal Publishing in CALL/ACBD and responsible for publishing *Law Libraries in Canada: Essays in Honour of Diana M. Priestly* in 1988.

Joan also authored an article in *Canadian Law Libraries* entitled "Pre-Computer Librarian" about ways in which librarians were adjusting to the technological revolution.

In 1996, Joan Fraser was named an Honoured Member of the Canadian Association of Law Libraries.

1990s

Patricia Young 1989 – 1991

At the beginning of her term as President of CALL/ACBD, Patricia was working at the Bell Canada law library in Montreal. By the end of her term, she was the head law librarian at McGill University.

Patricia was a founding member of the Association des bibliothèques de droit de Montréal / Montreal Association of Law Librarians.

Before becoming President of CALL/ACBD, she served on the CALL/ACBD executive as treasurer from 1987 to 1989.

As CALL/ACBD President, Patricia formed the *Canadian Abridgment* Editorial Advisory Board.

At her first CALL/ACBD conference, Patricia volunteered to chair of the Private Law Libraries SIG because she was the only person in the meeting who lived in the following year's CALL/ACBD conference location, Montreal. She continued to be actively involved in many CALL/ACBD committees

from that point on.

Denis Le May 1991 – 1993

Denis Le May was a law librarian and a professor at the University of Laval in Quebec.

In 1989, Denis chaired the conference planning committee for that year's conference in Quebec City.

Denis is well known for authoring published works such as *La recherche documentaire en droit*, *The Civil Code of Québec in Chart Form*, and *Le code civil du Québec en tableaux synoptiques*.

He also wrote in French a definitive treatise on legal research, as well as the chapter on Quebec research in Douglas T. MacEllvan's *Legal Research Handbook*.

Together with John Eaton, Denis is the co-author of *Essential Sources of Canadian Law / Les références essentielles en droit canadien*.

During his presidency of CALL/ACBD, Denis created the executive board manual, signed the first contract to have a national office in Kingston, Ontario, and designed the new logo/letterhead for CALL/ACBD.

In 2003, Denis received the Denis Marshall Award for Excellence in Law Librarianship and, in 2010, he was named an Honoured Member of the Canadian Association of Law Libraries.

Neil Campbell 1993 – 1995

Neil Campbell was head law librarian at the University of Manitoba from 1989 to 1998. From 1998 to 2000, Neil was the University Librarian at the University of Northern British Columbia. In 2001, Neil was appointed as a law librarian and associate professor at the University of Victoria.

Neil was the chair of the 1992 Winnipeg conference planning committee and co-chaired the CPC for the 2002 Victoria conference.

During his presidency of CALL/ACBD, Neil introduced a checklist for keeping track of the special interest groups as well as new guidelines for creating SIGs. He also initiated the Association's first working plan.

Neil once wrote a letter to the House of Commons and the Prime Minister protesting the proposed cessation of the publication of House of Commons committee proceedings. He also wrote to the Prime Minister protesting the government's approach to public information, particularly concerning recent problems over public access to the budget documents.

Neil was responsible for CALL/ACBD's adoption of the mentoring program and the renewal of the Association's contract with the National Office in Kingston. He was also the first CALL/ACBD delegate to liaise with the Organization of South African Law Libraries.

C. Anne Crocker
1995 – 1997

Anne Crocker was the head librarian at the University of New Brunswick Gerard V. LaForest Law Library during her term as President of CALL/ACBD.

When she retired, Anne was named the Law Librarian Emerita at the University of New Brunswick. That was only the second time in the university's history that a retired librarian had been honoured by being named to emerita status.

As a member of CALL/ACBD, Anne was involved in the education committee and chaired the conference planning committee for the 1985 Fredericton conference.

During Anne's presidency of CALL/ACBD, the Association's first website was launched and the working plan, started by past president Neil Campbell, was finalized. Anne was also responsible for orchestrating the "*The Official Version: A National Summit to Solve the Problems of Authenticating, Preserving and Citing Legal Information*", held in Toronto in November 1997.

In 1997, Anne was named a member of the Order of Canada, and in 2003 she received the Queen's Jubilee Medal in recognition of her work combating family violence.

The C. Anne Crocker New Brunswick Legal Heritage Collection, which brings together the province's 19th and 20th century legal publications, was named in Anne's honour for her dedication to the cultivation of the collection throughout her thirty-year career.

Suzan Hebditch
1997 – 1999

Suzan Hebditch was a law librarian with the Department of Justice Canada in Edmonton before becoming the first executive director of the not-for-profit LibraryCo, overseeing the 48 county and district courthouse law libraries in Ontario.

Suzan served on the CALL/ACBD executive from 1991 to 2001, and was the Association's liaison with the Canadian Bar Association. In 2002, she co-chaired the planning committee for CALL/ACBD's first Joint Study Institute: *Canadian Focus – Global View* in Victoria, British Columbia.

During her presidency of CALL/ACBD, Suzan was responsible for the new format of the annual member directory, a new look for the information pages on the CALL/ACBD website and for the creation of the Organizational Orienteering Program.

She also established CALL/ACBD's first liaison with the Special Libraries Association, as well as the CALL/ACBD Award for Excellence in Legal Publishing.

In 2003, Suzan received the Denis Marshall Award for Excellence in Law Librarianship for her development of LibraryCo.

2000s

Ann Morrison
1999 – 2000

Ann Morrison was the associate law librarian at the University of Toronto Bora Laskin Law Library before becoming the chief law librarian at Dalhousie University's Sir James Dunn Law Library.

During Ann's presidency of CALL/ACBD, the Association's new website was launched.

Ann served on the CALL/ACBD executive for 10 years, from 1993 to 2003, as member-at-large, Vice-president/President-elect, President, and Past President. She actively participated in annual conferences as a moderator, a panellist, or a SIG or committee member or chair. She was also conference planning committee chair in Toronto in 1987 and in Halifax in 2009.

For many years, Ann was CALL/ACBD's representative to IALL, the International Association of Law Libraries, another association in which she was active, also serving on their executive.

John Eaton
2001 – 2003

John Eaton is a law librarian and associate professor at the E. K. Williams Law Library of the University of Manitoba.

As President, he established the Education Reserve Fund; he also facilitated the addition of back issues of *Canadian Law Libraries* to Hein Online.

John is the co-author of *Eaton & Le May: Essential Sources of Canadian Law/ Les références essentielles en droit canadien*.

In 2012, John was awarded the Association of College and Research Libraries (ACRL) Law and Political Science Section (LPSS) Marta Lange/CQ Press Award for his work on the bibliographic *Essential Sources of Canadian Law* title.

John received the Denis Marshall Award for Excellence in Law Librarianship in 2006 in part for his leadership in getting the Association's archives in one place and organized. He is currently the Association archivist.

Janine Miller
2003 – 2005

Janine Miller became the Director of Libraries for the Law Society of Upper Canada in 1996, where she served for the next twelve years. Janine was directly involved in the Law Society's successful defence in the copyright law suit brought by the legal publishers against the Great Library of the Law Society of Upper Canada and subsequently wrote to the Members of Parliament regarding copyright reform.

While Janine was working at the Law Society of Upper Canada, she was also actively involved in founding the Canadian Legal Information Institute (CanLII). She served as the Institute's Project Manager and then later as the Executive

Director.

During Janine's presidency of CALL/ACBD, the Association's newsletter was renamed *Canadian Law Library Review / revue canadienne des bibliothèques de droit* and the KF Modified Schedule became a CALL/ACBD publication.

Janine has a fellowship fund named in her honour which provides funding annually for one CALL/ACBD member to attend the Law via the Internet Conference, supported by the Canadian Legal Information Institute.

Janine received the first Denis Marshall Award for Excellence in Law Librarianship in 2001 for her work on the development of CanLII.

In 2011, Janine was named an Honoured Member of the Canadian Association of Law Libraries.

John Sadler 2005 – 2007

John Sadler started at the John and Dotsa Bitove Family Law Library at the University of Western Ontario in 1997 as a reference/electronic services librarian. In 1999, John was appointed Director of Western's law library and became co-director of the Faculty of Law's legal research, writing and advocacy program that same year.

As President of CALL/ACBD, John worked on updating the CALL/ACBD website, rejuvenating the copyright committee and encouraging more students in library school to attend the Association's annual conferences. John was very passionate about encouraging new law librarians and, following his tenure as President, he was responsible for organizing the Association's first New Law Librarians Institute.

Anne Matthewman 2007 – 2009

During her presidency of CALL/ACBD, Anne Matthewman was the library manager/executive director of the Toronto Lawyers' Association. Shortly after, in 2010, she became the Chief Librarian for the Sir James Dunn Law Library at Dalhousie University's Schulich School of Law.

Anne was the chair of the 2010 Joint Study Institute in Montreal.

As President of CALL/ACBD, Anne worked on strategic planning for the Association.

Anne was the treasurer of the American Association of Law Libraries and chair of their State, Court & Counties Law Libraries Special Interest Section. She also served on the AALL program committee for the 2012 conference.

Rosalie Fox 2009 – 2011

Rosalie Fox is the Director of Library and Information Management of the Supreme Court of Canada.

As a member of CALL/ACBD, Rosalie chaired the conference planning committee for the 2007 conference in Ottawa and as Vice-president of CALL/ACBD, Rosalie was the first CALL/ACBD delegate to attend a Special Libraries Association annual conference.

During her presidency of CALL/ACBD, Rosalie worked on the restructuring of the board liaison responsibilities, established a sponsorship policy for CALL/ACBD's annual conferences and introduced the use of webinars to the Association.

Rosalie was also responsible for the launch of CALL/ACBD's new website. The website was designed to move the Association into social media and provide a range of new tools for CALL/ACBD members to communicate such as a job board, blogs and collaborative workspaces for special interest groups.



CALL past-Presidents, (left to right): Janine Miller, John Sadler, Cyndi Murphy, Rosalie Fox, Denis Le May, Anne Crocker, Tom Shorthouse, Marianne Scott, John Eaton, Patricia Young, Suzan Hebditch, Anne Matthewman, Neil Campbell, Ann Morrison. This photograph was taken in 2012 at the Toronto conference.

BUILT TO LAST—A YEAR OF CELEBRATION AT THE ONTARIO LEGISLATIVE LIBRARY*

By Erica Anderson**

Sommaire

L'auteur décrit l'histoire de la bibliothèque de l'Assemblée législative de l'Ontario située à Toronto ainsi que quelques-unes des activités organisées pour souligner ses 100 ans d'existence à son emplacement actuel.

CALL Conference 2012 attendees in Toronto may recall the reception held at the Legislative Assembly of Ontario, which included a celebration of the 100th anniversary of the Legislative Library in the North Wing of Queen's Park. Library staff had a busy and exciting year marking the centenary with special events, like the one at CALL, and with written works—most notably a commemorative book—*Built to Last, The Legislative Library: Celebrating 100 Years in the North Wing of the Legislative Building, 1912 - 2012*¹ by Susanne Hynes, Joanne Robertson and Elias Chiddicks. This book is an excellent companion to Susanne's earlier Ontario Legislative Library book, *From Ashes to Steel*,² about the 1909 fire that destroyed the Legislative Library.

The 2012 celebration marks 100 years for the Legislative Library in the same space, but it has been operating in various locations for nearly 200 years (stay tuned for that celebration in 2016!). Since, as far as we can tell, there was very little fanfare when the Library opened the doors to its new facility in the North Wing, the 2012 anniversary is also an opportunity to recognize how our predecessors pulled through that devastating fire of 1909 and built a structure that has lasted a century. The fire of 1909 was the fifth fire to burn the Legislative Library, but it caused so much damage that it required rebuilding in a new fireproof North Wing. Luckily, the Legislative Librarian, Avern Pardoe, had the foresight to realize the shortfalls of the former library space, and had already starting making plans for a new library before the fire struck. Even with that planning, it took 3 years to build the space, and 11 years in total to rebuild the collection, which was back to the pre-fire size by 1920.

George W. Gouinlock, a prominent Toronto architect, designed the entire North Wing of the building, including the new library space. Gouinlock worked with Legislative



The Ontario Legislature on fire – 1909

Credit: Ontario Legislative Library

Librarian Avern Pardoe and metal book stack provider Snead and Co. to create the space, on the third and fourth floors, that would meet the Library's needs. The Library features solid adjustable steel shelves, supplied by Snead and Co., who also provided shelving to other great libraries of the day including the Library of Congress, and they are still in use today. With four floors for the books stacks and just a few decorative touches, like the Ontario Coat of Arms on the corners of the mezzanine railings, the design was practical and efficient. The designers paid careful attention to fireproof features: a marble hallway and fireproof doors would stop any future fires from spreading to the main building. Fireproof materials were used throughout, like marble flooring in the stacks, metal window frames, and bronze window closures.

The Library design was notable because it included a central book stack, which was an usual and innovative feature for the day. Typically library shelves were put near the windows so people could read by natural light. But Mr. Pardoe's new Library also benefited from the latest technology of the day—the light bulb. With the addition of electrical lighting the book stacks could be placed away from the windows, allowing people to work near the natural light. This is something library

* © Erica Anderson 2013.

** Research Librarian, Legislative Library, Legislative Assembly of Ontario.

¹ Susanne H. Hynes, Joanne Robertson and Elias Chiddicks, *Built to Last: The Legislative Library: Celebrating 100 Years in the North Wing of the Legislative Building* (Toronto: Legislative Library, Legislative Assembly of Ontario, 2012). It can also be viewed and ordered online as a Flipbook at <http://www.blurb.ca/bookstore/detail/3200196?redirect=true>.

² Susanne H. Hynes, *From Ashes to Steel: Rebuilding the Library and its Collection* (Toronto: Legislative Library, Legislative Assembly of Ontario, 2009). The Ontario Legislative Library books, significant articles written by Vicki Whitmell, Fiona Watson and Julie Anderson for the Ontario Legislature's internal Green Gargoyle, and Susanne Hynes' forthcoming article in *Canadian Parliamentary Review* all touch on different aspects of the Legislative Library's 1912 reopening, and helped to inform this summary of events.



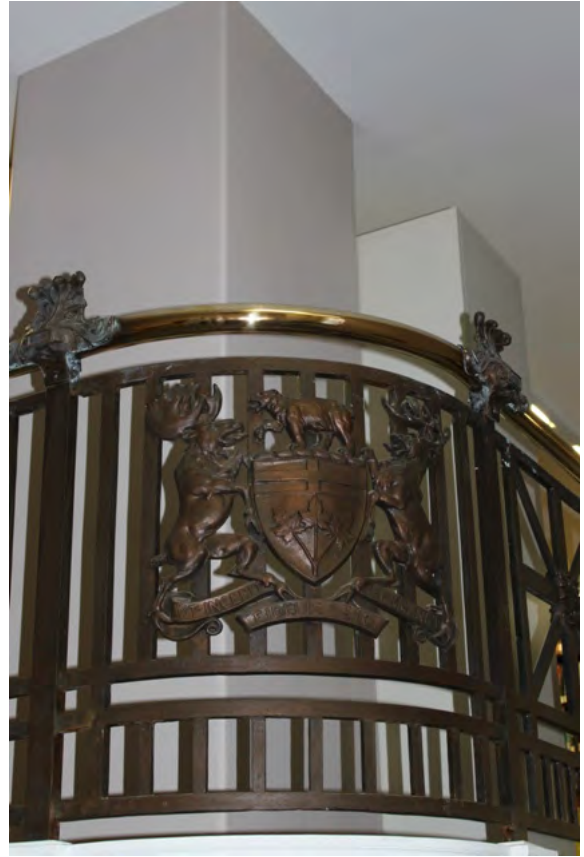
1953 – *Legislative Library LegalCollection*
Credit: Ontario Legislative Library



1959 – *Ontario Legislative Library LegalCollection*
Credit: Ontario Legislative Library

staff appreciates to this day; with the sturdy steel shelves housing the central collection, beautiful views of Queen’s Park are accessible to everyone year round.

No doubt the electrical lighting was helpful to Library staff and users; however, as Research Librarian Fiona Watson uncovered in her research, light bulbs, like all new technology, also caused the staff some grief. Library records indicate that in 1913 Mr. Pardoe reported 60 missing light bulbs on the 4th floor of the stacks. The 4th floor stacks shared space with the King’s Printer, and presumably the public had access to this space. The Legislative Librarian requested a grill be placed around the stacks to stop the light bulb thefts. That grill, which is essentially bars around the upper shelving stacks, remains in place today. Electrical lighting remained an issue for many years. In 1927, the Legislative Librarian described how so many bulbs were burnt out that staff had been moving bulbs from socket to socket in order to do their work, but that this system was no longer feasible with so very few working



Coat of Arms – Ontario Legislative Library
Credit: Ontario Legislative Library

bulbs left. That same year the Legislative Librarian found it necessary to request 100 light bulbs to be purchased for the Legislative Library.

In addition to research and writing, the 2012 Legislative Library celebration included a Speaker Series with talks by Catherine Dowling, Assistant Professor, Ryerson School of Interior Design who spoke about her research on architect George W. Gouinlock; Christopher Hume, Architecture Critic and Urban Issues Columnist, *Toronto Star*, whose talk was titled, “Reading Queen’s Park: The Pink Palace in the 21st Century” and Mark Osbaldeston, author of *Unbuilt Toronto: a History of the City That Might Have Been*, and *Unbuilt Toronto 2: More of the City That Might Have Been*, who spoke about “The Queen’s Park Precinct That Might Have Been.” The talks were open to the library community in Toronto. It was fascinating to hear of Catherine Dowling’s research on architecture in Toronto and her personal connection to George W. Gouinlock. Christopher Hume did not disappoint, humorously describing Queen’s Park as an island surrounded by a moat of cars, strangely imposing and inaccessible for a public building, yet a creature of its time. Mark Osbaldeston also provided amusing tales of the failed building plans in the surrounding Queen’s Park area.

Normally not open to the public, the Legislative Library staff planned some special events for guests, including the tour and reception for CALL/ACBD members during the CALL/ACBD conference in May 2012. The Legislative Library also welcomed colleagues during the Association of Parliamentary

Libraries in Canada (APLIC-ABPAC) conference in September 2012 and the International Association of Law Libraries (IALL) annual conference in October 2012. During each of these events, tours were given and historical photographs of the library from 1913 up to today were on display. Unfortunately, the security was too complicated to let members of the public into the Library during “Doors Open Toronto,” but Library staff participated in the day with a picture display during the main legislature tours as well as answering questions from the members of the public.

One final project worth mentioning is the eighteen foot timeline of the Legislative Library’s last 100 years that was put together by staff and unveiled at the APLIC Conference. It shows in pictures, facts, and quotes the history of this remarkable Library, the staff and its collection. The timeline

will be permanently on display in the Legislative Library.

Incredibly, exactly 100 years after the devastating fire in 1909, fire on the roof above the Legislative Library broke out in 2009. Also incredibly, the Legislative Librarian, Vicki Whitmell was in Muskoka at the time of the fire, exactly where the former Legislative Librarian Avern Pardoe was 100 years ago. Luckily, in 2009 the fire was small, local to the roof and little damage was done. Looking back over 100 years in the North Wing, the Legislative Library can say that the more things change the more they stay the same! Today the Library is part of the Legislative Assembly’s Information and Technology Services Division (“iDivison”) and while service may be more about mobile-friendly sites today than books, the Library staff continues to be proud to provide impartial, innovative and timely support to Ontario’s Parliament.



Ontario Legislative Library – Built to last
Credit: Ontario Legislative Library



Legislative Library of the Legislative Assembly of Ontario
Credit: Ontario Legislative Library

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FREE AND OPEN ACCESS TO LEGAL RESOURCES THROUGH CANLII*

By Max David King**

Sommaire

Les bibliothécaires de droit et les partisans du libre accès à l'information juridique discutent souvent du potentiel de CanLII qui facilite l'accès du public aux textes de lois du Canada et à leur compréhension. Cette idée repose en grande partie sur le fait que CanLII est gratuit et disponible à tous les utilisateurs; ce qui, par rapport à la grille tarifaire proposée par Westlaw Canada et LexisNexis Quicklaw, est une étape importante vers le libre accès. Explorant les services actuels offerts et ceux qui le seront dans le futur par CanLII, ce papier commente le fait suivant : est ce que CanLII est prêt à faciliter l'accès aux ressources juridiques d'une manière significative?

Introduction

Law librarians, lawyers, and activists often discuss the possibilities for free and open access to legal resources in the digital age and through the Canadian Legal Information Institute (CanLII) in particular. However, this potential is not yet fully realized. The core of the problem exists not in the absence of many legal resources on CanLII but instead in the absence of the necessary support to understand these resources.

Free and open access to legal information in Canada is an essential tenet of our democratic society. The problems of the digital divide are certainly present in the legal field: Westlaw Canada and LexisNexis Quicklaw are the two dominant legal publishers in Canada and they do not provide open access to legal information. CanLII is often held up as an alternative to the large corporations that dominate the legal publishing industry as CanLII provides free and open access to case law and legislation (despite some noticeable gaps in its resources compared to Westlaw Canada and LexisNexis Quicklaw). In particular, CanLII does not offer secondary materials such

as journals, digests or law related articles and does not offer points of access through topical databases, such as criminal or family law.¹

Although CanLII is incorporating more primary legal resources and has expressed its intent to incorporate secondary legal resources into its services,² these moves may not fully solve the problems surrounding access to legal information. The question addressed in this paper is what modifications can be made to CanLII to bridge the gap between its current services and its stated intent of free and open access for the Canadian public.

Democracy and Access to Legal Information

A democracy's need for free and open access to legal information is not unique to the digital age: the real problem of how to provide it was identified by Martin Friedland in 1975.³ More recently, Ted Tjaden has argued that given Canada is a nation founded on the principle of the rule of law,⁴ access to the law and legal information is the right of every Canadian citizen.⁵ If there is a lack of access, it becomes "more difficult for public officials to be held accountable [by the] media or the public[.]"⁶ The ability to hold public officials accountable is a check on their power and must be maintained in order for the democratic system to continue to function.

In the United States, David Bollier raises a similar concern about this potential threat to democracy in the digital realm. Compromised access to information reduces democracy; fair and open access is "vital to our democratic society."⁷ Specifically, Bollier notes that although the digital age allows for unprecedented public access to large quantities of information,⁸ there are also many barriers to information in the digital realm as it becomes dominated by commercial interests that control the physical layer (wires, fibers), logical layer (software), and content layer (information, expression, and culture) of

* © Max David King 2013.

** Max David King is a recent graduate of the University of Toronto's Masters of Library and Information Sciences program. He worked at the Bora Laskin Law Library for two years while completing his degree and took the Legal Literature and Librarianship course taught by John Papadopoulos, Susan Barker and John Bolan, which inspired this paper.

¹ *CanLII Strategic Priorities, 2012 to 2014* at 11, online: CanLII <http://www.canlii.org/en/info/CanLiiStratPlan_2012-14_EN.PDF>.

² *Ibid.*

³ ML Friedland, *Access to the Law: A Study conducted for the Law Reform Commission of Canada* (Toronto: Carswell, 1975) at 1.

⁴ As set out in the *Canadian Charter of Rights and Freedoms*, Part I of the *Constitution Act*, 1982, being Schedule B to the *Canada Act 1982* (UK), 1982, c 11.

⁵ Theodore John Tjaden, *Access to Law-Related Information in Canada in the Digital Age* (LL M Thesis, Faculty of Law, University of Toronto, 2005) at 30-32, online: <<http://www.slw.ca/tjaden-thesis/>>.

⁶ *Ibid* at 32.

⁷ David Bollier, "Why We Must Talk About the Information Commons" (2004) 96 *Law Libr J* 267 at 272.

⁸ *Ibid.*

the Internet.⁹ A digital framework that allows for incredible amounts of information sharing but that is also increasingly dominated by corporate interests necessitates the development of the “information commons” in order to transpose democratic culture onto this new platform.¹⁰ This argument can be applied to access to legal information. Without public access to, and understanding of, the increasingly digitized world of law and legal literature, it is easy to see how corporate interests could begin to exert undue influence over access to the law.

This trend of corporate dominance over digital access to legal information is already apparent. Anyone familiar with accessing the law digitally in the United States or Canada knows the two dominant names in this area: Quicklaw (or LexisNexis in the U.S.) and Westlaw. As early as 2000, Robert Oakley, then president of the American Association of Law Libraries, commented that these two companies had effectively cornered the marketplace for legal resources.¹¹ Issues of access immediately come to the fore when monopolization occurs. Working for a public library system in 2003 in the United States, Melissa Barr observed the central problem with this situation: neither Westlaw nor LexisNexis offered access to their online legal products or databases to public libraries.¹² The members of the public served by Barr’s library system were effectively denied access to many law-related sources, severely limiting the public’s ability to access and understand the law that governs their lives.

Ted Tjaden notes many similar problems to accessing legal material in Canada. Quicklaw and Westlaw, in large part due to their high cost, are out of the reach of the majority of the public who wish to conduct legal research.¹³ The cost of legal material, in both print and online sources, is indeed inordinately high and Tjaden speculated in 2005 that consolidation of the vast majority of legal materials in the hands of these two corporations would lead to increased prices.¹⁴ Determining the exact price of the digital sources provided by these databases is difficult, but anecdotal evidence suggests that Tjaden’s fears were justified, as in the past five years alone digital access prices have risen at significantly greater rates than law librarians have previously experienced.¹⁵ The high cost of many legal resources due to ownership concentration in the Canadian legal publishing market presents an increasingly significant barrier to access.

Free and Open Access to Digital Legal Resources

The situation is not necessarily as bleak as has so far been presented. Teresa Scassa has noted that increased access to the World Wide Web and the ability to store and deliver materials cheaply and efficiently to this platform led to both federal and provincial governments in Canada providing laws and regulations freely online.¹⁶ The availability of free resources such as e-laws for Ontario legislation and the Justice Laws website for federal legislation are efficient tools for research. Steven D. Jamar notes the possibilities of digital technology to facilitate access to the law and legal resources internationally through the Global Legal Information Network (GLIN). GLIN operates as a database for making international and foreign national law freely available, accessible, and searchable online.¹⁷ Within Canada, open digital access to legal information is currently being pursued through efforts to increase the scope of CanLII.

Operating outside of the two major multinational corporations that dominate legal publishing in Canada is CanLII, a free online service “funded by Canada’s lawyers and notaries for the benefit of all[.]”¹⁸ In a paper written for *Canadian Law Libraries* in 2000, Bertrand Salvas, the editor of CanLII at the time, stated that “[t]he long-term plan is simple: we want everything available[.]”¹⁹ The optimism expressed by the creators of the resource is unsurprising, but there are also many others who found hope for improvements to access through CanLII.

Scholars noted that CanLII immediately provided the Canadian public access to many legal resources. In her article, Scassa mentions that this includes access to LexUM,²⁰ but expresses some doubts about the full extent of the role that CanLII could play (this will be discussed later). Daniel Poulin’s article presents a much more optimistic future for CanLII. Poulin observes that its initial progress was understandably slow considering that it had to begin by publishing according to industry standards in Canada (for example, ensuring that the style of cause was properly recorded on every document submitted to their database).²¹ Poulin notes that although CanLII cannot possibly fill all the legal needs of Canadian lawyers or the Canadian public, it provides access to legal information for the public and also acts to ensure “fair value for the cost of [legal publishers’] products.”²² Poulin continues,

⁹ *Ibid* at 276.

¹⁰ *Ibid* at 281.

¹¹ Melissa Barr, “Democracy in the Dark: Public Access Restrictions from Westlaw and LexisNexis” (2003) 11 *Searcher* 66 at 67.

¹² *Ibid* at 69.

¹³ Tjaden, *supra* note 5 at 78.

¹⁴ *Ibid* at 110.

¹⁵ Interview of Mary Saulig (27 March 2012) for LIS 2158: Management of Corporate and Other Special Information Centres.

¹⁶ Teresa Scassa, “The Best Things in Law are Free? Towards Quality Free Public Access to Primary Legal Materials in Canada” (2000) 23 *Dal LJ* 301 at 302.

¹⁷ Steven D Jamar, “The Human Right of Access to Legal Information: Using Technology To Advance Transparency and the Rule of Law” (2001) 1:2 *Global Jurist Topics – Article 6* at 11-13.

¹⁸ *About CanLII*, online: CanLII <<http://www.canlii.org/en/info/about.html>>.

¹⁹ Bertrand Salvas, “The CanLII Project” (2000) 25 *Can LL* 184 at 185.

²⁰ Scassa, *supra* note 16 at 333.

²¹ Daniel Poulin, “CanLII: How Law Societies and Academia Can Make Free Access to the Law a Reality” [2004] 1 *JILT*.

²² *Ibid*.

arguing that CanLII transformed the Canadian legal landscape by offering a database “where most of Canadian law can be searched with a single command.”²³

Whether CanLII is currently providing sufficient access to legal resources brings us first to the question of what constitutes “sufficient access.” According to Tjaden, this term encompasses both the actual act of accessing the law and law-related sources and also the notion of understanding the law once it is accessed.²⁴ While CanLII has made great strides in meeting the first part of this definition, it has not yet succeeded in meeting the second part. At this time, CanLII simply does not provide the sources that would allow understanding of the law, the latter part of Tjaden’s definition of access. The necessary resources to fill this role would be secondary sources, including treatises, dictionaries, encyclopedias and other legal reference tools that are the starting point for well-executed legal research and could help the public navigate the resources found through CanLII.²⁵

This gap is partially because of the prohibitive costs of secondary legal resources and partially because CanLII is a service created by the legal community and predominantly designed for the legal community, the majority of whom already have some means of access to secondary legal resources through law firm, law society, or courthouse libraries and access to commercial publishers’ databases. Alongside CanLII’s express statements of public access are the often-overlooked statements guaranteeing free access and service to the legal community. These statements are included in CanLII’s own website²⁶ and in the terms of reference for the CanLII advisory committee.²⁷ CanLII is known to be a resource for the legal community, and Bertrand Salvas, the former editor of the CanLII site, stated a fact that is often overlooked: “[t]he Canadian legal community will benefit the most from this new and powerful search tool[.]”²⁸ Salvas’ statement is coming true, as four years ago CanLII was already the first choice for quick legal information of 39% of lawyers polled.²⁹

Despite this, discussions about CanLII, in particular in the law librarianship field, are often centered on CanLII’s potential as a resource for the public as it is “easy-to-use, and accessible to anyone with a Web browser without fee or password requirements[.]”³⁰ But I would maintain that this aspect of CanLII is not the primary purpose of the service

and is instead a side effect of CanLII’s commitment to its primary stakeholders.

While CanLII currently operates as a service primarily useful for the legal community, there are several ways it could extend that service to the public in the near future. Providing a free, competitive alternative to commercial publishers could lower the price of legal resources across the board. This is an option noted by Janine Miller, the executive director of CanLII, in 2008.³¹ It fits with CanLII’s current practices and does not call for any radical shifts in the institute’s operations. Statistics from CanLII’s strategic priorities report for 2012-2014 indicate that almost 70% of lawyers polled stated that adding secondary sources would increase their use of CanLII.³² It would be logical for CanLII to attempt to provide the secondary sources that CanLII’s primary users and financial supporters desire.

Another option put forward by Miller is to pursue alternative sources of funding by “building partnerships with entities offering products and services that may be complementary to the legal research experience in CanLII.”³³ There are as yet no specific targets, but CanLII is open to partnering with for-profit or not-for-profit institutions that would increase their level of service.³⁴ According to Miller this offers two benefits: increased revenue as well as integration with legal resources that could facilitate the research process.³⁵ This option’s chances of success are also increasing, as CanLII becomes more viable as a resource in the legal industry.

The Future

There is cause for optimism about the inclusion of secondary sources in CanLII in the future; however, focusing just on this progress perhaps misses the point when it comes to facilitating the “understanding” part of the public’s access to legal information. Providing the secondary sources that the legal community uses to conduct research could simply add another layer of sources that are incomprehensible to the general public. Most legal secondary sources are not designed for a public audience. The difference between an encyclopedia and a treatise is significant but not necessarily clear to the lay or new user. This confusion has already prompted the creation of tertiary resources such as library research guides

²³ *Ibid.*

²⁴ Tjaden, *supra* note 5 at 10-11.

²⁵ Along with considering why these materials are not available, there is the side issue of if they would even be helpful to the lay user of CanLII. As Tjaden points out, most secondary sources are aimed at lawyers and law librarians and as a result “tend to be geared in terms of style and comprehension levels towards the professional market and not the average citizen.” *Ibid.* at 104.

²⁶ *About CanLII*, *supra* note 18.

²⁷ Barbara Campbell, “CALL/ACBD CanLII Advisory Committee” (2005) 30 Can L L Rev 31 at 31.

²⁸ Salvas, *supra* note 19 at 185.

²⁹ Janine Miller, “The Canadian Legal Information Institute – A Model for Success” (2008) 8 Legal Info Mgmt 280 at 281.

³⁰ Gary H Pon, “Role of the CanLII/IIJCan Board of Directors” (2005) 30 Can L L Rev 30 at 30.

³¹ Miller, *supra* note 29 at 281.

³² *CanLII Strategic Priorities*, *supra* note 1 at 11.

³³ Miller, *supra* note 29 at 282.

³⁴ *CanLII Strategic Priorities*, *supra* note 1 at 11.

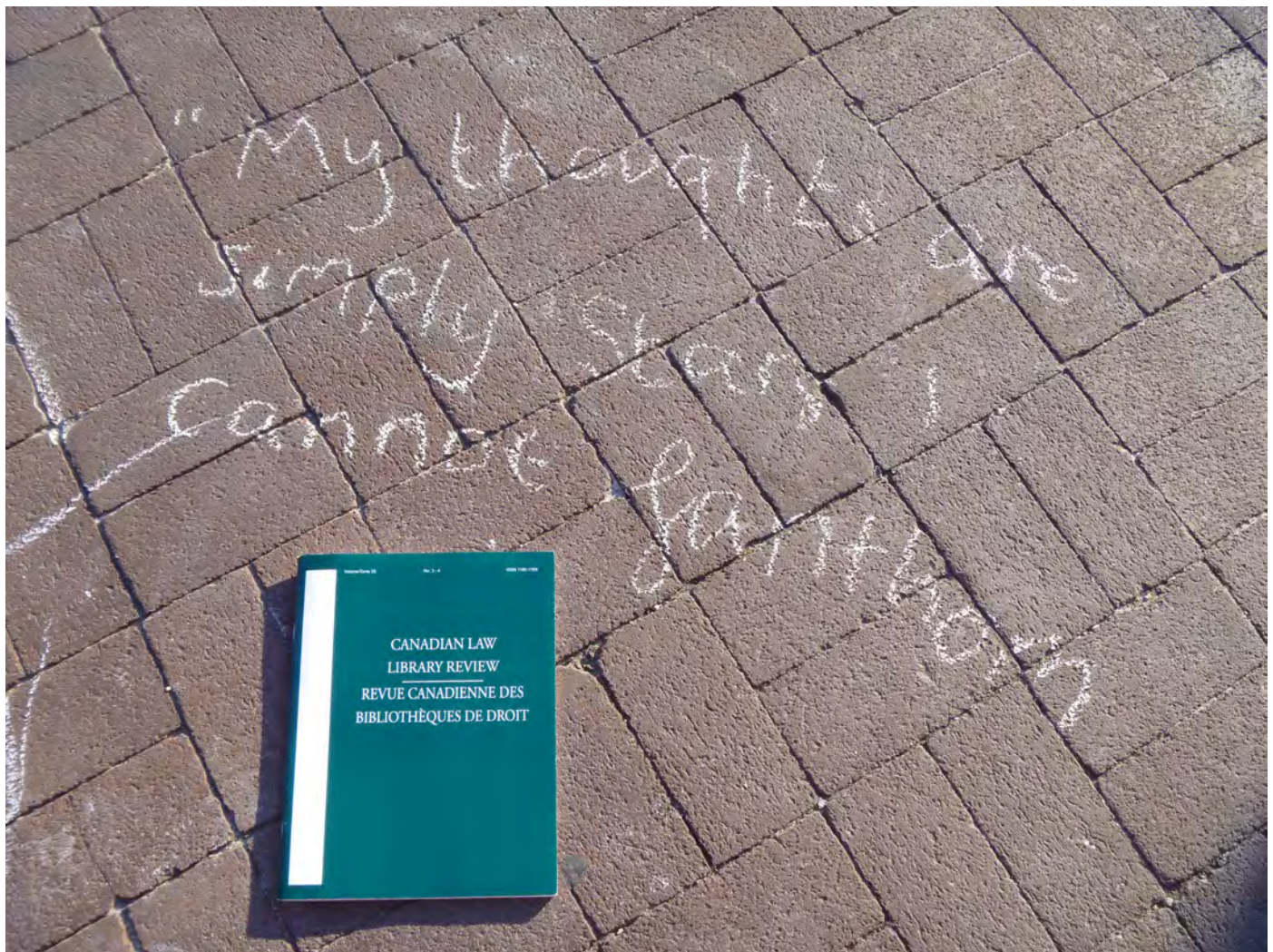
³⁵ Miller, *supra* note 29 at 282.

or published works that help navigate secondary resources.³⁶ The problem with secondary legal resources is the same as with primary resources; the lay user needs help navigating an unfamiliar tool.

It is perhaps best to be content with the likelihood that secondary sources will be added to CanLII's services in the near future, but I would add another proposal. A resource that would truly facilitate the "understanding" aspect that Tjaden includes in his definition of access is access to professional services through CanLII. Virtual reference, a call center staffed by law librarians, and possibly a few physical locations that are designed to facilitate legal research exclusively for the public would be outstanding ways to smooth the progress of the public's understanding of legal resources. In addition, instruction on which secondary sources to use and how to navigate the primary sources of law is a learned life skill that

could be made possible with professional guidance.

However, the idea of adding professional services to help the public navigate CanLII contains a host of problems, the most important of which is the cost. At this point by simply providing a comprehensive and free database of recent primary Canadian legal material, CanLII is performing a vital service to lessen the digital divide and disperse the concentration of power held by Westlaw and Quicklaw. But the issue remains that if CanLII is truly attempting to provide meaningful free, open digital access to the Canadian public, improvements need to be made. Adding secondary legal resources to help navigate CanLII is one such improvement, but this process is moving slowly and may not be enough to allow the high level of understanding that members of the public need to navigate the legislation and case law that have significant effects on their lives.



³⁶ See e.g. John Eaton & Denis Le May, *Essential Sources of Canadian Law* (Toronto: Irwin Law, 2009).

LAW LIBRARY VIRTUAL TOURS AND TUTORIALS ON YOUTUBE: A SOCIAL MEDIA REVIEW*

By Channarong Intahchomphoo**

Sommaire

Visites virtuelles et les tutoriels disponibles sur YouTube sont des outils efficaces pour établir des relations entre la bibliothèque de droit et les étudiants. Ils servent aussi à améliorer les expériences d'apprentissage des étudiants. Cependant, utiliser toutes les possibilités offertes par YouTube, a un prix pour les bibliothèques car cela requiert un investissement en temps et en efforts.

Introduction

This study investigates how law libraries can use YouTube to provide virtual tours and online tutorials to build relationships between the library and patron. It also looks at how YouTube can help to promote better information-seeking practices including how to search more efficiently and effectively for books and journals, how to search subscribed academic databases, how to evaluate online information sources based on academic criteria, and how to seek expert assistance from librarians. In this study, the University of Ottawa's Brian Dickson Law Library, and the Harvard Law School Library were selected as examples of how to incorporate YouTube as a part of the library's services for patrons.

YouTube and Law Students

YouTube allows users to view, upload, share, and comment on video clips on the internet, and has become a new information channel for libraries to communicate with users. The goal of this paper is to explore how YouTube can be used to promote good information-seeking practices amongst library users, and in particular, law students.

Law students come from different academic disciplines. They are, in theory at least, familiar with the information resources in the field of study in which they earned their undergraduate degree. Yet, despite this background, some students feel that legal academic databases are difficult to use.

Training and experience are often necessary to understand how each database works.

This study explores how some law libraries have used YouTube to provide virtual tours and online tutorials to help promote better information-seeking practices amongst patrons. It also looks at certain commentary on social media and its relationship with teaching and learning. Social media, we are told, can be an effective tool to communicate with young audiences, building deeper engagement and relationships with patrons. It can also help to spread the message that effective library use is linked to achieving academic success.

The University of Ottawa's Brian Dickson Law Library and the Harvard Law School Library are discussed here in this regard. Both university libraries currently have embedded videos from YouTube in their websites.

Social Media, Teaching, Learning, and YouTube

We turn briefly to commentary on social media and teaching and learning. Weinreich, for example, posits that social media allows two-way communication,¹ leading to greater engagement with issues by giving people the opportunity to ask questions, discuss concerns, and receive social support from others.² YouTube allows audiences and creators to communicate better, in that creators provide the content and members of the audience exchange ideas through the comment section below the video. Idea-exchange helps viewers to better understand the subject matter and provides an opportunity for librarians to provide online guidance.

Webb adds to the discussion by noting that YouTube can be used to help libraries provide services and meet the needs of the users.³ For example, YouTube can help direct users back to the main resources of the library,⁴ and particularly to one-on-one consultation with the librarian. This creates an opportunity for libraries to build relationships with users, and to coax more users into the building. Comments between librarians and users on YouTube can also be useful to other viewers.

* © Channarong Intahchomphoo 2012.

** The author holds a bachelor's degree (Chiang Mai University, Thailand) and a bilingual master's degree (University of Ottawa, Canada) in Information Studies and has several years of work experience in libraries, archives and information centres in Canada and abroad.

¹ NK Weinreich, *Hand-on social marketing: A step-by-step guide to designing change for good*, 2d ed (California: SAGE Publications, 2011).

² *Ibid* at 213.

³ PL Webb, "Youtube and libraries: It could be a beautiful relationship" (2007) 68(6) *College & Research Libraries News* 354.

⁴ *Ibid* at 355.

YouTube Explained

YouTube requires everyone who wants to showcase their videos to open an account with the company. Once an account has been opened, users are able to edit their own profile. Libraries can input information about their organization that could be useful to the viewer, such as the official name of the library, the library location, staff information, operational hours, contact information (e.g. email, telephone number, and URLs), and even collection and services statistics.

Libraries are then assigned their own page, called “a channel.” Viewers can post their comments below each published video and are allowed to participate by voting and sharing the video with others. Web designers can get an embedded code to post a YouTube video clip on their web site or blog, which makes it possible for the information to be shared even further, and to reach a diverse audience in a very short time. YouTube also has an RSS feed service allowing registered audiences to be notified immediately whenever new content is added.

Unfortunately, YouTube has to deal with a lot of copyright and intellectual property issues. Libraries must be careful when using copyrighted works; in other words, they must first ask permission if they wish to post copyrighted works. One way around this is to avoid copyrighted works altogether and to create only original materials for posting.

University of Ottawa and Harvard University

One possible way to use a YouTube video to promote the library is to create a virtual tour. This is a resource for users who have never been to the library or who live far away. The target group could be first year students and/or distance education students. A virtual tour is often a first step towards building good information-seeking practices in that it brings to the patron’s attention the types of collections and services offered by the library.

The University of Ottawa’s Brian Dickson Law Library has created bilingual (English and French) virtual tours on their YouTube channel. Their video is simple, done by putting together photos taken from around the building. Sound and message captions are included to make the video interesting and informative. There are four versions of the virtual tour videos: two versions in English and two in French. The first version uses sound while the second is done with captions for people with hearing impairments. Moreover, the University of Ottawa’s Brian Dickson Law Library displays their virtual tours on their home page by providing a link to their YouTube channel.⁵

In addition to tours, YouTube allows libraries to post tutorial videos for collections and services. Tutorial videos are valuable especially when they cover a complex subject that requires a visual demonstration in order to explain it. Examples include using academic databases and online search methods for specific subjects.

The Harvard Law School Library has introduced tutorial videos on their YouTube channel on the following topics: how to find reports in legal databases, how to search for federal bills and legislation online, how to locate court cases, and how to identify legal journals online and seek electronic materials in the Library Catalogue.⁶ Interestingly, all of their YouTube videos are related to electronic materials. It makes sense for learners to watch instruction on how to use electronic materials online as they can see the real database interface and watch the search process unfold step-by-step. For many, this is preferable to reading through a text where only a few pictures might be provided.

YouTube and Information-Seeking Practice

Even though librarians are the people to ask for research help, Head and Eisenberg point out that, in the university, it is rare to see students who feel really comfortable asking librarians for help.⁷ It is thought that social media sources like YouTube can serve to increase a student’s willingness to seek professional assistance and even be relationship building.

These sources may also be trust building. Chang notes that YouTube can lend support to the idea of offline interpersonal interactions.⁸ Librarians who make the effort to reach out to users take the first step towards building trust. Once trust is established with students, it is easier to have them pay attention to key messages generated by the library like those involving good information-seeking practices, along with the importance of the library to their academic lives.

The YouTube Investment

Despite the upside, the creation of virtual tours and tutorials on YouTube can be problematic for libraries. YouTube, like certain other social media applications, requires an investment of time and effort to reach targeted audiences. In university library environments, librarians already have various responsibilities, including teaching students how to conduct academic research, providing reference services and academic consultation, working on collection development, assisting professors with their research, and keeping up with new knowledge in their subject specialties. It is difficult to ask librarians to find extra time to spare for social media projects,

⁵ See the link for the virtual tour from the Brian Dickson Law Library, University of Ottawa <<http://lanois.cc.uottawa.ca/html/HomePage?node=ftx&lang=en>>.

⁶ See <<http://www.youtube.com/user/hlslib/videos>>.

⁷ AJ Head & MB Eisenberg, “Lessons learned: How college students seek information in the digital age” (2009), online: Project Information Literacy <<http://projectinfolit.org/publications/>>.

⁸ M Chang, “Making or maintaining connections online? YouTube as both site and tool of social interaction” (2011), online: Macalester College <http://digitalcommons.macalester.edu/soci_honors/28>.

particularly those projects which will require occasional updating and someone to monitor and respond to questions and requests on an ongoing basis.

While additional staff could be hired specifically for the purpose of working on the social media project, the prospect is unlikely given the current economic challenges libraries face. Nonetheless, YouTube tutorials can be carried out with low operational costs if they are done in-house with realistic expectations of quality. Also, once those tutorials are completed, YouTube helps to reach a broader audience even with a limited number of staff.

A more basic problem involves the social media skills of librarians. Generally, librarians are not trained in design or in the production of videos. YouTube requires creators to have a good imagination and to think creatively. It also requires basic technological skills involved in the making of good quality video clips. While better funded libraries may be able to outsource this work, those without funds must, necessarily, do it all themselves. Luckily, there are a lot of tools available to help including both open source and commercial applications.

More challenging is creating video clips which attract attention. It is important to integrate YouTube videos with other social media applications. Librarians can link their videos to library webpages, Facebook pages, blogs, chat

sessions, and other social media applications. YouTube links can also be provided when librarians answer questions via chat or email that can be answered by watching a video.

Finally, the currency of content is a serious issue. Library tutorial videos have to be modified from time to time in keeping with current content like new layouts, links, and navigational systems. Videos which are out of date not only convey incorrect information, but also leave an impression with the patron that the library's resources are not useful. Future social media projects, as a result, are less likely to be successful.

Conclusion

Social media can help to promote good practices in information seeking and library use. Making use of tools such as library tutorials and guides posted online through YouTube can lead to greater engagement and begin to build relationships with a larger audience than could be reached in person by staff alone. For libraries making use of social media outlets such as YouTube, there are indeed benefits in terms of communication, socialization, and enhanced learning opportunities for library users.

CALL/ACBD RESEARCH GRANT

CALL/ACBD invites members to apply for CALL's Research Grant which provides financial assistance to support members who wish to do research on a topic of interest to those working in law libraries. For further details and funding available in 2013 consult the Committee's pages on the CALL/ACBD website:

<<http://www.callacbd.ca/en/node/383>>

Applicants must be members of CALL/ACBD and the proposed research project must promote an understanding of legal information sources or law librarianship. To apply for this research grant please submit an application by March 15, 2013. The application form is available on the

CALL/ACBD Research Grant Information page:

<<http://www.callacbd.ca/en/content/call-acbd-research-grant-information>>

Applications for the grant should be sent via email to:

Marianne Rogers

Chair, Committee to Promote Research

email: rogers@yorku.ca

telephone: 416-736-2100 x33934

RESEARCH STRATEGIES FOR LOCATING HARD-TO-FIND LEGAL MATERIALS*

By Humayun Rashid**

Sommaire

Cet article décrit les expériences vécues par l'auteur qui a participé à la prestation de services de livraison de documents alors que le bibliothécaire de liaison auprès de la faculté de la Bibliothèque de droit Bora Laskin était en congé sabbatique. Il met en évidence les stratégies de recherche qu'il a développé pour trouver des articles, des décisions judiciaires et autres documents juridiques.

I have been involved in reference services on a regular basis since 1991 and have occasionally provided interlibrary loan services as part of the overall reference services, but I took on the challenge of assisting with document delivery services without realizing the difficulties in finding some of the more obscure materials requested by faculty. This opportunity provided me with an excellent chance to refine my reference and research skills. It also honed my organizational and analytical skills, and allowed me to draw on my cataloguing experience and many years of reference service. This article provides advice on research strategies for hard-to-find materials requested by patrons.

Legal Citations with Incorrect or Missing Information

Some requests for particular documents are ambiguous: they may contain incorrect citations, misspelled words, wrong titles, wrong dates, incorrect names of resources, or incorrect pagination. In order to find the correct information, it is not always helpful to consult the originating source to determine the accuracy of the citation. For abbreviations of sources, the

Cardiff Index to Legal Abbreviations¹ or the *Index to Legal Citations and Abbreviations*² will provide more assistance.

As a time-saving measure, however, it's also useful to search Google or Google Scholar to verify the citation or validity of the citation before proceeding further with the search. In order to get the proper citations and locate the articles, I would also suggest searching various online journal indexes as provided below:

- Index to Canadian Legal Literature³
- Index to Legal Periodicals⁴
- LegalTrac⁵
- Index to Foreign Legal Periodicals⁶
- Index to Legal Periodicals Retrospective 1908-1981⁷
- Legal Journals Index⁸ (U.K. & European materials)

New Journal Articles

A request can become quite challenging when a faculty member asks for a current journal article that has not yet appeared in the full-text sources due to a time lag or publishing embargo. Often that faculty member has received an email notification of the article from the publisher and expects the article to be easy to retrieve. One way to proceed is to first try the journal's website. Generally, you will be able to download the article if the library subscribes to the journal and has a licensing agreement with the provider. The downside is that if there is no licensing agreement with the service provider, you will end up paying for the cost of the journal article. When this is the case, there are other databases that should be checked:

- LegalTrac (also provides full text online articles)⁹
- Social Science Research Network (SSRN)¹⁰ (abstracts & full text articles or papers)
- HeinOnline Law Journal Library¹¹

* © Humayun Rashid 2012

** Humayun Rashid currently holds the position of Head of Cataloguing/Reference Librarian at the Bora Laskin Law Library, University of Toronto. In addition to his expertise in the area of technical services, Rashid is also an active member of the Research and Reference Services Team at the Bora Laskin Law Library.

¹ <http://www.legalabbrevs.cardiff.ac.uk/>

² Donald Raistrick, *Index to Legal Citations and Abbreviations*, 3d ed (London: Sweet & Maxwell, 2008).

³ Available from LexisNexis Quicklaw or Westlaw Canada.

⁴ Available from EBSCO.

⁵ Available from Gale.

⁶ Available from HeinOnline.

⁷ Available from EBSCO.

⁸ Available from Westlaw UK.

⁹ Available from Gale by subscription.

¹⁰ <http://www.ssrn.com/>.

¹¹ Available from HeinOnline by subscription.

- LexisNexis Quicklaw¹²
- Westlaw Canada¹³

These last three databases are particularly useful for international journals. If the article is still not available, try the author's website where the most recent journal article may be posted.¹⁴

Networking with People to Find Cases

Once you have exhausted the "usual suspects" such as LexisNexis Quicklaw, Westlaw Canada, or Justis¹⁵ to find a case, it is helpful to ask for assistance from colleagues who may know about additional resources. Nothing is worse than not finding the information and then later discovering the information was available but you simply did not tap into a source or you failed to identify it.

Also important is to develop personal contacts at the national and international levels by subscribing to relevant listservs, including international and foreign law lists such as:

- INT-LAW¹⁶ (sponsored by SEDAC at Columbia University)
- CALL-L¹⁷ (hosted by the Canadian Association of Law Libraries)
- LAW-L¹⁸ (hosted by the IFLA Law Libraries Section)
- ForIntLaw¹⁹ (hosted by Washburn School of Law)
- FCIL-SIS²⁰ (hosted by AALL's Foreign, Comparative and International Law Special Interest Section)

For additional information, you might also try the "Directory of International Law Librarians Contacts" available at the FCIL-SIS AALL site.²¹

These lists are a great resource when you don't know how to tap into a network and list of experts in different subject areas and jurisdictions outside Canada. By using these lists, you can develop contacts at both the national and international levels.

Locating United Nations and Other International Materials

International materials emanating from the United Nations and its numerous committees and bodies may be found in their own databases but also from universities or international organizations. For instance, here are some places to look for international human rights documents:

- Office of the High Commissioner for Human Rights: Human Rights Committee²²
- Women's Human Rights Resources²³ (available from the Bora Laskin Law Library)
- University of Minnesota Human Rights Library²⁴
- HuriSearch²⁵
- Centre for Civil and Political Rights (CCPR)²⁶

Two databases are particularly helpful for international treaties and agreements:

- United Nations Treaty Collection²⁷
- HeinOnline's United Nations Law Collection²⁸

New York University's Globalex²⁹ is an excellent source for research guidance in international and foreign law. In addition, there are worldwide legal information institutes which provide legal information free of charge. They can be found through the World Legal Information Institute (WorldLII)³⁰ for virtually every country, though content will vary. There is also the Global Information Network (GLIN).³¹ These free databases are highly recommended for libraries on tight budgets that may not have access to online commercial databases.

Using Websites

Law firm websites are often overlooked, but can be key sources of international or foreign law materials. Law firms located in a particular jurisdiction will retrieve, collect and organize materials in their areas of practice or specialization.

¹² Available from LexisNexis by subscription.

¹³ Available from Westlaw Canada by subscription.

¹⁴ This strategy will be discussed in further detail later in the article.

¹⁵ A legal database for British, Irish and EU materials. Available by subscription.

¹⁶ For more information and to subscribe, go to <http://listserver.ciesin.columbia.edu/cgi-bin/wa?SUBED1=INT-LAW&A=1>.

¹⁷ For more information and to subscribe, go to <http://www.callcbd.ca/en/content/call-l-listserv>.

¹⁸ For more information and to subscribe, go to <http://infoserv.inist.fr/wwsympa.fcgi/info/law-l>.

¹⁹ For more information and to subscribe, go to <http://lists.washlaw.edu/mailman/listinfo/forintl>.

²⁰ To join this list, you must be a member of the FCIL SIS: <http://www.aallnet.org/sis/fcilsis/discussion.html>.

²¹ <http://www.aallnet.org/sis/fcilsis/jumpstart.html> (available only to FCIL-SIS members).

²² <http://www2.ohchr.org/english/bodies/hrc/>.

²³ <http://www.law-lib.utoronto.ca/diana/mainpage.htm>.

²⁴ <http://www1.umn.edu/humanrts/>.

²⁵ <http://www.huriresearch.org/>.

²⁶ <http://www.cprcentre.org/>.

²⁷ <http://treaties.un.org/>.

²⁸ Available from HeinOnline by subscription.

²⁹ <http://www.nyulawglobal.org/Globalex/>.

³⁰ <http://www.worldlii.org/>.

³¹ <http://www.glin.gov/>.

Similarly, one could look for and identify the government department or agency responsible for an area of law. Beyond these sources, it's useful to search for organizations with a stake in the legal area. Most likely, you will be able to find and retrieve the information needed.

Another great but underused source of finding information is locating a website for an author, regardless of whether the person is a faculty member, jurist, practitioner, etc. These websites can be very valuable sources of information where authors may list all their publications and, in the case of practitioners, their prominent court cases. I have been quite successful in locating publications, particularly journal articles, recent cases, and bibliographies on authors' websites.

Union Catalogues for Comprehensive Searches

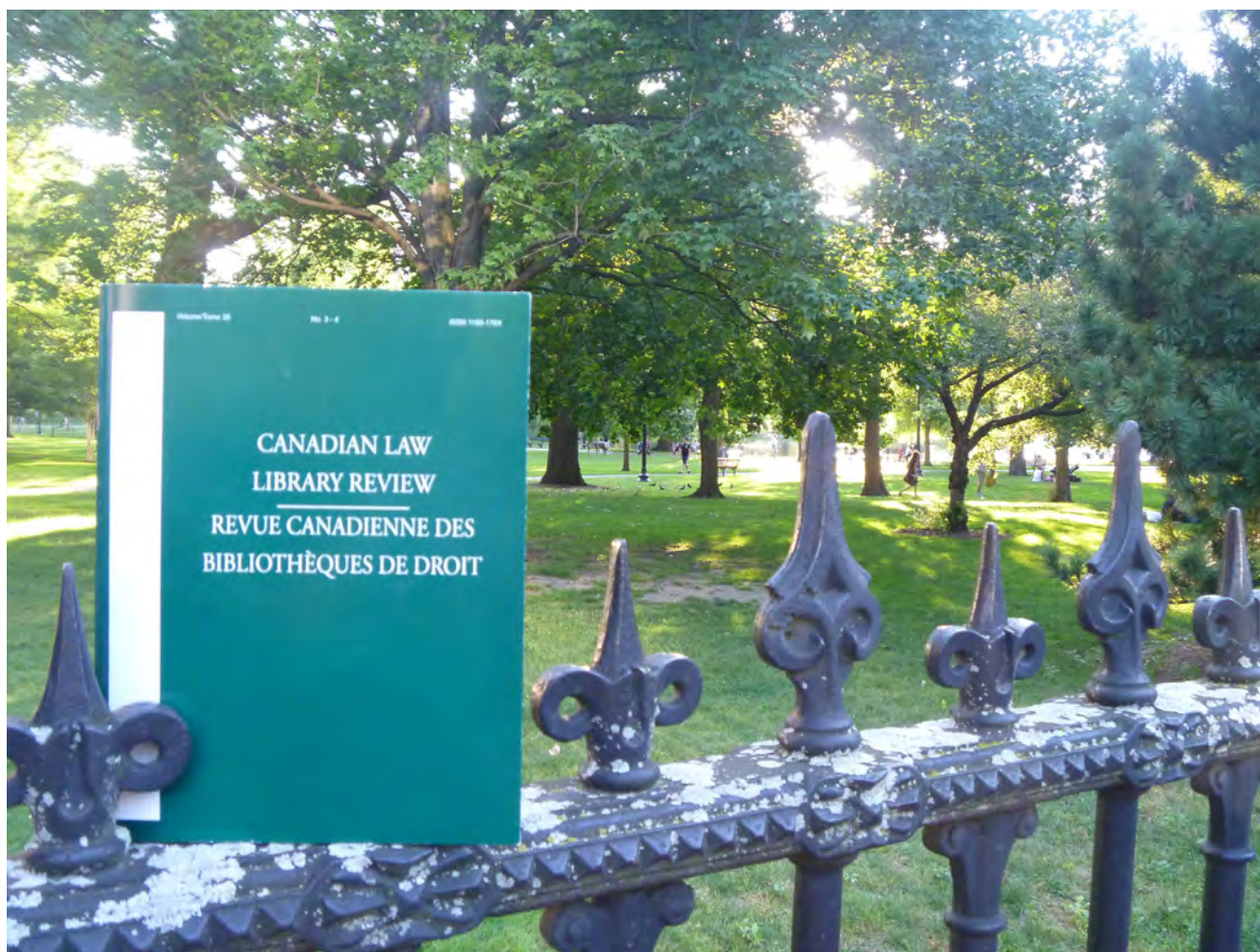
Sometimes I have been asked to find "anything and everything" on a subject or author. This type of request requires a comprehensive and exhaustive search. One step that I have found particularly helpful is to check the most comprehensive catalogue available. Worldcat (OCLC)³² the best union catalogue for this. Here in the catalogue, you can

find a vast amount of information, including bibliographies, books, journal articles, and book reviews, all in one spot. For Canadian materials, the Canadian union catalogue I found most helpful was Amicus, from Library and Archives Canada.³³

Conclusion

Information is always a time-sensitive commodity, and it must be provided efficiently or it will lose its utility. With information provided in a timely and effective manner, patron confidence is built and promoted.

As you develop expertise, you should continue to explore further ways to provide the best possible service in a most efficient and timely manner. Finding the right information is like extracting a gem that is buried or lost somewhere. Some gems are shining and easy to identify and find. Others are rare, hidden, buried or lost somewhere. That is exactly where our expertise as information specialists plays an important role. Our role is to find those gems and bring them to surface using this type of array of techniques, technologies and strategies.



³² <http://www.worldcat.org/>.

³³ <http://www.collectionscanada.gc.ca/amicus/index-e.html>.

MANAGEMENT 301: LESSONS FROM CALL 2012*

By Wendy Reynolds**

Sommaire

Cet article décrit les leçons apprises par l'auteur alors qu'elle était présidente du Comité de planification de la conférence 2012 de CALL / ACBD qui s'est tenue à Toronto (mai 2012).

Introduction

The program for the Canadian Association of Law Libraries' annual conference ("CALL 2012") had subtle themes running through it. Although not specifically articulated, David Whelan, Program Committee Chair, and his committee looked for topics from potential speakers which fit into three broad categories: personal growth and development, contributing to your organization's reputation, and looking to the future. For me, as Conference Planning Committee Chair, and perhaps for others on the Conference Planning Committee (CPC), there was yet another area for learning. Planning the Toronto CALL conference was an advanced management seminar. In the spirit of collaboration, I thought I would pass along some of the lessons learned.

Put a good team together, and get out of their way

Organizing a conference takes a lot of time and energy. Diverse skill sets are needed. The CPC Chair's greatest challenge is the first one they face—putting together the team.

Fortunately, Toronto has a wealth of enthusiastic, creative and dedicated professionals,¹ ready and willing to dedicate their time to this project. I specifically mixed up my call list with people I had worked with before and others whom I knew less well. I also looked for people who had skills that I lacked. Nothing is less productive than a homogeneous committee.

Once I had my volunteers, we had to learn to work together. Our first CPC meeting was our *only* face-to-face one. We all looked a little shell-shocked as we considered the magnitude of what we had signed on to. Bolstered by the corporate memory contained in the National Office, and with the guidance of Cyndi Murphy and Annette Demers, we figured out our roles and got down to business.

There is little opportunity to micro-manage a geographically dispersed group of busy volunteers—they

must have the freedom to advance the project according to their own availability. I quickly learned that my role was a bridging one—connecting the CPC chairs with information, authority and resources. My job was to make sure that the volunteers had what they needed to make smart decisions, and not to make all of the decisions myself.

Know when to stick your oar in

It's very easy to let the pendulum swing too far to the laissez-faire end of the spectrum. A good manager knows when to step in. The CALL Executive played this role at several points in the conference planning process, making decisions which were not popular, but which were essential to keep the conference's finances in line. This, in itself was a valuable management lesson—real leaders are willing to take a bullet for the team. By stepping in and giving clear instructions, the Executive kept the CPC from agonizing about hard decisions, and showed us that they had our backs.

Early in the planning process, we could afford to bat decisions around, consult widely and take our time. As the date of the conference drew closer, the pace increased. Fortunately, by this time, everyone had figured out who needed to be involved in making the decisions, and we could be very efficient at getting things done. My role became that of "utility infielder," and I stepped in to handle a variety of tasks, large and small.

Listen selectively

The CALL conference is the manifestation of a collective vision, and many perspectives go into its realization (which is bafflegab for: "Lots of people have lots of opinions about what goes into a good conference").

Librarians are by nature service-oriented people. We want to help, and we want everyone to be happy. Conferences, like life, are about compromise and balance. Learn to live with "less than perfect" and accept that you will disappoint some of your constituents. Opinions will be flying fast and thick—learn which ones need to receive attention, and let the others go. Some information is a signal, whereas other information is just noise. Criticism of the conference is feedback on an *event*, not on you. Accept the lesson, and move on.

* © Wendy Reynolds 2013.

** Wendy Reynolds is the Manager of Library Client Services at the Ontario Legislative Library. A lot of her time is spent figuring out how to effectively manage a highly dedicated team of experts.

¹ Enormous thanks to the dedicated volunteers who contributed to this conference. The Conference Planning Committee consisted of David Whelan, Jacquie Fex, Ines Freeman, Joan Rataic-Lang, Sooin Kim and John Bolan. Thanks also to the dozens who worked on committees and who volunteered during the conference—we literally couldn't have done it without you.

It's ALL about communication

Information is the lifeblood of any undertaking. Good managers make sure that it flows smoothly through the enterprise—that the right people have the right information at the right time. Duplication of conflicting information is as dangerous as no information at all. Make sure you know where information is stored, and keep the message consistent.

In the early stages of planning, we spent a lot of time figuring out our roles, and our jobs relative to National Office and the Executive. Good questions lead to useful conversations and greater clarity. For the leader, it's important to understand who has the answers—and to recognize that sometimes, it's not you. Facilitate the gathering of information and the finding of answers. As librarians, that's instinctual.

Roll with it

Flexibility and adaptability are important characteristics in the workplace. The CPC is rather like the middle management layer of a large organization—it is their job to operationalize the vision of the Executive. What is expected of you may vary from day to day—be prepared to go from the visionary role to stuffing envelopes without damage to your ego. Don't fall

in love with any of your ideas; you may need to modify or abandon them in order to serve the larger agenda. It's about the event, not you.

Be willing to depart from your initial assumptions. One of the most creative solutions I saw in the entire planning process came very early, when Joan Rataic-Lang and Ines Freeman realized that it was too difficult to draw a line between “social” and “local arrangements,” and they decided to work together as a combined committee.

Enjoy the ride

It was nearly three years from when I signed on for the conference to our closing banquet. It went by in a flash. It is important to pay attention to the experience. Be prepared to fight occasional fires, but don't be so focused on the minutiae that you deny yourself the joy of the event itself.

This lesson is easy to extend to the workplace—remember to be a human being to those around you. Yes, you are there to get the job done, but it takes very little time to have a little chat in the morning with colleagues, to recognize when others have gone the extra step for you, or to have a little fun. A career can pass by in a flash—what legacy are you leaving behind you?



Wendy Reynolds at CALL 2012

Edited by Erica Anderson and Susan Barker

Animals and the Law. By Lesli Bisgould. Toronto: Irwin Law, 2011. 305 p. Includes glossary of terms, table of cases, bibliographic references, and index. ISBN 978-1-55221-231-8 (softcover) \$65.00.

How animals are treated under the law has been an increasingly popular topic of discussion in recent years, and it is striking how our opinions about animals have changed. For example, at various points in history, people have believed that animals could not feel pain, or, strikingly, that they were gods (e.g., cats in ancient Egypt) which deserved reverence and prayer.

Today, many people see animals (usually pets) as members of their family with whom they have an intimate, meaningful connection. Even so, while society's view of animals has evolved a great deal, the laws' corresponding treatment of them has not. Lesli Bisgould's *Animals and the Law* addresses this inconsistency in its provocative discussion of animals and the law in Canada.

Bisgould's chapters deal with the history of animals in Western ideals, the Canadian legislative and common law landscape, animals as food and as creatures used in research, and, of course, animals as human companions. Bisgould conveys the true conundrum that the legal world faces when dealing with issues involving animals. Animals are bought and sold like any other property; however, people develop emotional attachments to animals, especially pets, and therefore come to see them more as family than property. She, as others have done, asks, how can something that is considered mere property also be a beloved family companion, and acknowledges that the intersection of property law and human empathy poses a real problem for law makers and judges. Bisgould excellently conveys why this disconnect must be challenged and corrected. She is also not shy about offering her own opinion on the matter which, while not detracting from her arguments or research, also makes it abundantly clear where she stands on this issue.

Animals and the Law deals with the unpleasant aspects of human nature, and, as such, the book can be quite difficult to read at times. Cases dealing with severe animal neglect and abuse are necessarily presented to support the commentary, but those who love animals could find it difficult to continue reading at times. For example, the section on the types of traps that can be used for hunting was, for this reviewer, a difficult one to get through.

Nonetheless, such information must be conveyed for the topic to be understood—animals, as sentient beings, are constantly being abused, killed, maimed, and discarded according to the whims of humans. Bisgould argues, “[i]n a democracy,

law is expected to change in accordance with changing values.... Ultimately, in a legal system that seeks to be logically and morally coherent, legal personhood for animals seems an inevitable result” (p 280-81). This may come to pass, but it is clear that reaching this “inevitable result” will be a difficult and protracted process.

This book is likely to have a varied audience. Most law firms would most likely not purchase this book unless they regularly work with animal-related issues. Nonetheless, *Animals and the Law* is suitable for academic law and non-law libraries, as well as courthouse and law society libraries. I also recommend this book for public libraries; it is very well written in a manner that, I believe, both lawyers and laypersons will understand.

Catherine Cotter
Reference/Instruction Librarian
Gerard V. La Forest Law Library
University of New Brunswick

Courts, Litigants and the Digital Age: Law Ethics and Practice.

By Karen Eltis. Toronto: Irwin, 2012. xii, 135 p. Includes bibliographic references and index. ISBN 978-1-55221-233-2 (softcover) \$80.00.

Karen Eltis' *Courts, Litigants and the Digital Age* provides an overview of some of the issues arising from new digital media which are facing the justice system. Eltis breaks down the issues into the following: the difficulties of ensuring the permanence of court records, the privacy of litigants, anonymization, the ability to research judges' personal and professional information online, social networking and judicial perception, and social networking and impropriety by juries. This book appears to be the first on this subject published in Canada and, although it mainly covers material discussed outside legal literature, it presents a concise overview of the topic and a discussion of concerns.

Eltis opens with an overview of the issues, particularly with regard to judges. She is mainly concerned with the pressures faced by judges which decrease their ability to respond adequately to the issues discussed in the rest of the book. These issues include the pressure to improve productivity, the monitoring of judges' internet use by the government, and the separation of powers.

Eltis then discusses the impermanence of electronic records, including both the difficulty of ensuring permanence of online judgments and access to evidence obtained from electronic sources for verification of evidence over time. She discusses concerns about the level of sophistication required to assess online sources, and the problems that can arise from

using online reference tools. The author follows up with suggestions on how to deal with electronic documents used as evidence and how the courts can administer a system that will ensure that necessary evidence is available in the future.

Eltis moves on to privacy issues involved in providing judgments and court documents online, particularly the problem of highly personal information being made widely available. Once disseminated, this information is impossible to retract, leading to permanent disclosure as the result of a miscalculation on the part of the courts or counsel. Court documents have always been public, but there was some anonymity in print; online publication has changed this.

Online publication has also had an effect on the related issue of anonymization of published judgments. Increased access to advanced information technology has made the processing of large amounts of information easier, and it has been found that a small amount of personal information is often enough to identify an individual. This means that even in cases where a judgment has been anonymized, it is possible that individuals' names can be re-attached to the documents, so increased care must be taken that all identifying information should be excised before publication.

Eltis discusses the issue of increased information about jurists being publicly available. This can range from membership in religious or professional associations to being Facebook friends with members of the bar, which can raise concerns about impartiality. Jury members may conduct improper research online into matters before the court, solicit opinions from improper sources, or publicize confidential information. The chapter concludes with recommendations on steps to minimize these problems.

This book provides a good academic overview of issues arising from the use of information technology in the court system and should be included in any substantial litigation or judges' library collection as a source of information on possible problems and solutions. However, I found that the book focuses largely on the problems of information technology in the courts, and could have benefitted from including a discussion of the more positive aspects as well. In addition, the book is mainly an academic treatment of this subject rather than a practical guide, and much of the law and examples referenced are not Canadian.

Nonetheless, judges need to be concerned about the issues addressed in this book, and for that reason I think this book is an important addition to any judges' library. For academic and law firm libraries with litigation collections, this book is a good source to research electronic issues in the courts especially in sensitive cases where publicity is a concern.

Sarah Sutherland
Manager, Library Services
McMillan LLP

Corporate Crime and Accountability in Canada: from Prosecutions to Corporate Social Responsibility By Norman Keith. (Markham, Ont.: LexisNexis, 2011). 295 p. Includes bibliographical references and index. ISBN: 9780433468806

Criminal Liability of Canadian Corporations for International Crimes (Toronto: Carswell, 2011). By H el ene Dragatsi. 212 p. Includes bibliographical references and index. ISBN: 0779836529

In Canada, there is lively periodical and research report literature on the topic of corporate criminal responsibility, but it only rarely finds expression in full-length works. Classified most directly under "Criminal liability of juristic persons—Canada," Worldcat shows the most recent comparable work in the field to be Jean-Claude H ebert's *Droit P enal des Affaires* (Cowansville, Qu ebec:  ditions Y. Blais, 2002), and, before that, a number of works from the middle and late 1980s, such as the seminal Law Reform Commission of Canada, *Recodifying Criminal Law*, (Report No. 31, 1987).

In these two complementary works by Keith and Dragatsi from 2011, we have the topic's only recent treatments, and they come from experts well positioned to offer comprehensive and insightful commentary. Mr. Keith is the author of the *Halsbury's Laws of Canada* title, *Workplace Health and Safety* (2010), and *Workplace Health and Safety Crimes: Bill C-45 and the New Westray Criminal Offences* (Markham, Ont.: LexisNexis, 2009). He is also the leader of Gowling's Occupational Health & Safety Group, a professor at the University of Toronto, and a prominent litigator. Ms. Dragatsi was a collaborator on the International Criminal Defence Attorneys Association's submission to the International Commission of Jurists Expert Legal Panel on Corporate Complicity in International Crimes, whose extensive Report is available online. She is also a researcher at the University of Ottawa, and an experienced practitioner in multiple jurisdictions.

Both works treat their topics systematically, and offer some context as they describe the current state and future directions of their subjects. Following an introduction that situates her work historically and identifies and describes the various entities important to understanding the international scene, Dragatsi analyses first the "absence of jurisdiction of existing International Tribunals for the prosecution of accused corporations," and then describes the fate of Canadian corporations when prosecuted for international crimes under Canadian criminal law. These six chapters include three on the history, doctrine, and sentencing of Canadian corporations under Canadian criminal law, overlapping to some extent Keith's work. As the author points out in her conclusion, "[t]his legal analysis remains theoretical at the time of writing, since, until this date, no corporation has ever been prosecuted for an international crime before a Canadian court." (p. 188)

Keith provides three introductory chapters covering important fundamental concepts, the history of corporate accountability (not only in Canada), and descriptions of the

legal models of corporate liability that underpin prosecutions. He presents a detailed review of 2003's Bill C-45, which amended the *Criminal Code* to establish the new offence of occupational health and safety criminal negligence in response to the Westray disaster of 1992, among other changes, and then catalogues the implications of the Bill from a corporate risk management perspective. The work then moves into the constitutional status of corporate rights under the *Charter*, defences, and sentencing. The last chapter offers descriptions of possible future developments, a section that should be of particular interest to Canadian law librarians attempting to build adequate collections in related fields.

Despite their shared ground, the works are distinct to the extent to which they cover the national and international spheres. Because international systems of justice are currently ill-equipped to manage this class of offence, and oftentimes resort to ad hoc solutions, Dragatsi's work is a careful piecing together of multiple trends, and she crafts a careful discussion to describe them adequately. At the national level the law (and legal system) is settled enough for Keith to offer concrete recommendations and detailed policy suggestions.

In addition, the range of crimes contemplated at the two levels differs significantly. Piracy, genocide, torture, slavery and corruption simply do not figure largely enough in the national context to make them the subject of much commentary by Keith, while they are among the most pressing problems at the international level, and Canadian corporations have been implicated on multiple occasions.

Surprisingly, Keith's work does not contain a table of cases or statutes, or a bibliography, while Dragatsi's contains both tables and a bibliography of secondary works and websites, making it a much more practical work, especially considering the diffuse character of her subject and the often difficult-to-find international materials.

There are a number of complementary resources that law librarians should be aware of if they seek to have a useful selection of works in this area. Perhaps most important for practical legal research purposes in the Canadian context is the Department of Justice's *A Plain Language Guide: Bill C-45 - Amendments to the Criminal Code Affecting the Criminal Liability of Organizations* (Ottawa: DoJ, 2003) (online: <http://www.justice.gc.ca/eng/dept-min/pub/c45/index.html>). A key document mentioned above on the international dimension of corporate criminal accountability is the International Commission of Jurists' *Report of the ICJ Expert Legal Panel on Corporate Complicity in International Crimes* (Geneva: the Commission, 2008) (online: <http://www.icj.org/report-of-the-international-commission-of-jurists-expert-legal-panel-on-corporate-complicity-in-international-crimes>).

In addition, there are two recent works of a broader character that discuss corporate criminal accountability in Canada and Bill C-45: Steven Bittle's *Still Dying for a Living: Corporate Criminal Liability After the Westray Mine Disaster* (Vancouver: University of British Columbia Press, 2012) and H.J. Glasbeek's *Canada's Take on Corporate Killing: the Westray Bill* (London: Institute of Employment Rights, 2005).

There are also two recent French language works on the specific set of crimes related to the environment available: Ariane Gagnon-Rocque's *La Peine en Droit de l'Environnement Canadien* (Cowansville, Québec: Éditions Y. Blais, 2012), and Amissi Manirabona's *Entreprises Multinationales et Criminalité Environnementale Transfrontalière: Applicabilité du Droit Pénal Canadien* (Cowansville, Québec: Éditions Y. Blais, 2011). Works on corporate social responsibility such as Robert W Sexty, *Canadian Business and Society: Ethics & Responsibilities* (Whitby, Ont.: McGraw-Hill Ryerson, 2011) and the allied topic of the social enterprise may also be useful to explore.

I recommend both titles for academic collections, and also for any firm library collecting in the area.

Michael Lines

Faculty and Student Services Librarian

Diana M. Priestly Law Library, University of Victoria

Digital Evidence in Criminal Law. By Daniel M. Scanlan. Aurora: Thomson Reuters Canada, 2011. xix, 328 p. Includes tables of cases, bibliography and index. ISBN 978-0-88804-502-7 (hardcover) \$114.00.

In his introduction to this book, the author (a Crown Attorney from British Columbia) sets out two relatively modest objectives: (1) provide a common sense explanation of how the various types of electronic evidence differ from more traditional forms of evidence; and (2) consolidate the emerging body of judicial thought available on the issues raised by the emerging predominance of electronic evidence in criminal cases. He definitely succeeds in meeting these objectives.

While it is not a comprehensive technical manual, the text provides sufficient technical background to explain the legal developments in this area, even to a lawyer who is not a technophile. The author also provides an excellent summary of some of the complex legal issues in this field. In particular, he provides an introduction to the *Personal Information Protection and Electronic Documents Act* ("PIPEDA") that would satisfy a privacy lawyer (as opposed to a more law enforcement-oriented approach). His discussions of consent searches and searches incidental to arrest, while brief, provide an excellent framework for the further development of the law in these areas. Where cases have not yet arisen, he uses hypotheticals to point out key issues that may shape future jurisprudence. He helpfully identifies conflicting trends in the existing case law, particularly with respect to the jurisprudence surrounding PIPEDA, the application of the plain view doctrine to digital evidence and the interception of e-mail communications. While most of the cases cited arose out of British Columbia and Ontario, cases from other provinces are also discussed, as well as several unreported British Columbia decisions. Mr. Scanlan highlights the failings of the existing outdated legislation regarding digital evidence, particularly with respect to the interception of digital communications. Perhaps the most practical aspects of the text are the chapter on computer experts and the three-page appendix entitled "Sample

Disclosure Undertakings Regarding Digital Evidence” (to be used when defence lawyers wish to review digital evidence held by the Crown).

The main drawback of this text is its format. A bound book on digital evidence in criminal law is like a picture of a NASCAR race. While accurate at the time of printing, the nature of the subject-matter is better suited to a loose-leaf product or even an accompanying blog or wiki that could track more recent developments and provide appropriate commentary in a timely manner. In this respect, the text is more like Wotherspoon and Cameron’s *Electronic Evidence and E-Discovery* than the loose-leaf *Electronic Evidence in Canada* (by Graham Underwood and Jonathan Penner) and *Electronic Documents: Records Management, e-Discovery and Trial* (by Bryan Finlay, Q.C., Marie-Andrée Vermette and Michael Statham).

My only other complaints are that this text could have benefitted from a glossary of technical terms and that it could have been better organized. While the book is ostensibly organized to “roughly parallel how the issues would be encountered in the course of a normal criminal trial,” in my opinion the chapter on “types and sources of electronic evidence” would have been better placed nearer the beginning of the text, rather than as Chapter 7. While the author endeavours to keep a balanced (*i.e.*, not overly prosecutorial) perspective, the chapter on malware appears to be aimed at dispelling myths about computer viruses and hackers, so as to defeat farfetched defences based on such scenarios.

This text clearly fills a gap in the existing commentary, as it is specifically focused on digital evidence in the criminal sphere. Its length, format and price may make it more appealing to criminal law practitioners—both Crown and defence counsel—than a more comprehensive loose-leaf service on electronic evidence generally.

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or cork by which you stopped something from coming out.

I’m not a lawyer, and I have to admit I was really stumped with the concept of estoppel. Even after reading the overview, and skimming the chapters, I’m still not sure what estoppel is. I wonder, is this the kind of concept most people have difficulty describing, but know it when they see it? However, if I had to research a particular point in estoppel, I’m sure I could find the answer in this text. This is clearly not a book you would need to read cover to cover, as the author himself notes at the end of Chapter I. Thankfully, the finding tools (table of contents and index) are very detailed. Chapter I is an overview, which helps put the following chapters into context. Mr. MacDougall uses plain language as well as excellent explanatory quotations from the hundreds of cases cited.

Each chapter includes an introduction and background to the particular type of estoppel being discussed. The author organizes the chapters based on the process by which the estoppel is formed; e.g. by agreement (estoppel by deed and by convention), by statement and reliance (estoppel by representation, promissory estoppel and proprietary estoppel), and by decision (election and abandonment). The text does not deal with the procedural estoppels, *i.e.* issue estoppel and *res judicata*.

The extensive Table of Cases includes old English Chancery cases (*Hobs v. Norton*, 1682) as well as more modern decisions (*Desbiens v. Smith Estate*, 2010 and *International Assn. of Fire Fighters Local 255 (Calgary Fire Fighters Assn.) v. Calgary (City)*, 2011). There’s also a lovely chart (p.18) that lists the types of estoppel that are treated in the book, as well as synonyms used for them.

This text is probably best suited for an academic or law society/courthouse library. A private firm may want to put it on their wish list, if there’s budget room, otherwise I would suggest borrowing it as needed.

Karen Sawatzky
Librarian, Tapper Cuddy LLP

Estoppel. By Bruce MacDougall. Markham, ON: LexisNexis Canada, 2012. xcvi, 605 p. Includes bibliographic references and index. ISBN 978-0-433-46123-4 (hardcover) \$225.00.

Impaired Driving in Canada: The Charter Cases. By Joseph F. Kenkel. Markham, Ont.: LexisNexis Canada Inc., 2010. 332 p. ISBN: 9780433460596 (hardcover) \$90.00.

“Estoppel is the general legal term for the doctrines whose basic effect is to hold a person to his or her word.”¹ So begins Bruce MacDougall’s text. As a literalist, I conjure up images to understand concepts. Estoppel leads me to an image of a man biting his knuckles to prevent saying anything, an image probably derived from Lord Denning’s description in *McIlkenny v. Chief Constable of West Midlands Police Force*².

It was brought over by the Normans. They used the old French “estoupail.” That meant a bung

A police officer arrives at the scene of an accident. It is the middle of the night and a car has smashed into a tree in somebody’s front yard. Neighbours called the police. Nobody saw who had been driving the car. But when the police officer arrived, he found Mr. “Intoxicated” sitting on the lawn next to the car—its engine still gurgling on what dollops of gasoline had not yet leaked onto the lawn. The police officer asked him if he had been driving the car. He said “yes.” Mr. “Intoxicated” reeked of booze; his eyes were bloodshot; he slurred his words; and he could barely stand up, let alone walk in a straight line.

¹ *Richards v Law Development Group (Georgetown) Ltd*, [1994] OJ No 2914 (Ont Gen Div), as cited in MacDougall at 1.

² [1980] 2 All ER 227, [1980] QB 283 (CA), as cited in MacDougall, p. 2.

He was immediately arrested for impaired driving. The police officer demanded that he come down to the station to provide two breath samples into a machine called an Intoxilyzer 5000C. Both samples of breath revealed Mr. "Intoxicated" to have twice the legal limit of alcohol in his blood.

Eleven months later, Mr. "Intoxicated" had his trial. He was acquitted on all charges. What?!

Reasonable members of the public might be excused for shaking their head in disbelief and wondering how it was that Mr. "Intoxicated" could get off scot-free. It would have been a slam-dunk case for the Crown if not for a meddlesome little document called the Canadian *Charter of Rights and Freedoms*. Justice Kenkel's book explains all this. A summary of the case law on the subject of "Statutorily Compelled Statements" reveals that one of the fundamental principles of justice protected by s.7 of the *Charter* is the right not to incriminate oneself. The problem for the Crown, in this case, is that Ontario's *Highway Traffic Act* requires a person who has been involved in an accident to "report the accident forthwith to the nearest police officer and furnish him or her with the information concerning the accident as may be required by the officer."³ Mr. Intoxicated's admission that he was the driver, according to the Supreme Court of Canada,⁴ would be a statutorily compelled statement and should therefore be excluded. While there was ample proof that Mr. "Intoxicated" was, well ... intoxicated, there was no proof that Mr. "Intoxicated" was the driver. And so the Crown will have failed to prove its case.

As *The Charter Cases* shows, this is just one of the many rights people charged with a drinking and driving offence will assert to have been violated in their dealings with the police. In recent years, Parliament has legislatively abolished many of the defences previously embraced by these accused. Parliament, however, is not in a position to abolish one's recourse to the *Charter*. For all intents and purposes, the accused have been detained by police and then conscripted to provide evidence against themselves in the form of breath samples. Every investigation by a police officer, therefore, represents the intersection of two competing interests: 1) the state's interest in the investigation and prevention of a serious crime, and 2) every citizen's right to go about their business free from state intervention. The courts have been willing to allow the former as long as the latter is well respected. And given the vigour with which drinking and driving cases are defended, the case law is prolific. There is seemingly no end to the rights that a person accused of drinking and driving will claim to have been breached: the police had no grounds for the stop; the police had no grounds to demand a sample of breath; I wasn't given an opportunity to speak to my lawyer ... of my choice ... in my language; I was strip searched at the police station; I wasn't given the maintenance records or the calibration logs or the computer source code of every piece of equipment used to sample my breath; and, of course, I didn't get my trial fast enough ... to mention just a few.

The Charter Cases manages to organize the morass of case law into chapters and sections that direct the reader almost immediately to the appropriate cases. Relevant excerpts from those cases are paraphrased so as to give you their gist. There is little beyond that—no editorialising (which would have been interesting, if not a little inappropriate, coming from an Ontario Court Justice). Justice Kenkel has provided a rough and ready guide that will give a lawyer the necessary leg-up into the appropriate case law. It will acclimatize one quickly to the state of the argument and equip a practitioner to make rough and ready submissions.

The book, however, needs a new edition. In 2009, the Supreme Court released its decision in *R. v. Grant*.⁵ It is the latest pronouncement on the state of *Charter* law in the context of evidence obtained during the course of an illegal detention. In this case, the Supreme Court clarified the test for exclusion of such evidence under section 24(2) of the *Charter*. Deep in the heart of that judgment, the Court stated that reliable breath sample evidence, whose method of collection is relatively non-intrusive, will usually be admitted, notwithstanding the *Charter* violation. While not necessarily the death knell for *Charter* defences in drinking and driving cases, this has certainly raised the bar for those who wish to have their breath samples excluded from evidence. A summary of cases post-*Grant* would provide a clearer picture as to how high that bar has been raised. While insufficient time had passed for Justice Kenkel to collect and collate any such cases for this edition, it is precisely for this reason that I look very forward to the next.

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Prosecuting Genocide, Crimes Against Humanity and War Crimes in Canadian Courts. By Fannie Lafontaine. Toronto: Carswell, 2012. xxx, 405p. Includes foreword, table of cases, appendices, bibliography and index. ISBN 978-0-7798-3860-8 (hardcover) \$185.

Fannie Lafontaine is a Professor at the Faculty of Law of Laval University and Director of the Clinique de droit international pénal et humanitaire (International Criminal and Humanitarian Law Clinic). *Prosecuting Genocide, Crimes Against Humanity and War Crimes in Canadian Courts* is based on Professor Lafontaine's doctoral thesis at the National University of Ireland Galway and is essentially a study in both Canadian criminal law and international criminal law.

Because it is the duty of domestic courts to exercise criminal jurisdiction over those responsible for international crimes and, accordingly, the jurisdiction of the International Criminal Court is only invoked when a state is unwilling or unable to do so, the prosecution of international crimes in-

³ *Highway Traffic Act*, RSO 1990, c H.8, s199(1).

⁴ *R v White*, [1999] SCJ No 28 (my personal feelings on this decision aside).

⁵ *R v Grant*, [2009] SCJ No 32.

volves a complex interplay between national and international law. It is that meeting of national and international law that Professor Lafontaine seeks to explore in this book.

The *Crimes Against Humanity and War Crimes Act*, Canada's implementation of its obligations under the *Rome Statute of the International Criminal Court*, is, therefore, the focal point of the text. The focus on the *Act* is directed to its capacity to fulfill Canada's obligations in the fight against impunity for the "core" crimes of genocide, crimes against humanity and war crimes.

The book is divided into three parts: Part I sets the scene by examining the historical context of the *Act*: from Canada's relative indifference to international crimes post-World War II, to the Deschênes Commission and consequential amendments to the *Criminal Code*, the first attempts at prosecution, including the well-known failed prosecution of Imre Finta, and finally, the enactment of the *Act*. Part I also examines when and how Canada may exercise jurisdiction over the core crimes.

Part II moves the study into the substantive aspects of the *Act*, discussing general principles applicable to all core crimes, including the rationale for creating the offences in the domestic legal order, and the *Act's* reliance on customary and conventional international law in the definitions of the core crimes. The author then examines the elements of the offences created in the *Act* with a view to highlighting uncertainties or difficulties surrounding the offences arising from the interplay between domestic and international law.

Part III assesses Canada's legislative choice to apply domestic principles of liability to international crimes, in particular, whether those domestic principles are well-suited to the prosecution of international crimes and whether adaptations are required. It compares principal liability, secondary and inchoate liability (aiding and abetting, accessory after the fact, counselling, attempt and conspiracy) principles pursuant to the *Act* with their counterparts in international criminal law.

Although Professor Lafontaine concludes that the *Act* "has equipped Canadian courts well enough to embark on the journey of domestic prosecutions for core crimes" (p. 333), she acknowledges the various obstacles facing such criminal prosecutions, including political ramifications, budgetary issues and evidence gathering. In the end, Professor Lafontaine makes a compelling case for the utility of pursuing domestic prosecutions, pointing out that the use of administrative remedies such as deportation effectively means there is no real accountability for the commission of some of the worst crimes known to the international community.

The book "aims at offering a theoretical framework that may guide prosecutorial and judicial officials in their important assignment" (p. 3) and, in addition to the depth of research and analysis contained in the book, the logical structure of its contents contributes to the achievement of this aim. I particularly enjoyed the road-mapping of topics set out at the beginning of each chapter as I was always clear on where the author's path of analysis would travel. Further, the clear headings and the book's index facilitate the ease in

which one might conduct subsequent reviews of the text.

While Robert J. Currie devotes a chapter of his book, *International and Transnational Criminal Law* (reviewed in volume 36, no 4 of this journal) to Canadian prosecution of the core crimes, Professor Lafontaine's is the first book-length study of the topic. It is therefore an important contribution to the field and will find an eager audience with practitioners, graduate level students and academics. It is deserving of a place in the library collections of courthouses, government, universities and law firms with an international criminal law practice.

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The State vs. the Individual: The Unresolved Dilemma of Humanitarian Intervention. By Katariina Simonen. Leiden: Martinus Nijhoff Publishers, 2011. 334 p. Includes table of contents, selected bibliography, and index. ISBN 978-90-04-20291-7 (hardcover) €143.00.

Over the past decade or more, the issue of "humanitarian intervention" has become increasingly fraught. Conflicts in places such as Iraq, Afghanistan, Libya, and Syria have led to a great deal of controversy over the murky, grey area of international law that constitutes humanitarian intervention. Certainly, an area that once seemed to be much more clearly demarcated on moral grounds has been tarnished by the dubious successes of these interventions in the past decade. In *The State vs. the Individual: The Unresolved Dilemma of Humanitarian Intervention*, Katariina Simonen attempts to cut the Gordian knot and determine the legality of such actions.

In her introduction, Simonen, who is a Senior Advisor to the Finnish Ministry of Defence, very methodically lays out her thesis for the book:

Humanitarian intervention is carried out as a rescue measure, without any authorization from the Security Council, for purposes of stopping the hand of State executioners when the State in question is guilty of gross human rights violations on its own territory. (p. 3)

Indeed, Simonen's book is one of the most organized and well thought-out legal monographs that I have had the pleasure of reading in a long time, with a very clearly elucidated thesis, structure, and execution. Although the material is almost by definition heavy-going, this clarity in structure helps to ensure that it is far more approachable than the average legal text.

Many discussions of humanitarian intervention get bogged down in the legal theory and philosophy that underlie the concept. These discussions, while necessary, can all too easily descend into the realm of pedantic navel-gazing, which is why Simonen's disciplined, clear-eyed writing style is so welcome.

The first chapter is dedicated to legal theory, but the subsequent chapters introduce more substantive legal concepts, such as the intersection of protecting human rights and the

prohibition of armed force and its necessary relationship with humanitarian intervention, the role of the United Nations Charter and Security Council, a case study of the NATO intervention in Kosovo in 1999, and the responsibility to protect. These discussions weave together to form what Simonen refers to as an “interpretive matrix” that can be used to develop and apply policy. There is even a diagram of the matrix, to allow for a visualization of the variables and how they affect the overall outcome.

If this all sounds very technical and perhaps a little “wonkish,” that is because it is. It is not difficult to see Simonen’s background as a government advisor, as the text does frequently veer into the technical bloodlessness of a PowerPoint presentation to a United Nations committee. This is both its strength and weakness. However, given the controversial nature of the subject matter, along with its increasingly promi-

nent presence in the international realm, this measured and non-partisan approach is, if nothing else, necessary.

Although the book is reasonably approachable in its style, it is nevertheless rather niche in terms of its subject matter, which makes it unlikely to appeal to any libraries outside of academia or, possibly, some levels of government. That being said, within academia, it is likely to have plenty of interdisciplinary interest, as it easily falls under the aegis of law, political science, and international relations. I would highly recommend its addition to any library that collects in these areas.

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Submitted by Susan Jones

Lisa Johnson & Scott Spicer, "Tech Expo: A Model for Emerging Technology Education for Library Staff" (2012) 3:1 *Journal of Library Innovation* 66-85.

It's a challenge to keep up with the latest personal information management tools, productivity software, and APIs, not to mention the difficulty of finding the time to explore and learn about new technology, when there are so many things to be done during the course of the day. The staff at the University of Minnesota Libraries (UMN), however, have come up with a unique solution to this problem. To help staff keep up with the ever-steady flow of technological developments, UMN created a staff education program on emerging technologies. In this article, two librarians at UMN describe the development and implementation of the emerging technologies education program.

As a result of technology competence surveys, the identification of core technological competencies, and the recognition of the importance of emerging technology, an information technology education group (IT-EDU) was created at UMN to develop a broad curriculum of technology education for library staff. IT-EDU's goal was to create training that was fun, sustainable, available to a wide audience, and complementary to existing staff programming.

The emerging technology education program was implemented by IT-EDU in three phases over a 12-month period. In phase one, the technological needs and interests of staff were identified. In phase two, new emerging technology was introduced to staff at a technology fair, called Tech Expo. In phase three, staff were provided with more formal training opportunities called TechShops.

To identify staff needs and interests in phase one, IT-EDU collected information through surveys, focus groups, and brain-storming sessions. In this way, not only did IT-EDU develop a list of program ideas and top emerging technology, but it also identified staff with a keen interest in participating at Tech Expo as instructors or presenters.

With the information about staff needs and interests in hand, IT-EDU began phase two—planning an emerging information technology fair, called Tech Expo. The authors describe Tech Expo as an informal, exhibition-style event held on a single day over a two-hour lunch period. During that time, staff attendees were introduced to, and engaged with, emerging technology through exhibit booths, short presentations, and hands-on time, a sort of "tech petting zoo," with the latest gadgets and hardware. In planning Tech Expo, IT-EDU identified several objectives. The group wanted par-

ticipants to be exposed to current and emerging technology, to become comfortable with new technology, to explore further, to learn how new technology can be applied to their own work, and to learn how to develop the skills needed to use new technology.

One of the challenges faced by IT-EDU in planning the Tech Expo was deciding which emerging technology to feature at the fair. In order to narrow the diverse interests identified by staff during phase one, IT-EDU developed a set of criteria to which all featured technology had to conform. The criteria required any featured technology to be new or emerging, useful at different skill levels, not part of some other training program, suitable for presentation, relevant to the direction of the library, as well as exciting and interactive.

There were other challenges, as well, during the many months it took to plan the Tech Expo. The venue needed to be big enough to accommodate a large number of attendees, along with providing enough space for staff to engage with the technology and interact with other participants. There were other requirements, as well—internet connectivity, electrical outlets, and equipment, including laptops, monitors, and webcams. IT-EDU was careful to schedule the event over a two-hour lunch period in order to maximize attendance, and on a date that didn't conflict with other events on campus. IT-EDU also used two tried-and-true methods to boost attendance—food and prizes—and advertised the event through the Tech Expo blog, direct email to staff, and a weekly bulletin.

As part of the planning process, IT-EDU also selected the presenters. The selection criteria included candidates' expertise with technology and past presentation experience. Although IT-EDU chose the technology to be featured (e.g., mobile apps), it was up to the presenters to decide how to present the information and whether to provide attendees with handouts and other supplemental materials. Presenters were encouraged to post their supplemental material on the Tech Expo blog.

Phase three followed the conclusion of the technology fair. During this phase, IT-EDU organized a series of four TechShops to provide staff with the chance to learn how new technology could be applied to their day-to-day work. The technology tools examined in each TechShop were chosen based on the feedback from attendees of the Tech Expo.

The authors declare the emerging technology education program a success. Based on feedback, staff found the technology tools featured at Tech Expo to be relevant to their work. Staff also reported liking the energy of the event and the enthusiasm of the presenters, the fact that library

staff presented to other library staff, the opportunity to get hands-on experience with new technology, and the chance to ask questions in a non-threatening atmosphere. Goals for the future include maintaining the momentum created from the first-ever Tech Expo, giving consideration to including participants from outside the library, and exploring the possibility of partnering with the Office of Information Technology. When asked how the Tech Expo could be improved, staff had two suggestions—a larger venue . . . and more food!

Megan Dempsey & Alex Palionis, “Reuse, Recycle . . . Reduce: A Greener Library with Print Management” (2012) 30:3 *Library Hi Tech* 408-417.

Much has been written in recent years about running a greener library. I’ve long suffered pangs of guilt every time I print yet another document, so this article caught my eye. Written by two librarians at the Raritan Valley Community College in Branchburg, New Jersey, this article describes the efforts of the College’s library staff to implement a print management system in order to reduce the amount of waste paper produced from needless, careless, and unintentional printing by library users.

The print management system was borne of an idea for a library display for Earth Day. The amount of wasted paper produced from careless printing had long been a concern for library staff. In an effort to “reduce, reuse, recycle,” printers were set to default to double-sided printing and recycling bins were placed near printers, along with collection boxes for single-sided printouts to be reused. Even so, there still existed the problem with wasteful printing behaviour—printing more copies of a document, or more pages of a website, than are needed, or simply just abandoning a print job. This, combined with a significant jump in the cost of paper and toner, a steady increase in student enrollment, and an increase in the number of people using the library, led library staff to show just how much paper really was wasted. Over the course of a three-month period, library staff collected the paper from abandoned print jobs, recycling bins, and collection boxes around the library. For Earth Day, the 15,000 sheets of paper gathered during the collection period were stacked in a cylindrical glass display case. Signs were posted near the display case bearing statistics about the number of pages printed during that time and the number of trees required to produce those pages. Photos of trees from around campus were used to drive home the message. An email blast with a photo of the display and accompanying statistics was sent to everyone at the college.

The display drew a lot of attention and generated just as much discussion. Faculty reported encouraging their students to think twice before printing and to use the duplexing feature of printers whenever possible, even for assignments. Given the positive feedback from students and staff, library staff felt the time was right to discuss the possibility of a print management system. Fortunately, the school’s class-

room management software included a component called PrintLimit Pro, which could be used to impose printing fees and other types of limits on print jobs. Although members of the public had been subject to a \$0.05 per page printing charge for many years, the cost of paper and toner had never been recovered through any student fees. It was decided that this policy would not change with the implementation of the print management system. Although students would continue to enjoy free printing, PrintLimit Pro was configured to do two things. First, it was used to impose a 30-page limit on all print jobs, and second, it was configured to hold all print jobs from being sent to the printer until released from one of the designated release stations located next to the library’s printers. When a student prints a document from a library computer, the PrintLimit Pro software puts the print job on hold. The student then goes to one of the release stations, enters his or her ID number and password, and releases the print job to the printer. Any print jobs not released within 30 minutes are automatically deleted. Library staff, using print management login credentials, have the ability to view, release, or cancel print jobs.

A number of issues arose in the early days of the program. For example, library staff had to figure out how to handle public users, who had always been, and would continue to be, subject to printing charges. Prior to the implementation of the print management system, public users were expected to bring their printing to the circulation desk for payment. While public patrons use a guest login to access library computers, it can’t be used to release print jobs from the release stations. Now, public users go to the circulation desk to have print jobs released by staff. This process gives staff more control over the printing by the public and the collection of printing fees.

During the initial roll out of the print management program, library staff answered many questions on the printing process. Signs with instructions were posted at all release stations and yet staff still found themselves explaining the process and fielding many questions, including complaints about why the system was implemented. Most students understood when it was explained that it was to cut back on the amount of waste paper.

Another issue that arose during the early days of the program concerned the 30-page limit on all print jobs. While initially imposed to prevent students from using printers as copy machines and to prevent accidental printing, staff soon discovered that many legitimate print jobs were being cancelled by the system. Print jobs exceeding the 30-page limit were automatically cancelled without notification to the user. This led to a number of complaints, so library staff increased the limit to 50 pages.

Another issue to emerge from the implementation of the print management system is that students will send several documents to the release stations and then release them all at once to the printer. This often results in a crowd of students waiting for print jobs. This is particularly problematic when students wait to release their print jobs just before a class is

about to start.

In conclusion, the authors note that the print management system resulted in a reduction in the amount of waste produced. One indicator was an increase in the lifespan of the printer's toner cartridges. Prior to the implementation of the print management system, a toner cartridge lasted an average of nine days, whereas after the roll out of the system, the average lifespan of a cartridge was fourteen days. The second indicator of reduced waste was a decrease in the number of pages printed. The number of pages printed fell by 32 percent. The authors acknowledge that these reductions can't be described as "staggering," but these changes are significant when considering what the library could be spending on paper and toner.

Emily Marcum, "Please Consider the Environment Before Printing This E-mail: Is Digital Really Better For the Environment?" (July 2012) 16:9 AALL Spectrum 21-22. Available from <<http://www.aallnet.org/main-menu/Publications/spectrum/Archives/Vol-16/No-9/print-v-digital.pdf>> (accessed 30 October 2012).

This is a thought-provoking article to read, especially alongside the previous article on print management systems. "Please consider the environment before printing this e-mail" is a common tag line at the end of messages. As the author notes, this tag line assumes that print media destroys trees, while digital media does not. In this article, a law firm librarian in Birmingham, Alabama argues that print resources, in fact, are better for the environment than their digital counterparts.

Essentially, her argument is that digital resources are more taxing on the environment because they require large amounts of electricity. She goes on to explain that half of the electricity in the United States is generated from coal, a non-renewable resource. Over half of this coal comes from surface mining, also known as mountaintop removal mining—a process that involves clear-cutting trees and then removing the soil underneath. It's this particularly destructive method of coal production, according to the author, that makes digital resources, rather than print ones, worse for the environment.

The author also argues that the manufacture of digital technologies is a much more energy-intensive process than the actual use of those technologies. Eighty-three percent of the total energy expended over the life of a computer occurs during the manufacturing process, while only 17 percent is expended during the actual use of that computer. Based on this information, it's clear that even our best efforts to conserve energy really have little impact on the energy consumption of digital technologies. Even the manufacture of memory chips is an energy-intensive process. According to sources cited in the article, it requires 3,300 kilowatt hours of electricity to produce a 32-megabyte RAM chip. That's quite startling when the author compares that figure to the

11,000 kilowatt hours used by the average household each year.

In conclusion, the author outlines the factors to consider when determining whether it's better, in a particular situation, to print a document or view it online. It depends on factors like whether the document will be referred to multiple times or whether your computer is on all day at 100 percent power. The author acknowledges that it's a complicated and convoluted decision-making process just to determine whether to print a document. The better option, in her opinion, is to stop clear-cutting trees to produce electricity, and in this regard, she encourages readers to contact their government representatives about adopting green energy.

Emily Lawson, "Good Apps Aren't Hard to Find: Resources for Finding Legal Apps" (26 September 2012) Spectrum Online. Available from <<http://www.aallnet.org/main-menu/Publications/spectrum/Spectrum-Online/legal-apps.html>> (accessed 30 October 2012).

It seems like there's an app for everything these days, and with so much choice, it can be difficult to stay on top of new developments. In this short article, an academic law librarian recommends resources for finding legal apps.

The most obvious and direct route to finding new apps is through the *official app stores*, like iTunes, Google Play, BlackBerry App World, and Microsoft's Marketplace. Unfortunately, while users can browse and search for apps through official app stores, none of them appear to have a specific category for legal apps. Apps geared toward the legal profession are typically found in categories like "business," "reference," and "productivity." Another strike against the official app stores is the rudimentary keyword search functionality for finding apps. This search functionality leaves a lot to be desired and works best when you already know the name of the app. The official app stores, however, do provide useful information for evaluating apps, including descriptions, reviews, and screen shots.

Another alternative for finding the latest and greatest legal apps is an *app search engine*, like Yahoo App Search, AndroidZoom, Chomp, and Quixey. The search functionality of app search engines is typically much better than what's found in the official app stores, and many of them allow users to refine results by price, category, and those with reviews or updates.

Legal technology blogs and websites serve as useful current awareness tools for staying abreast of new developments in the world of legal apps. Examples include the Law Technology News website and the iPhone J.D. blog. What's really helpful is that the reviews of apps on these websites and blogs are typically longer and more detailed than what you'll find through the official app stores and app search engines.

Finally, there are a few *other resources* the author recommends. Infosources Publishing produces a searchable directory of legal apps called Mobile Apps for Law. While

a subscription is required to use this resource, Infosources Publishing's website includes an RSS feed of every new app added to the directory. Also, some law librarians, like those

at the UCLA Law Library, have created legal app research guides, which describe various apps for legal research, legal news, law school, and productivity.

JAMES D. LANG MEMORIAL SCHOLARSHIP

Members of the Canadian Association of Law Libraries/ Association canadienne des bibliothèques de droit who have been in good standing for a minimum of twelve months are invited to apply for funding through the James D. Lang Memorial Scholarship. The scholarship is designed to support attendance at a continuing education program, be it a workshop, certificate program or other similar activity deemed appropriate by the CALL/ACBD Scholarships and Awards Committee. Support for attendance at annual conferences normally does not fall within the terms of reference for this scholarship.

This scholarship fund was established in memory of James D. Lang, a long time employee of Carswell and member of CALL/ ACBD. Carswell has donated the money for this scholarship fund, and the Scholarships and Awards Committee would like to honour Jim's memory by awarding this scholarship to a CALL/ACBD member. We encourage you to take advantage of this opportunity to further your professional education.

Applications will be considered three times a year; the deadlines are: **March 15, June 15 and September 15**. An application form is available online.

BOURSE D'ÉTUDE À LA MÉMOIRE DE JAMES D. LANG

Nous invitons les membres de la Canadian Association of Law Libraries/Association canadienne des bibliothèques de droit à nous faire parvenir une demande de financement pour la bourse d'étude à la mémoire de James D. Lang. Cette bourse d'étude vise à encourager la participation à un programme de formation continue sous forme d'atelier, de programme de certificat ou de toute autre activité similaire reconnue par le Comité des bourses d'étude et de remise des prix de CALL/ABCD. Les paramètres de cette bourse d'étude n'incluent pas le soutien financier pour une participation à des conférences.

Ce fonds de bourse d'étude a été établi à la mémoire de James D. Lang, un employé de Carswell durant plusieurs années et un membre de CALL/ACBD. Carswell a contribué un certain montant d'argent pour ce fonds de bourse d'étude. Le comité des bourses d'étude et de remise des prix aimerait rendre hommage à Jim en accordant cette bourse à un membre de CALL/ACBD. Nous vous encourageons à profiter de cette opportunité pour ajouter à votre éducation professionnelle.

Nous considérerons les demandes trois fois par année; les dates limites sont le **15 mars, le 15 juin et le 15 septembre**. Un formulaire de demande électronique est disponible.

Edited by Gail Brown and Mary Jane Kearns-Padgett

This column, which reports information from local and regional law library organizations, is intended as a forum for the exchange of information and ideas among members of CALL/ACBD. If your group's activities are not represented here, please forward the details to Gail Brown at: gail@middlaw.on.ca.

National Capital Association of Law Librarians (NCALL)

The Annual General Meeting was held on June 12, 2012 with 22 people in attendance. The event celebrated the 30th anniversary of NCALL (formerly the Ottawa Hull Law Librarians' Association).

With summer, it came time to hand over the reins to a new executive. Jennifer Walker, Head Librarian at the County of Carleton Law Association, took over as President. Barbara Pilek, Chief of Branch Libraries and Information Service at Library of Parliament, is now Treasurer. Claire Banton, Reference Librarian at Library and Archives Canada, became Secretary. The new executive members would like to thank the outgoing executive for all their hard work over the previous years.

After a year's hiatus, NCALL held its annual Publishers' Forum on October 10, 2012. Representatives from EBSCO, LexisNexis, and Carswell presented new and updated products. Discussion focused on pricing models. Thirty people attended the event. NCALL gratefully acknowledges the hard work of Manon Parisé and Dan Vice in organizing the event, and would like to thank all publishers who contributed towards the event.

In the upcoming months the executive will be working on a website and email address for the association and on centralizing the association's documentation.

Submitted by Claire Banton, Reference Librarian, Information and Research Services Division, Library and Archives Canada (Ottawa)

Calgary Law Libraries Group (CLLG)

On September 9, 2012, CLLG members participated in the Ovarian Cancer Canada Walk of Hope and helped raise \$18,675.

CLLG hosted the Annual Vendors' Forum on October 10, 2012. Members received product updates from LexisNexis print and online, CCH, Alberta Queen's Printer, Carswell Legal and Wolters Kluwer. Also, on October 22, 2012, CLLG held the Annual Fall Business Meeting where the new Executive met for the first time.

Submitted by Alison Young, Law Librarian, Bennet Jones SLP (Calgary)

Vancouver Association of Law Libraries (VALL)

VALL's first seminar in October featured John-Paul Boyd and an overview of B.C.'s new Family Law Act, the bulk of which comes into force on March 18, 2013. The new act will reshape every aspect of the law on domestic relations in B.C. Even for those in libraries where family law is not really a focus, Mr. Boyd's informative session contributed to general knowledge about the law in B.C., to the benefit of individuals' roles as citizens of the province.

The VALL executive this year has a beady eye on engaging VALL members who might not normally get a chance to attend meetings, or who would like more time for relaxed networking. The first effort at this was a drop-in coffee morning before work, so that members could have a chance to get to know each other in a less formal setting than that which seminars usually provide. It was a very successful event, and VALL intends to try drinks in the evening next.

For more news about VALL, please visit the website at <http://www/vall.vancouver.bc.ca>.

Submitted by Sarah Munro, Librarian, Singleton Urquhart LLP (Vancouver)

Ontario Courthouse Librarians' Association (OCLA)

The annual Conference for Ontario Courthouse Librarians' Association (COLAL), took place in Toronto at the Metropolitan Hotel from October 24 - 26, 2012. This year's conference was entitled *Future Ready* and primarily focused on the theme of association members aligning themselves with the future as library staff. Members were treated to engaging and insightful sessions from dynamic speakers including Stephen Abram from Gale Cengage, HR Consultant Steven Lowden, Rebecca Jones from Dysart & Jones, and Martha Foote from LibraryCo. OCLA would like to extend its appreciation to LibraryCo for hosting another great conference.

Members also voted on OCLA's Executive for 2013-2015 at our AGM at COLAL. The new Executive sees Anne Bowers from the Northumberland Law Association as Chair, Chris Wyskiel from the Hamilton Law Association as Vice-Chair, John Kerr from the Wellington Law Association as Treasurer and Melissa Firth from the Peel Law Association as Secretary. OCLA congratulates them and wishes them well in their new appointments.

OCLA is excited to have launched its new website in October. It can be found at <http://oclanet.org/>.

Submitted by Shabira Tamachi, Oxford Law Association Library (Woodstock)

Edmonton Law Libraries Association (ELLA)

ELLA held the first meeting of the 2012/2013 year on September 18. Tara Perverseff from the Office of the Information and Privacy Commissioner (OIPC) of Alberta presented an informative session entitled “The Social Media Revolution: the Powers and Pitfalls for Privacy.”

On October 3, David Finch from Justis Publishing presented a Justis and JustCite demonstration session.

On October 25, ELLA held its annual Publishers’ Forum. Representatives from Carswell, CCH, LexisNexis and Alberta Queen’s Printer were present. The representatives spoke about new resources and changes to existing titles, and they answered questions from ELLA members.

Information about ELLA is available on its website: <http://www.edmontonlawlibraries.ca/>.

Submitted by Christine Press, Alberta Law Libraries (Edmonton)

Montreal Association of Law Libraries / Association des bibliothèques de droit de Montréal (MALL/ABDM)

MALL began its season of activities with a lunch at *Les Trois Brasseurs*. Once again, it was a very popular event.

To top off the festivities of the 25th anniversary of the MALL, a special conference was to be held on November 1, but due to the health of the guest speaker and expert on workplace stress, Sonia Lupien, this event will take place at

the beginning of March.

La saison d’activités pour l’ABDM a débuté par un lunch de la rentrée tenu au *restaurant Les Trois Brasseurs*. Une fois encore, ce fut un évènement fort populaire.

Pour clore en beauté les festivités du 25^e anniversaire de l’ABDM, une conférence toute spéciale devait avoir lieu le 1^{er} novembre, mais en raison de l’état de santé de la conférencière (spécialiste du stress au travail), Mme Sonia Lupien, cette conférence sera remise au début du mois de mars prochain.

Submitted by Louis Goulet, Heenan, Blaikie (Montreal)

Toronto Association of Law Libraries (TALL)

TALL has been busy doing outreach and building a more solid communication base. Vice-President Pamela Bakker organized a panel session of Legal Librarians at Toronto’s Faculty of Information in October. The panel told students their career path stories and answered questions about what rewards and challenges this field brings. The event was well attended and hopefully this small time investment may inspire a student to become a legal librarian. TALL continues to work on its new website—expect to see it live in 2013!

Submitted by Julie Anderson, Ontario Legislative Library (Toronto)

The road to a career as a
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Edited by Gail Brown and Mary Jane Kearns-Padgett

In the news from the Ontario courthouse libraries, **Helen Heerema** has joined the Thunder Bay Law Association as the new library technician. She succeeds Catherine Walsh who retired at the end of June. Helen comes to Thunder Bay from Confederation College, where she was responsible for the library automation system, collection development, e-resources management, technical services and the library web site, among other duties. Helen is a graduate of Niagara College's library technician program and has a bachelor's degree in English and Religious Studies from Lakehead University. She has been very active in the Ontario Association of Library Technicians (OALT) and served for many years on the executive of the Thunder Bay chapter. And she does like winter; it's the best time of year to cross-country ski.

Maria Berezowski has returned to the Kenora Law Association from Thunder Bay.

Lynda Cavanaugh, Library Technician for the Leeds and Grenville Law Association in Brockville, was in Ottawa recently to receive an award from the Girl Guides of Canada for 55 years of voluntary service. One of only seven women in Eastern Ontario to receive the award, Lynda has been a Guide, a Leader and an Advisor. Congratulations Lynda!

A number of CALL members have been active in the publishing world. **David Whelan's** updated edition of *Finding and managing legal information on the Internet* became available from Canada Law Book in March 2012, accompanied by its complementary online blog which is intended to continuously update the book on developments, tools, and resources announced after the text was finalized for publication in January 2012.

In May 2012, Carswell published the fifth edition of *Updating statutes and regulations for all Canadian jurisdictions / Mise à jour des lois et règlements à travers le Canada* by **Nancy McCormack** and **Nathalie Leonard**, providing a completely revised and greatly expanded bilingual guide to updating this aspect of legal research.

Legal Writing and Research Manual, seventh edition by **Anne Matthewman** and **Philip W. Whitehead**, was published by LexisNexis in November 2012. Originally written by Professor Innes Christie in 1970, this most recent edition continues to provide first year law students with a useful introduction to research tools and drafting documents.

Robert Leigh, former Public Services Manager with Alberta Law Society Libraries (Calgary) passed away on October 11, 2012. Many CALL members will remember Robert within our local library communities and from CALL conferences where he generously shared his knowledge of library collections and research methods. Robert retired from Alberta Law Libraries early in 2008 but continued to assist the organization with collections development while

Alberta Law Libraries were being restructured. Friends and colleagues will all miss his wit, intelligence and contributions to the profession.

Ann Morrison and **Humayun Rashid** were voted honoured members at the 2012 CALL/ACBD AGM. Cyndi Murphy, President, outlined their contributions:

"Ann's involvement with CALL/ACBD began when she joined the association in 1981. Since then, she has actively participated in annual conferences as a moderator, a panelist, or a SIG or Committee member or chair, as well as being conference planning committee chair in Toronto in 1987 and Halifax in 2009. Ann's willingness to further serve the association was demonstrated by her tenure on the executive board from 1993-2003, as member-at-large, vice-president/president-elect, president, and past president. For many years, Ann was CALL/ACBD's representative to IALL, another association in which she was active, also serving on their executive. Prior to her retirement, Ann was the Law Librarian at the Sir James Dunn Law Library, Dalhousie University, Halifax. Previously, she had worked at the University of Toronto law library.

"Rashid is well known in the law librarianship world as one of the experts and main proponents of the KF Modified classification. He is a co-author of KF Classification for Use in Canadian Law Libraries and continues to work on new classifications for the KF scheme. A member of CALL/ACBD since 1978, Rashid has attended every conference since 1980, when he joined the University of Toronto law library as the head of cataloguing. He has organized and participated in programs on KF Modified and other cataloguing issues, and has chaired or co-chaired all of CALL/ACBD's technical services and cataloguing committees or special interest groups at one time or another. He has also been CALL/ACBD's



Robert Leigh

representative to the Canadian Committee on Cataloguing (1987-1989) and to the National Library of Canada's Cataloguing-in-Publication Project for Legal Materials (1986-1988), thereby helping to ensure that KF Modified is accessible to Canadian law libraries of all types and sizes.

"Congratulations to Ann Morrison and Humayun Rashid from all of their CALL-eagues!"

Law Librarian, **Irene Bessette**, has passed away. The following appeared in *The Oregonian* on October 21, 2012:

"Irene Bessette, educated as a lawyer in France, and as a librarian and lawyer in the United States, was born in Warsaw, Poland, in 1924 as Irena Borman and assumed the name of Irena Bakowska during the war in order to hide her Jewish identity. She came to the U.S. in 1955. Admitted to the NY Bar in 1966, to practice before the U.S. Supreme Court in 1970, and to Ontario Bar in 1985. She ended her professional career as a Professor of Law and Law Librarian at Queen's University in Ontario. In 2007 Queen's University law faculty honored her as follows: "A courageous survivor of terrible persecution during World War II; a published author of moving, astonishingly generous and enlightened works on her WWII tribulation; a legal scholar of a wide-world experience in Europe, Africa and America; a patient, dedicated and

wise conservator of her adopted country Canada's legal literature; the first woman teacher at this Faculty of Law; a teacher of and guide to both of Canada's founding legal traditions; an insightful life partner and strength to her husband, Gerard Bessette, a Canadian literary treasure." The story of her holocaust survival was self published as "Not All Was Lost; a Young Woman's Memoir, 1939-1946" and can be found through irenebessette.com or on amazon. She is survived in Portland by her son, J. Richard Forester, a retired attorney; and granddaughter, Anna Francois; and her grandson, Aaron Forester (Washington, D.C.)"

Irene Bessette died at Terwilliger Plaza in Portland, Oregon on October 7th, 2012 at the age of 88.



Irene Bessette



Where's CALL-do with Librarian Thomas Reynolds in front of the Faculty Club and the Campanile on the campus of the University of California, Berkeley.

LETTER FROM AUSTRALIA

*By Margaret Hutchison**

Greetings from Canberra again. It is now late spring here, and by the time this is published you will be in spring.

Like a lot of the rest of the world, life in Australia went on hold for the Olympics and Paralympics. Unfortunately for Australia, the medal tally did not reach the promoted expectations, especially amongst the swimming teams and various enquiries have been held to find out why.

There was much discussion in the media with experts and those back home trying to explain that while our athletes may not have won a medal, they may still have done a PB (Personal best) and should not be vilified for not being part of the gold rush that was expected as usual in the Olympics.

Another problem for spectators in Australia was the time difference, any finals were held overnight or in the early morning so that you had to get up very early or not go to bed at all if you wanted to watch the finals on live television.

In mid-April 2012, the High Court of Australia heard 3 days of oral argument concerning the Federal government's plain packing legislation known as the Tobacco Plain Packaging Act 2011. Several months later, on 15 August 2012 the High Court made orders upholding the validity of the government's legislation.

The reasons for these orders were delivered on 15th October. A majority of the High Court held that the Act was valid as it did not acquire property and therefore did not engage s 51(xxxi) of the Constitution, which requires any acquisition of property effected by a Commonwealth law to be on just terms. The Act imposes restrictions on the colour, shape and finish of retail packaging for tobacco products and restricts the use of trademarks on such packaging. The plaintiffs brought proceedings in the High Court challenging the validity of the Act, arguing that the Commonwealth acquired their intellectual property rights and goodwill otherwise than on just terms.

A majority of the Court held that to engage s 51(xxxi), an acquisition must involve the accrual to some person of a proprietary benefit or interest. Although the Act regulated the plaintiffs' intellectual property rights and imposed controls on the packaging and presentation of tobacco products, it did not confer a proprietary benefit or interest on the Commonwealth or any other person. As a result, neither the Commonwealth nor any other person acquired any property and s 51(xxxi) was not engaged.

I was interested to read in the *Canberra Times* <<http://www.canberratimes.com.au/act-news/plain-packaging-for-cigarettes-is-just-plain-nightmare-for-stores-20121029-28dkg.html>> earlier this week that cigarettes in the new plain packaging had started to be stocked in stores. Manufacturing of the previous packaging stopped in October, but stores can legally

sell the old coloured packages until December 1. Shop owners are saying that the selling will be a "Logistical nightmare" as all the packages will look the same and customers will have to wait while staff find the requested brand on the shelf.

In my last "Letter from Australia," I wrote of the process of selection of appointment of judges and especially that a new High Court Justice was to be appointed in October. Justice Stephen Gageler was appointed to replace Justice William Gummow in early October. Justice Gageler was previously the Commonwealth Solicitor-General and led the case for the government defending the plain packaging legislation amongst other cases.

Early in his career, Justice Gageler was an associate to Chief Justice Sir Anthony Mason between 1983 and 1985. Amongst the important cases decided during his time as an associate was the Tasmanian Dams case <<http://www.austlii.edu.au/au/cases/cth/HCA/1983/21.html>>.

The Library did some research as to when the last time an ex-associate to a High Court Justice was appointed to the High Court bench, and you have to go back some seventy years for the last occurrence of this. As the Commonwealth Attorney-General, Nicola Roxon, herself a former High Court associate, said in her welcoming speech,

"As one former High Court associate to another, I personally congratulate you on working very hard for the length of your career, to now find yourself back where you began. For many professions, this is not a sign of success—but in this instance this is the highest achievement possible." <<http://www.austlii.edu.au/au/other/HCATrans/2012/258.html>>

Justice Gageler himself noted that he was in an unfamiliar position but a familiar setting in his reply:

"I find myself dressed in unfamiliar robes, seated in an unfamiliar position, in a setting that has otherwise long been familiar to me, if never entirely comfortable. There is no institution with which I have had a longer continuous association than the High Court of Australia." <<http://www.austlii.edu.au/au/other/HCATrans/2012/258.html>>

Outside the High Court, the Australian Capital Territory has recently had an election. Unlike Ottawa, which has a city council, provincial government and federal government, Canberra has only 2 levels of government. There is a Territory government of 17 members which combines the city council functions such as garbage collection, public libraries and grass cutting and the equivalent state functions of health and education and the Federal government.

Unlike the other state governments in Australia, the federal government can overrule any legislation passed by territory governments. This has happened to the Northern Territory government in regard to euthanasia and for the ACT

* Margaret Hutchison is the Manager, Technical Services and Collection Development at the High Court of Australia.

government in relation to gay marriage.

Another quirk is that the ACT election is based on the Hare-Clark electoral system. This is also used in Tasmania to elect their state Assembly members. This is a multi-member proportional representation electoral system, with 5 or 7 candidates to be elected from each ballot paper. Because more than one candidate is elected from each ballot paper, political parties typically put forward several candidates in each electorate. Each elector has a single vote, which can be transferred from candidate to candidate according to the preferences shown until all the vacancies are filled and elected members achieve the quota of votes needed to be declared elected. As well as a complex voting system, the ACT also has the “Robson rotation” in which each candidate’s placing within a political party’s listing of candidates is rotated so that each ballot paper has a different name at the top of the list to give each candidate an equal share of each position. At least the name of the political party is at the top of each group of candidates so the voter has a vague chance of working out which party or person to vote for.

The election result was declared to be 8 Labor members and 8 Liberal members returned and one Greens member

returned who will hold the balance of power. Negotiations are continuing for his support to form a government.

The photos are of sculpture in the National Arboretum <<http://www.nationalarboretum.act.gov.au/home>>. The Arboretum was developed on the site of a former pine forest burnt in the 2003 bushfires. There are extensive plantings of close to 100 forests of different trees from all over the world. There was a Sugar maple (*Acer saccharum*) grove planted in 2009.

The eagle sculpture is entitled “Nest III” and was created by Richard Moffatt in 2007, this artwork is made from welded steel found objects, mostly abandoned farm machinery. When the wind blows in the right direction, propellers within the nest itself turn.

The other sculpture is titled *Wide Brown Land*, created by Tasmanian-based artist team Marcus Tatton, Futago and Chris Viney (2010). The three words used in the artwork come from the second verse of Dorothea Mackellar’s poem “My Country” written about Australia when she was just 19 years old.

Until next time.

Margaret



Nest III



Wide Brown Land

NEWS FROM THE U.K.

By Jackie Fishleigh and Pete Smith***

London Calling

Jackie Fishleigh

Joy and relief are what I think most of us feel here following a hugely successful Olympics and Paralympics. For those weeks London became “the beating heart of the world” according to IOC President, Jacques Rogge. You only have to mention the Games now and it produces a big smile and a misty look. And I have had the same reaction from as far away as Germany and the US. Happy, golden and glorious days they were, when flag waving almost became a national sport and the Royals and the PM kept popping up as spectators all over place. They must have done exceptionally well in the ticket ballot!

I got a bit of an East London tan volunteering at the media transport mall on the Olympic park. I’d hoped to be able to buy some tickets from the booth after my shifts but the Paralympics were a complete sell-out so I was proud not to be able to buy any, if that makes sense!

I had hoped to see a world record broken by Usain Bolt in the 200 metres final. It was not to be but David Rushida made history in the 800m that same night. Witnessing this in person was incredible! Track records are very rarely made on the spur of the moment. Usually there are pace makers and the attempt is thoroughly planned. Apparently he thought the lovely warm evening made for perfect conditions and so he just went for it. The concept of a Kenyan feeling inspired by our London weather is quite something!

I also attended the Paralympics Opening. It was amazing to think that the work of Dr Guttmann has now spread to every corner of the globe. The parade of teams actually over-ran by an hour but each and every one looked delighted to be there. I will never forget the phenomenal roar that greeted Paralympics GB, the sea of union jacks, the ticker tape—a really emotional moment.

However the best performance measured in terms of media interest was reserved for Alex Zanardi, the Italian ex-Formula 1 driver who won two Paralympic golds in the hand cycling at Brands Hatch. Zanardi was involved in a horrific crash in 2001, which resulted in the loss of both legs as well as a lot of blood. He had even, briefly, been declared dead.

The legacy of the Games will be an important subject for a long time to come. On a personal level, my hope would be that we are no longer seen as “stuffy.” I hope our friendliness and enthusiasm will be remembered. I will also be happy in future to wave or display a Union Jack. Until fairly recently, this was connected to the far right so I avoided it.

When it was announced in 2005 that we had won the



Jackie Fishleigh at the Paralympics

bid I was somewhat horrified. I am so grateful to those who had the vision and belief that we could really pull this off. And now we have!

So what will we do with ourselves now we have handed over to Rio? Well there is plenty of good TV to light up those dark evening including ex-(Monty) Python Michael Palin visiting Brazil and a new series of Strictly Come Dancing and Downton Abbey. I was asked to do some research for the latter last year. The topic was the law surrounding civil marriages in 1919. At that point I had never seen the programme so I only realised later that this was background research for the nuptials of Bates and Anna. I relied heavily on material in the Archives of the Law Society Library here in Chancery Lane, London to provide the relevant material.

Sadly the Law Society library is now facing severe financial problems. Closure has even been considered. The current proposal being floated is for solicitors to pay to use the service. Firms have been lobbying the powers that be to prevent any dilution of the current service which for so many years has provided an invaluable reference resource.

There have been also been two jaw-dropping scandals to occupy our thoughts and a threat of divorce! Sounds almost like a soap opera but sadly this is real life.

Firstly the BBC (sometimes known as the beeb or “Auntie”) appear over the decades to have harboured large scale child sexual abuse by Jimmy Savile, who was an extremely well known DJ, children’s broadcaster and charity fundraiser. It seems incredible that he escaped any kind of proper scrutiny or investigation. One of our most respected news programmes, Newsnight pulled a report on him abruptly last year just be-

* Jackie Fishleigh is the Library and Information Manager at Payne Hicks Beach.

** Pete Smith is Information Adviser, Sheffield Hallam University.

fore it was due to be broadcast. Last night, the BBC's other flagship documentary programme, Panorama, broadcast a very thorough investigation into the expose that Newsnight failed to follow through which itself was an investigation of the botched probes that were carried out at the BBC during Savile's career. This is very sad and very disturbing on so many levels. If only one strong and determined person had pieced together enough evidence to make Savile face the full force of the law, the suffering of so many young girls and boys over many decades could have been prevented.

The second deeply shocking scandal I will leave to Pete—the keyword to remember here is Hillsborough. When I heard the most recent revelations they really took my breath away. And apparently lawyers may have been culpable in this whole shameful and deeply troubling saga.

Divorce? Well, yes. Our Scottish neighbours seem to want to set themselves up as an independent country. I find this very sad and wish they would keep the Kingdom united. I am not sure how they would survive economically without us in such a difficult period. Apparently the current polls show that only 1 in 3 is likely to say Yes to independence but the date of the referendum will be set for the end of 2014. The leader of the Scottish National Party, Alex Salmond, is a very persuasive character and seasoned campaigner. He certainly spoke convincingly of the advantages at the recent SNP party conference. According to him, Westminster is run by “Lord Snooties” who are staggeringly incompetent. Well I know what he means in a way (!), but it is far easier governing a population of 5 million rather than one of over 50 million people.

I love Scotland (my boyfriend and I are huge fans of our new Olympic tennis and US Open champion Andy Murray) and, as a haggis and shortbread eating enthusiast, I would be truly sorry if our tartan friends decide to leave us, but hopefully they won't. We're really not that bad, and I couldn't bear it if my Union Jack is taken away just when I'd got to love it! Until next time.

Best wishes,
Jackie Fishleigh

Notes from the Steel City

Pete Smith

The Olympics and Paralympics have come and gone, Winter is drawing near, and the world of the law moves on.

The Olympics and Paralympics were a great success, both for Team GB and for the organisers. People were genuinely excited and moved by the sport and many of the feared problems did not materialise. What is to be seen is how, and if, the excitement translates into greater involvement with sport.

The Justice and Security Bill (<http://services.parliament.uk/bills/2012-13/justiceandsecurity.html>) is now waiting for its report stage; it continues to be a source of controversy, with organisations such as Liberty and Amnesty International condemning it as a threat to the rule of law. Concern still centres on closed procedures and the possibility of evidence being

presented but not challenged; over it all hangs the spectre of ‘national security’ as an excuse for covering up potentially embarrassing truths.

The Hillsborough Inquiry report (<http://hillsborough.independent.gov.uk/report/Section-1/summary/>) revealed a host of embarrassing truths. On 15th April 1989, ninety-six Liverpool fans died as a result of a crush at Hillsborough football ground. Between that day and the release of the report, families of those who died have campaigned to have the original official inquest verdict overturned, and to have what they saw as lies and slander from the police and press to be corrected.

Whilst most people expected that the official account of the tragedy would be overturned, many were shocked by the scale of collusion between police and press. South Yorkshire Police came out particularly badly, being seen as the source of rumours which pinned the blame for the deaths on the fans and suggested bad behaviour on the part of many. These rumours were picked up by the press and became part of the lies the families struggled for so long to overturn. And as Jackie notes, some law firms have been implicated in the changing and suppression of police statements.

As a result of the report, the Attorney General has applied for the original inquest verdict to be quashed, opening the way for new inquests, and there have been calls for prosecutions of leading figures in the police forces involved in the tragedy and the subsequent cover-up. According to Keith Vaz MP, 1444 police officers will be investigated by the Independent Police Complaints Commission (see <http://www.independent.co.uk/news/uk/crime/hillsborough-ipcc-will-look-into-conduct-of-1444-police-officers-8221895.html>).

The Communications and Data Bill (<http://www.official-documents.gov.uk/document/cm83/8359/8359.pdf>) is undergoing scrutiny and also continues to be a source of controversy. At the core of the argument are two issues. Firstly, does the government require the powers outlined—does it not have them already? Secondly, even if it does feel it needs them, do the powers go too far? Underlying all concerns is that addressed by the Information Commissioner: will the legislation even work, or will it merely catch the incompetent and the unlucky? (see, <http://www.out-law.com/en/articles/2012/october/criminals-could-avoid-surveillance-of-their-communications-even-under-expanded-regime-says-information-commissioner/>).

A leading figure in this area, the former official reviewer of terrorism legislation, Lord Carlile, has argued that the Bill simply consolidates existing powers. He characterises the Bill as non-party political, as it is similar to legislation proposed by New Labour (see, <http://www.bbc.co.uk/news/uk-politics-19977023>). His argument relies on the ‘need’ for information in prosecutions, citing use of phone call data as an example. In itself, this is not controversial; what critics fear is an automated trawling of all data, rather than intelligence led gathering of information. Carlile and others argue that this misrepresents the aims of the Bill. This is as may be, but I think there is genuine concern around the vague and wide-ranging

circumstances in which information can be requested—who defines ‘public safety’ and when it is threatened?

The long-running saga of Abu Hamza came to an end with his extradition to the USA where he faces trial on terrorism charges; his very last appeal was rejected by the High Court on 5th October, bringing to an end an eight year legal process in the UK.

There are a number of legal issues here. Human rights, as discussed previously, have featured—would fair trial be available, had evidence been obtained via torture; would the prison conditions in the US breach Abu Hamza’s Convention rights?

A further dimension has been added by the Gary McKinnon decision. McKinnon’s extradition had been requested, sometime after the alleged offences, so that he could be tried on charges of hacking into American military and NASA computers. Various appeals were lodged, unsuccessfully.

But at the clichéd hour, Home Secretary Theresa May blocked the extradition...on human rights grounds. Earlier appeals had argued that McKinnon’s mental health would be threatened by imprisonment; he had been diagnosed with Asperger’s Syndrome and depression, and concerns had been expressed that he might become suicidal. It was this argument which formed the basis for May’s decision. McKinnon may still face trial in the UK.

This decision relates to Abu Hamza in that in both cases human rights were advanced as reasons not to extradite; in one case they triumphed, in another not. Questions have been asked: was this decision reflective of racial issues, was McKinnon a more ‘sympathetic’ character than Abu Hamza? And what does it mean for the relationship between the USA and UK, particularly in terms of security and intelligence?

Turning from the Home Office to the Ministry of Justice, we have a new Lord Chancellor. Chris Grayling moved from Work and Pensions to Justice. He is seen as being to the right of the previous incumbent, Ken Clarke, and his appointment was seen as signalling a more general shift to the right by the Conservatives. One of his first announcements was a change in the law around using force against burglars (see, <http://www.justice.gov.uk/news/features/greater-protection-for-homeowners>)—populist and dangerous to some, who see the present law as perfectly adequate, and any move to make using force ‘easier’ as dangerous and not actually doing anything to reduce burglary.

As well as his politics, his background is of interest. Grayling is not a lawyer, having worked in television before moving into politics. As the person responsible for the judiciary, court system, and indeed for the rule of law this might be an issue, although it could be argued that as an ‘outsider’ he brings a new perspective. We will see.

Grayling has made a number of announcements relating to crime and punishment. We will all get some say in these matters in November when elections are held for Police and Crime Commissioners (see, <http://www.homeoffice.gov.uk/police/police-crime-commissioners/>). I am not sure this is a good move; many have expressed concern that this will politicise policing, whatever safeguards may be in place.

Alongside changes amongst Ministers, and upcoming change in the management of policing, there have been changes in the upper reaches of the judiciary. Lord Neuberger has been sworn in as President of the Supreme Court; Lord Dyson has left the Supreme Court to replace Lord Neuberger as Master of the Rolls, head of the civil judiciary. His move, along with the retirement next year of Lords Walker and Hope, means that there will be three new Supreme Court justices. This could open the way for greater diversity in the court—perhaps more women, a slightly younger age profile? The *Obiter J* blog thinks it likely at least one appointee will be Scottish, to ensure adequate coverage of Scots law (see, <http://obiterj.blogspot.co.uk/2012/10/news-roundup-saville-hillsborough-prince.html>).

In the world of law firms, new Alternative Business Structures (ABSs) have been announced at a steady rate—not the big bang many predicted, but not the damp squib others foresaw. Larger firms—Co-operative Legal Services for example—have already joined, with others (such as Saga and the Automobile Association) making interested noises. There are still many solicitors who have concerns about ABSs, specifically around the potential ethical issues arising from outside investment, but ABSs seem here to stay.

Jackie has also mentioned the campaign for Scottish independence; a case before the High Court is considering the powers of the Welsh Assembly. These are interesting times for the Union.

At a personal level, my LawSync colleagues and I had an article published in *Legal Information Management* 12 (3); a pre-publication version is available at <http://www.shura.ac.uk/5528>. The article discusses the background to the LawSync project, including the effect of ABSs, and outlines our plans for a module based on the LawSync initiative.

As the nights draw in and the temperatures drop, a safe and happy Winter to you all; see you in the New Year!

Pete Smith

Please note that any and all opinions are those of the authors and do not reflect those of their employers or any professional body with which they are associated.

DEVELOPMENTS IN U.S. LAW LIBRARIES

By Anne L. Abramson*

Dear Readers:
I hope you don't mind if I start my column with a summary of the highlights from my experience in Toronto at the International Association of Law Libraries (IALL) Conference this past October. This summary will also appear as part of a longer article of Conference highlights that is being compiled by my colleague at Loyola, Julianne Grant, for the next issue of the CALL (Chicago Association of Law Libraries) Bulletin. All of the Chicago Foreign and International Law (FCIL) Librarians were present at this amazing Conference.

"Sweet Home Toronto"

As I typed up my notes from the Conference over these past few days, I was able to relive the ultimate conference experience of my career as a FCIL Librarian. I had never been to Toronto or to an IALL conference before. Often IALL conferences are in far away, exotic places. One recent conference was in Kuala Lumpur, for example.

Given the logistics, I did not consider going to an IALL Conference a realistic possibility. The selection of Toronto as the venue for the 2012 Conference, however, presented a rare opportunity to attend given the proximity of Toronto to Chicago. Also, coincidentally, my husband's close childhood friend, Ellen, visited us last July. Ellen and her husband have an apartment in Toronto. They kindly offered us a place to stay during the Conference this October. The availability of free lodgings in Toronto with Ellen's cats, Max and Snuggle-puss, made it inevitable. I was going to Toronto for my first IALL Conference.

The opening reception itself was a thrill and even a touch surreal. It took place in beautiful Osgoode Hall of the Law Society of Upper Canada and featured a Scottish town crier and aboriginal drummers, all of which gave us a taste of Canadian history and culture. A highlight for me was simply seeing so many wonderful colleagues from around the world and also from sweet home Chicago in person. I was particularly delighted to see three dear colleagues, who were kind enough to speak to my International Legal Research class in years past all in the same room together: Carole Hinchcliff from Melbourne, Australia, Nancy McCormack from Kingston, Ontario and our own Jean Wenger from Chicago.

Our Canadian hosts created an extraordinary program of impressive speakers, many of whom were faculty from York University's Osgoode Hall Law School and University of Toronto Law School. Topics like International Human Rights, Anti-Terrorism Law, Domestic Implementation of International Law and International Environmental Law

are all extremely relevant to the work that I do in my role as Foreign and International Law Librarian here at John Marshall. I found the comparative approach, that is, learning about these topics from a uniquely Canadian point of view especially enlightening.

For example, University of Toronto Professor Cheryl Milne provided an in depth analysis of the infamous *Bountiful* case which involved polygamy in a fundamentalist Mormon community in British Columbia. This case offers a fascinating view of Canadian criminal law and procedure as well as Canada's international obligations to women and children. Similarly, we were privileged to listen to Professor Peter Hogg, Scholar-in-Residence and Former Dean the Osgoode Hall Law School at York University. Prof. Hogg is the author of the only current, major treatise on Canadian constitutional law. As a native New Zealander, his foray into Canadian constitutional law teaching and scholarship was rather fortuitous. The field had been something of a backwater, but is now a hot area since the adoption of the Canadian Charter of Rights and Freedoms in 1982. Prof. Hogg's treatise has expanded exponentially as a result. His latest empirical research involves tracking legislation after it has been struck down as unconstitutional. The insights of Prof. Hogg would be of great interest to comparative constitutional law scholars.

Our Canadian law librarian colleagues also gave us a valuable update on Canadian legal research and law libraries beyond CanLII. The challenges they face mirror in many respects the challenges we face here in the U.S. Canadian law librarians must contend with the common misperception that the "everything is on the internet," while knowing that access to legal information is not enough. Patrons need help understanding how the law affects their daily lives. To address this need, the Bora Laskin Law Library at the University of Toronto has created a "You and the Law" website for the community: <<http://www.law-lib.utoronto.ca/comminfo/community.htm>>.

The Conference concluded with a presentation by Dr. Donald Simpson, founder of the International Institute for Innovation. Mr. Simpson's peripatetic career is impossible to summarize, but extremely inspiring. Without the aid of PowerPoint or props, he mesmerized his audience with stories of his involvement with Crossroads Africa and the town of North Buxton, Ontario which was founded by runaway American slaves. At 80+ years of age, he is still going strong. Archives from Dr. Simpson's remarkable life are now housed at York University.

Unfortunately, I had to miss the closing dinner and the optional day in Niagara. Both sounded like memorable events.

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I could not conclude my summary of highlights, however, without mention of dinner at the Toronto landmark, CN Tower.

Aside from my learning experience at the Conference, I learned almost as much living as a “native” in Toronto. I count taking the bus and subway from Lawrence Ave to the Conference center, driving downtown in our friends’ SUV and managing the logistics of meeting my husband for our anniversary dinner as major accomplishments during my brief stay. With cats to greet me at the end of the day and an excellent yoga studio in the neighborhood, I felt very at home.

My impressions of Toronto are extremely positive. I appreciated how clean and safe it is and how courteous the people are. The “cultural mosaic” which was the theme of our Conference was evident everywhere, giving Toronto the sophistication of a true global metropolis. At the same time, the friendliness reminded me a bit of the Twin Cities where I began my career in law librarianship many years ago. Toronto even has its own “mini-Times Square” like New York City and prices to match. Even without a Conference to attend, I hope to go back again one day soon.

P.S. I will soon be sending thank you gifts to my generous Canadian feline hosts, Max and Snugglepuss. Something from “Barker & Meowsky, a paw firm” (see photo) here in Chicago seems appropriate.

Veterans Legal Clinic

Excitement is building over the imminent opening of our Veterans Legal Clinic’s new offices on Jackson and Plymouth. As mentioned in my last column, last summer, John Marshall reached a historic milestone by opening its new State Street entrance. That was the first phase of the school’s major building projects.

The next phase is the renovation of an old building on the corner of Jackson and Plymouth which will soon house the Clinic. Up until this point, the Clinic had been operating without a real office. Now that the school has acquired this key real estate, the Clinic is poised to take its rightful place on this prominent corner. Aside from the Clinic, there will be no other occupant of this building. For some time to come, the rest of the building space will remain empty.

You can imagine what the Yogi Librarian has in mind: a yoga studio for the law school. I have already named it, in fact, “the Calm within the Storm.” Everyone in the law school community could benefit from having a peaceful retreat right on the premises for clearing our minds and raising our spirits. I hope one day it may come to pass and I can be a part of it.

What the Best Law Teachers Do & (Re)Designing Your Course

Sophie Sparrow is a law professor at the University of New Hampshire. As described in my Spring, 2011 column, Prof. Sparrow lead a Teaching Effectiveness Workshop for our faculty in February, 2011. We are now fortunate to have her

here the entire year as a Visiting Professor.

Prof. Sophie, as I like to call her, has been tremendously helpful to me in my fledgling efforts to improve my teaching. When I learned that she, too, is also yoga practitioner, I knew we were on the same wave length. I recently attended Prof. Sophie’s presentation “What the Best Law Teachers Do: Study Highlights.” The presentation is based on a four year study (2008-2012) undertaken by Sophie and her colleagues, Michael Hunter Schwartz and Gerald F. Hess. It attempts to identify the most important teaching attributes for exceptional learning. These attributes include thoughtfulness, authenticity and commitment to continuous improvement. The study will be published by Harvard University Press in 2013. Needless to say, we will definitely be adding it to our Library collection.

In addition, Prof. Sophie and Prof. Anthony Niedwiecki will be presenting jointly on redesigning law courses at the end of November. I have been collecting articles on legal education for some time now and highly recommend Prof. Niedwiecki’s recent article: *Teaching for Lifelong Learning: Improving the Metacognitive Skills of Law Students Through More Effective Formative Assessment Techniques*, 40 Cap. U.L.Rev. 150 (2012).

Institutional Repository (IR) Coming

Like a number of U.S. law schools, John Marshall has recently decided to create its own digital repository of law school publications including journals, faculty scholarship and other archival materials. We, in the Library, are spearheading this effort.

As mentioned in my last column, I attended a webinar by BePress last spring. Yale and Duke Law Libraries have both been on the forefront of the IR movement. A webinar on Yale’s experience took place last September. A link to that webinar can be found at the following URL: <https://vimeo.com/50163140>.

A second webinar focusing on Duke’s experience took place just a few days ago. See <https://vimeo.com/52693278>.

There is no one way to set up a digital repository. Learning about other libraries’ experiences with IR and how they have addressed issues that we are sure to encounter, such as staffing and permissions, is extremely helpful.

More Interesting Webinars and Conferences

Lyo was kind enough to post an announcement on the Int-Law listserv regarding the following webinar by the Center for Research Libraries (CRL) on Oct. 24, 2012: Research Access to Sources on Law and Government.

The webinar includes a discussion of the Global Legal Information Network (GLIN) which is a collaboration of agencies from about 30 countries. GLIN is a central repository of official versions and translations of the laws of these countries. However, I rarely use GLIN as other websites (i.e. WorldLII) seem to be more comprehensive, if less official. I understand though that attempts are underway to make


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GLIN more useful. You can listen and watch at <http://www.crl.edu/events/8334>.

My colleague, Claire, just sent word about an important symposium on the future of legal education which took place at the University of Missouri on Oct. 19. Materials from the symposium on “Overcoming Barriers in Preparing Law Students for Real-World Practice” as well as videotaped presentations are available via the Legal Skills Prof Blog at <http://bit.ly/QctHff>.

I am looking forward to attending the next Chicago Association of Law Libraries (CALL) meeting on November 15. The meeting will feature Catherine Sanders Reach, Director for Law Practice Management & Technology at the Chicago Bar Association (our neighbor).

Catherine will discuss “Information Overload,” a feature of modern life, in general, and librarianship in particular. She will focus on how to manage email and use tools to sort, search and retrieve information. It’s personal knowledge management for librarians. My attempts to deal with my own information overload are long overdue. I hope that this talk can help.

AALL News

The latest issue of AALL Spectrum (November, 2012) features articles on the following topics: working for a non-ABA accredited law school; how Twitter can help law

librarians; managing grants and scholarship applications; law library services to prison inmates; library policies for patrons with disabilities; new legal subject headings; differences and similarities among Oregon law libraries; and the cognitive disadvantages of ebooks.

AALL is joining the “Owner’s Rights Initiative,” a coalition of retailers, libraries, educators, Internet companies and associations that have joined together to protect the ownership and lending rights of businesses and libraries. The premise of the Owner’s Rights Initiative is that if you bought it, you own it and have the right to sell, lend or give it away (the so called “First Sale” doctrine). This doctrine is the subject of a case currently before the U.S. Supreme Court: *Kirtsaeng v. John Wiley & Sons, Inc.* Wiley charges that Kirtsaeng, a Thai student studying in California, infringed its copyrights by reselling foreign textbook editions in the U. S.

The case has serious implications for libraries’ ability to lend books and other materials which are manufactured abroad. AALL signed on to an amicus brief in July in support of Kirtsaeng. For background and further analysis on the impact on libraries, please see the AALL Copyright Committee’s new Issue Brief at <http://bit.ly/RwihQx>.

AALL has also joined with the International Legal Technology Association (ITLA) to create a joint publication entitled “The New Librarian.” This first white paper discusses the “new normal” in the legal profession and the impact of

The screenshot shows a web browser window with the address bar containing <http://epubs.iltanet.org/i/67421>. The browser's address bar also shows "bitly | your bitm..." and "The New Librarian". The browser's search bar contains "Google" and "Search". The browser's address bar also shows "Convert" and "Select". The browser's address bar also shows "Anne A". The browser's address bar also shows "2-3/89". The browser's address bar also shows "i/ta". The browser's address bar also shows "AALL and ILTA digital white paper". The browser's address bar also shows "The New Librarian". The browser's address bar also shows "Instinct only gets you so far". The browser's address bar also shows "When you're in the moment, making tough decisions for your business, you need more than a gut reaction. ALM Legal Intelligence backs you up with the facts—our sound research and comprehensive market data are second to none, giving you the confidence you need to make the most well-informed choices, always." The browser's address bar also shows "Visit almlegalintel.com today." The browser's address bar also shows "Call: 888-770-5647 or Email: almlegalintel@alm.com". The browser's address bar also shows "ALM LEGAL INTELLIGENCE". The browser's address bar also shows "powered by überflip". The browser's address bar also shows "OCTOBER 2012". The browser's address bar also shows "i/ta". The browser's address bar also shows "Illustration: i/ta. All rights reserved."

SharePoint, iPads and enterprise search tools as well as many other interesting topics. See <http://bit.ly/PGJWB6>.

Lastly, AALL members were asked to vote on new bylaws that would eliminate the category Associate Member and expand the category Active Member to include those who do not work in traditional law libraries. These membership distinctions may seem rather mundane, but they actually generated a great deal of debate in the AALL Members Open Forum. Members are concerned, for example, about the influence of vendors and the mission of our organization. The proposed changes passed but only by a narrow margin.

Yet More in the News

And did I mention just a few little things like Hurricane Sandy and... the national election? Fall is always a time of change, but this particular season seems particularly momentous. To use the surfing metaphor from my column last spring, it's as if we are all about to encounter a huge wave. The ripples will continue long after the wave goes by.

In yoga, one is never supposed to hold one's breath. Calm breath means a calm mind. My thoughts return to the "Calm within the Storm," my dream yoga studio for the law school, and a mantra from a favorite yoga teacher, which I give to my students like a research path. It seems appropriate as we face the coming wave: Pause > Breath > Relax.



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